

GCA Deferring, suspending or cancelling a student’s enrolment policy

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| National Code of Practice for International Students (NCPIS) Standard(s): Standards 9,10, 5 & 8 | |

Context

This policy outlines the requirements and procedures for Group Colleges Australia to suspend and cancel a student’s enrolment or act on a student request for deferment in accordance with Standard 9 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

Rationale

Group Colleges Australia is required to have in place a policy and set of procedures for deferring, suspending or cancelling a student’s enrolment.

Legislative Context

- National Code Standard 9 , Standard 10, Standard 5, Standard 8
- [ESOS Act Section 19](#)
- ESOS Regulations 2001 3.02 and 3.03
- Migration Act 1958
- Student Visa condition

Definitions

To defer or suspend enrolment means to temporarily put studies on hold (adjourn, delay, postpone). For international students providers do this by notifying the Department of Education through Provider Registration and International Student Management System (PRISMS) of the deferment or suspension of enrolment. This is not required for domestic students.

A student may request a temporary deferment or suspension to his or her enrolment on the grounds of compassionate or compelling circumstances. A provider may also initiate suspension of a student’s enrolment due to misbehaviour of the student. Suspension of enrolment is not necessarily due to misbehaviour; suspension of enrolment may also be initiated by the student.

Compassionate or compelling circumstances are generally those beyond the control of the student and which have an impact upon the student’s course progress or wellbeing. These could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the student was unable to attend classes; or
- bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided); or
- major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student’s studies; or
- a traumatic experience which could include:

- involvement in, or witnessing of a serious accident; or
- witnessing or being the victim of a serious crime; or
- where the registered provider was unable to offer a pre-requisite unit; or
- inability to begin studying on the course commencement date due to delay in receiving a student visa.

Policy

Under this policy Group Colleges Australia will have procedures for assessing, approving and recording a deferment of the commencement of study or suspension of study for the student, including keeping documentary evidence on the student's file of the assessment of a student application. Group Colleges Australia will defer or suspend the enrolment of student if it believes there are compassionate or compelling circumstances.

Group Colleges Australia may suspend or cancel a student's enrolment including, but not limited to, on the basis of:

- a) misbehaviour by the student. Misbehaviour can be grounds for cancellation of studies. Group Colleges Australia will outline grounds for suspension or cancellation of a student's enrolment prior to enrolment, as required under Standard 2.1.8 of the National Code;
- b) the student's failure to pay an amount he or she was required to pay the registered provider to undertake or continue the course as stated in the written agreement;
- c) a breach of course progress or attendance requirements by the overseas student, which occurs in accordance with Standard 8 (Overseas student visa requirements).

Group Colleges Australia may choose to grant or decline any student's request for deferment or suspension of studies, in accordance with its documented procedures for assessing such requests.

Students will have the right to appeal a decision by Group Colleges Australia to defer, suspend or cancel their studies and Group Colleges Australia will not notify Department of Education of a change to the enrolment status until the internal complaints and appeals process is completed.

Deferring a Semester

Students who would like to defer their studies must first speak to Student Services staff. An application to defer must be submitted and will need to be approved. Prior to applying to defer their program, students must ensure that they have paid any outstanding fees.

Deferral of studies by international students is permitted only in compassionate or compelling circumstances including serious illness, death in the family or for some other reason such as misbehaviour by the student.

Students will be required to provide evidence of the compassionate or compelling circumstances.

Failure to Start Course

Students who are unable to arrive and start their course on time as agreed, or no later than seven days of the agreed start date, may have to apply to Group Colleges Australia to defer their studies.

Suspension due to Academic Misconduct

All students are expected to maintain high standards of academic honesty and integrity. Academic misconduct is defined as attempts by students to cheat, plagiarise or otherwise act dishonestly in

undertaking an assessment task or assisting other students to do so. Students are considered guilty of cheating if they seek to gain advantage by unfair means such as copying another student's work or in any way misleading a lecturer, teacher or tutor about their knowledge, ability, or the amount of original work they have done.

Student responsibilities:

➤ **During Examinations**

- a) Students must not help or receive assistance from other students
- b) Students must not request the loan of, nor lend, materials or devices to other students
- c) Students must not bring any materials into the examination room other than those specified for that examination
- d) Students must not use computer software or other devices during an examination other than those specified.

