

# SC34-I: Deferral, Suspension and Cancellation Policy & Procedures

---

## Contents

Purpose .....	1
Definitions.....	1
Policy.....	2
Procedure: Student-initiated deferral, suspension or cancellation of enrolment.....	3
Procedure: Provider-initiated suspension or cancellation of enrolment.....	8
Document Control .....	15

## Purpose

The purpose of this policy is to outline the circumstances in which a student can defer, suspend or cancel their enrolment with Bayside International College and where the college can initiate the suspension or cancellation of the student's enrolment.

This ensures compliance with Standard 9 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

## Definitions

**CoE** means Confirmation of Enrolment

**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
- Bereavement of close family members, such as parents or grandparents (a death certificate should be provided where possible)
- Major political upheaval or natural disaster in the home country requiring emergency travel, and this has had an impact on the student's studies
- A traumatic experience that has had an impact on the student, such as involvement in or witnessing of a serious accident, or witnessing or being the victim of a serious crime (these cases should be supported by police or psychologists' reports)
- Where Bayside International College is unable to offer a pre-requisite unit
- Where the student is unable to begin studying on the course commencement date due to delay in receiving a student visa

**DET** means Department of Education and Training

**Deferral** means to postpone commencement of studies.

**ESOS Act** means the Education Services for Overseas Students Act

2000 **Home Affairs** means Department of Home Affairs

**Leave of Absence** means a temporary postponement of studies after enrolment has started (usually requested by the student)

**National Code** means National Code of Practice for Providers of Education and Training to Overseas Students 2018.

**PRISMS** means Provider Registration and International Student Management System (PRISMS)

**Suspension** means a temporary postponement of studies after enrolment has started

# SC34-I: Deferral, Suspension and Cancellation Policy & Procedures

---

## Policy

### Deferring, suspending or cancelling a student's enrolment

1. Bayside International College has and implements a documented process for assessing, approving and recording a deferral of the commencement of study or suspension of study requested by an overseas student, including maintaining a record of any decisions.
2. Bayside International College may defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances.
3. If Bayside International College initiates a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation Bayside International College must:
  - inform the overseas student of that intention and the reasons for doing so, in writing
  - advise the overseas student of their right to appeal through the Bayside International College's internal complaints and appeals process, in accordance with Standard 10 (Complaints and appeals) of the National Code, within 20 working days.
4. When there is any deferral, suspension or cancellation action taken under this standard, Bayside International College must:
  - inform the overseas student of the need to seek advice from Immigration on the potential impact on his or her student visa
  - report the change to the overseas student's enrolment under section 19 of the ESOS Act.

### Additional considerations related to provider-initiated suspension or cancellation of an overseas student's enrolment

1. Bayside International College may suspend or cancel a student's enrolment including, but not limited to, on the basis of:
  - misbehaviour by the student
  - the student's failure to pay an amount the student was required to pay Bayside International College to undertake or continue the course as stated in the written agreement
  - a breach of course progress or attendance requirements by the overseas student which must occur in accordance with Standard 8 (Overseas student visa requirements) of the National Code 2018.
2. The suspension or cancellation of the overseas student's enrolment in these circumstances (Standard 9.3 of the National Code 2018) cannot 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
3. Bayside International College only reports unsatisfactory course progress or unsatisfactory course attendance in PRISMS in accordance with section 19(2) of the ESOS Act if:
  - the internal and external complaints processes are completed, and the decision or recommendation supports Bayside International College, or
  - the overseas student chooses not to access the internal complaints and appeals process within the 20 working days period, or
  - the overseas student chooses not to access the external complaints and appeals process, or
  - the overseas student withdraws from the internal or external appeals processes by notifying Bayside International College in writing.

# SC34-I: Deferral, Suspension and Cancellation Policy & Procedures

4. Refer to Bayside International College's *Course Progress and Attendance Monitoring Policy and Procedures* for detailed information related to the monitoring of students' course progress and attendance and action that may be taken (including intervention strategies) if course progress and/or attendance are unsatisfactory

## Suspension or cancellation of a student's enrolment due to violation of the Bayside International College Code of Conduct

1. The Code of Conduct describes the way in which students of Bayside International College are expected to conduct themselves during their participation in training and assessment, and outlines students' rights and responsibilities
2. The Code of Conduct encompasses all of the rights, responsibilities and expectations described in the 'Code of Conduct' section of the *Student Handbook*
3. A **violation** of the Code of Conduct is defined as failure to adhere to Bayside International College's Code of Conduct.
4. A **violation** will result in appropriate disciplinary action at the discretion of the PEO. In some cases, this may include suspension or cancellation of enrolment. The suspension or cancellation of the overseas student's enrolment in these circumstances cannot 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.
5. A **serious violation** of the Code of Conduct is defined as a violation of the Code of Conduct that is assessed by Bayside International College as likely to place the health or wellbeing of that student at risk, or to place the health or wellbeing of another person at risk. Due to the perceived risk to health and wellbeing, in cases of **serious violation**, the suspension or cancellation of the overseas student's enrolment can take effect immediately.

## Procedure: Student-initiated deferral, suspension or cancellation of enrolment

### 1. Student-initiated deferral of enrolment

Refer to Clauses 6.2, 6.3, 6.4 and 6.5 of Standard 6, and Standard 9 of the National Code.

Procedure	Responsibility
<p><b>A. Process student request for deferral of enrolment</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide <i>Application for Deferral Form</i> on request to students               <ul style="list-style-type: none"> <li>○ Form includes referral to Department of Home Affairs for information about potential impact on student visa.</li> </ul> </li> <li><input type="checkbox"/> Assist student to complete form as required.</li> </ul>	Administration / PEO
<p><b>B. Assess student request for deferral of enrolment and reply to student</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Consider reasons for request for deferral and approve cases that fall within compassionate and compelling circumstances as defined in this policy.</li> <li><input type="checkbox"/> Reply to student in writing using the <i>Notice of Deferral Decision</i>, within 10 working days of receipt of completed <i>Application for Deferral Form</i></li> </ul>	PEO

## SC34-I: Deferral, Suspension and Cancellation Policy & Procedures

- Ensure that student signs and returns the *Notice of Deferral Decision* to indicate their understanding and acceptance of the decision (even if they wish to appeal it)
- Where the deferral is approved and the end date of the CoE is affected:
  - Notify student in writing using the *Notice of Deferral Decision*, noting the approval and that the student should contact the Department of Home Affairs regarding any impact on their visa
  - A new CoE is created through PRISMS and sent to the student along with a new *Letter of Offer and Student Agreement* to reflect the new commencement date.
  - Student will be required to sign and return new *Letter of Offer and Student Agreement*
  - Notify DET through PRISMS that the student will be deferring their enrolment.
- Where the deferral is approved and the end date of the CoE is not affected (i.e., it is a short period of deferral):
  - Notify student in writing using the *Notice of Deferral Decision* letter, noting the approval and that the student should contact the Department of Home Affairs regarding any impact on their visa
  - A new CoE will not be required
  - Notify DET through PRISMS that the student will be deferring their enrolment.
- Where the deferral is refused:
  - Notify student in writing using the *Notice of Deferral Decision*, including:
    - the reason for refusal
    - that the student may commence their studies as stated on their current *Letter of Offer and Student Agreement* (i.e., without deferring their start date), and that their enrolment would commence as normal and their student visa would not be affected
    - that the student has the right to appeal the decision within 20 working days in accordance with Bayside International College's *Complaints and Appeals Policy and Procedures*.
    - That Bayside International College will not finalise the student's enrolment status in PRISMS until the appeal finds in favour of Bayside International College, or the student chooses not to access the complaints and appeals processes within the 20 working day period, or the student withdraws from the process
  - If the student commences their studies as stated on their current *Letter of Offer and Student Agreement* (i.e., without deferring their start date), their enrolment will commence as normal and no change to their enrolment status will be made in PRISMS
  - Bayside International College will not finalise the student's enrolment status in PRISMS until the appeal finds in favour of Bayside International College, or the student chooses not to access the complaints and appeals processes within the 20 working day period, or the student withdraws from the process
- Any refund of fees paid will be made as per Bayside International College's *Fees and Refunds Policy and Procedures*.
- Include all documentation in the student's file. Maintain record of request and all documentation related to the request, the assessment of the request, the decision

# SC34-I: Deferral, Suspension and Cancellation Policy & Procedures

and any subsequent appeals process for two years after the overseas student ceases to be an accepted student at Bayside International College.