A student may be excluded from an examination in a unit for any of the following reasons:

- Unauthorised absence from class
- Failure to meet unit requirements, for example non-submission of assignments or failure to attend class or mid-trimester tests
- Academic misconduct
- General misconduct (see below).

➤ **Other Assessment Tasks**

- a) Students must not copy or minimally paraphrase any document, audio-visual material, computer-based material or artistic piece from another source except in accordance with the conventions of the field of study
- b) Students must not use another person's concepts, results or conclusions and pass them off as their own
- c) In cases where the assessment task is intended to be individual work and not group work, students must not prepare an assignment collaboratively and then submit work that is substantially the same as another student's assessment
- d) Students must not ask another person to produce an assessable item for them.

➤ **General Conduct**

Students are expected to respect other students, staff and property so that learning and teaching can take place freely, safely and without impediment due to the misconduct of others.

General misconduct includes where a student: acts dishonestly; harasses other students or staff; interferes with students or staff; prevents or disrupts learning; disobeys/fails to comply with contractual or legal requirements; misuses, damages or steals Group Colleges Australia property or the property of others; alters/defaces Group Colleges Australia documents or records; prejudices the good name of Group Colleges Australia, or otherwise acts in an improper manner.

The following examples indicate the kinds of behaviour which constitute student misconduct. They are for illustrative purposes and are not intended to be exhaustive. Student misconduct may occur when a student:

- a) contravenes any rules or acts;
- b) prejudices the good name or reputation of Group Colleges Australia;

- c) prejudices the good order and governance of Group Colleges Australia or interferes with the freedom of other people to pursue their studies, carry out their functions or participate in the life of Group Colleges Australia;
- d) fails to comply with conditions agreed in the contract;
- e) wilfully disobeys or disregards any lawful order or direction;
- f) refuses to identify him or herself when lawfully asked to do so by an officer of Group Colleges Australia;
- g) fails to comply with any penalty imposed for breach of discipline;
- h) misbehaves in a class, meeting or other activity under the control or supervision of Group Colleges Australia or on Group Colleges Australia premises or other premises to which the student has access as a student of Group Colleges Australia;
- i) obstructs any member of staff in the performance of their duties;
- j) acts dishonestly in relation to admission to Group Colleges Australia;
- k) knowingly makes any false or misleading representation about things that concern the student as a student of Group Colleges Australia or breaches any of Group Colleges Australia's rules;
- l) alters any documents or records;
- m) harasses or intimidates another student, a member of staff, a visitor to Group Colleges Australia, or any other person while the student is engaged in study or other activity as a Group Colleges Australia student because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- n) breaches any confidence of Group Colleges Australia;
- o) misuses any facility in a manner which is illegal or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from Group Colleges Australia premises while acting as a Group Colleges Australia's student in a manner which is illegal or which is or will be detrimental to the rights or property of others;
- p) steals, destroys or damages a facility or property of Group Colleges Australia or for which Group Colleges Australia is responsible;
- q) is guilty of any improper conduct;
- r) fails to attend and participate in classes regularly.

Group Colleges Australia's responsibilities:

Procedural fairness:

- i. Students must be treated fairly, with dignity and with due regard to their privacy.
- ii. Students are to be regarded as innocent of the alleged misconduct until they have either admitted to it or been found by proper inquiry to have so behaved.
- iii. Past misconduct is not evidence that a student has behaved in the same manner again.
- iv. Each case will be dealt with on its own merits and according to its own circumstances with the proviso that the first instance of misconduct will be penalised more leniently than subsequent instances of misconduct.

Group Colleges Australia will inform the student of its intention to suspend or cancel the student's enrolment and the reasons for doing so in writing where the suspension or cancellation is not initiated by the student, and notify the student that he or she has 20 working days to access the registered provider's internal complaints and appeals process as per Standard 10.2. If the student accesses the registered provider's internal complaints and appeals process, the suspension or cancellation of the student's enrolment under this standard will not take effect until the internal appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

Group Colleges Australia will report all criminal acts committed by its students to the relevant authorities.

For the three different possible outcomes for the student's Confirmation of Enrolment (CoE) Group Colleges Australia will (only applicable to international students):

- notify Department of Education through PRISMS that it is deferring or suspending a student's enrolment for a period without affecting the end date of the CoE.
- notify Department of Education through PRISMS that it is deferring or suspending a student's enrolment for a period which will affect the end date of the CoE.
- notify Department of Education through PRISMS that it wishes to permanently cancel (terminate) the student's enrolment.

Group Colleges Australia will inform the student that deferring, suspending or cancelling his or her enrolment may affect his or her student visa and advise the student to seek advice from Immigration on the potential impact.

All staff are given access to this policy at induction.

Students are given access to this policy via *MyGCA* which is made available to them online prior to enrolment and at their course induction.

Penalties for Student Misconduct:

- i. Penalties imposed will take into account the nature and the extent of the misconduct.
- ii. A student's second offence is penalised more severely than their first offence and a third offence will result in exclusion from Group Colleges Australia.
- iii. The following penalties may be imposed: a warning; a reduction in grades; receiving zero for an assessment event; failing the unit; exclusion from Group Colleges Australia.

If the student admits to the alleged misconduct, the Head of School may impose one or both of the following:

- a charge for the cost of damage to facilities and equipment
- temporary exclusion from Group Colleges Australia.

The Head of School may impose the penalty of permanent exclusion from Group Colleges Australia in the case of criminal acts, physical or verbal abuse of students or staff of Group Colleges Australia, or repeated or severe misconduct.

Financial Misconduct

Any student who fails to maintain up-to-date payments for their course will be seen as breaching their financial obligations. Any student who falls more than one month behind in their payments will be notified that if they do not make payment of all outstanding amounts within 7 days, they will have their enrolment cancelled on the grounds of financial misconduct.

Notification and Appeal

- i. Students will be notified in writing of penalties as a consequence of academic misconduct.
- ii. The grounds for appeal are:
 - procedural irregularities, and / or
 - factual errors on which the decision was based and which were of such magnitude as to invalidate the decision.

- iii. Appeals must be lodged in writing with the Head of School within 20 days of the date of the student being notified of the consequence.

Procedure

For Recording Deferments – Exceptional Circumstance

- Student requests deferment of course studies.
- Request made in writing and evidenced with a medical certificate or letter outlining the exceptional circumstances for which they are seeking a deferment.
- If Current Student, request is assessed by Student Services in the first instance with reference to Head of School as required.
- If New Student, request is assessed by the GCA Admissions Centre in the first instance with reference to Admissions Director as required.
- Supporting documentation submitted by the student is uploaded in MyGCA Student Journal.
- If circumstances are deemed exceptional a deferment will be granted. A deferment may be granted for up to 12 months before enrolment will be cancelled.
- If circumstances are not deemed exceptional a deferment will not be granted and a notice will be sent to the student via MyGCA Broadcast Module, including information for appeal.
- If an appeal is made by the student, this is submitted to the Head of School for further assessment.
- Group Colleges Australia reports student to Department of Education via PRISMS as required (only applicable to international students).
- Regardless of whether the suspension of enrolment is the result of a student request for suspension or provider-imposed suspension of enrolment due to misbehaviour, the period of suspension of enrolment (as entered in PRISMS) will not be included in attendance monitoring calculations.

Document Change Control

| Version | Change Description | Date | Author |
|---------|--|-----------|--------------|
| v5 | Refreshed format | May 2018 | Carlos Munoz |
| v6 | Amendment to Legislative Context – Standard 13, Standard 8 & Standard 11 replaced with Standard 9, Standard 10 & Standard 8 respectively as per National Code 2018 | June 2018 | Vivian Duong |
| v6 | Update on the circumstances under which GCA may suspend or cancel a student’s enrolment | June 2018 | Vivian Duong |

| Version | Change Description | Date | Author |
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| v6 | Inclusion of GCA's responsibility to inform the student in writing of the reasons for suspending or cancelling the student's enrolment where the suspension or cancellation is not initiated by the student | June 2018 | Vivian Duong |
| v6 | 'Standard 8.1' replaced with 'Standard 10.2' | June 2018 | Vivian Duong |
| v7 | Change of header due to GCA rebranding | January 2019 | Vivian Duong |
| v7 | Amendment to Legislative Context – removal of 'AQTF Condition of Registration 2' | January 2019 | Vivian Duong |