## 2. Student-initiated suspension of enrolment (leave of absence)

Procedure	Responsibility
<p><b>A. Process student request for temporary suspension of enrolment (leave of absence)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide student the <i>Application for Leave of Absence Form</i> on request to students.               <ul style="list-style-type: none"> <li><input type="checkbox"/> Form includes referral to Department of Home Affairs for information about potential impact on student visa.</li> </ul> </li> <li><input type="checkbox"/> Assist students in completing form as required.</li> <li><input type="checkbox"/> Students wishing to suspend their enrolment must apply in writing to Bayside International College a minimum ten (10) working days prior to the requested suspension start date. Note, however, that suspension may be granted retrospectively where the student was unable to contact the organisation to inform them of the suspension in their studies e.g. they were involved in a car accident.</li> </ul>	Administration / PEO
<p><b>B. Assess student request for temporary suspension of enrolment (leave of absence) and reply to student</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Consider reasons for request for temporary suspension of enrolment (leave of absence) and approve cases that fall within compassionate and compelling circumstances as defined in this policy.</li> <li><input type="checkbox"/> Reply to student in writing using the <i>Notice of Leave of Absence Decision</i>, within 10 working days of receipt of completed <i>Application for Leave of Absence Form</i></li> <li><input type="checkbox"/> Ensure that student signs and returns the <i>Notice of Leave of Absence Decision</i> to indicate their understanding and acceptance of the decision (even if they wish to appeal it)</li> <li><input type="checkbox"/> Where the temporary suspension of enrolment (leave of absence) is approved and the end date of the CoE is affected:               <ul style="list-style-type: none"> <li><input type="checkbox"/> Notify student in writing using the <i>Notice of Leave of Absence Decision</i>, noting the approval and that the student should contact the Department of Home Affairs regarding any impact on their visa</li> <li><input type="checkbox"/> A new CoE is created through PRISMS and sent to the student along with a new <i>Letter of Offer and Student Agreement</i> to reflect the new CoE information.</li> <li><input type="checkbox"/> Student will be required to sign and return new <i>Letter of Offer and Student Agreement</i></li> <li><input type="checkbox"/> Notify DET through PRISMS that the student will be suspending their enrolment.</li> </ul> </li> <li><input type="checkbox"/> Where the temporary suspension of enrolment (leave of absence) is approved and the end date of the CoE is not affected (i.e., it is a short leave of absence):               <ul style="list-style-type: none"> <li><input type="checkbox"/> Notify student in writing using the <i>Notice of Leave of Absence Decision</i> letter, noting the approval and that the student should contact the Department of Home Affairs regarding any impact on their visa</li> <li><input type="checkbox"/> A new CoE will not be required</li> </ul> </li> </ul>	PEO

# SC34-I: Deferral, Suspension and Cancellation Policy & Procedures

Procedure	Responsibility
<ul style="list-style-type: none"> <li>○ Notify DET through PRISMS that the student will be suspending their enrolment.</li> <li>□ Where the temporary suspension of enrolment (leave of absence) is refused:               <ul style="list-style-type: none"> <li>○ Notify student in writing using the <i>Notice of Leave of Absence Decision</i>, including:                   <ul style="list-style-type: none"> <li>▪ the reason for refusal</li> <li>▪ that the student may continue their studies as stated on their current <i>Letter of Offer and Student Agreement</i> (i.e., without suspending their enrolment/ taking a leave of absence), and that their enrolment would continue as normal and their student visa would not be affected</li> <li>▪ that the student has the right to appeal the decision within 20 working days in accordance with Bayside International College's <i>Complaints and Appeals Policy and Procedures</i>.</li> <li>▪ That Bayside International College will not finalise the student's enrolment status in PRISMS until the appeal finds in favour of Bayside International College, or the student chooses not to access the complaints and appeals processes within the 20 working day period, or the student withdraws from the process</li> </ul> </li> <li>○ If the student continues their studies as stated on their current <i>Letter of Offer and Student Agreement</i> (i.e., without suspending their enrolment/ taking a leave of absence), their enrolment will continue as normal and no change to their enrolment status will be made in PRISMS</li> <li>○ Bayside International College will not finalise the student's enrolment status in PRISMS until the appeal finds in favour of Bayside International College, or the student chooses not to access the complaints and appeals processes within the 20 working day period, or the student withdraws from the process</li> </ul> </li> <li>□ Any refund of fees paid will be made as per Bayside International College's <i>Fees and Refunds Policy and Procedures</i>.</li> <li>□ Include all documentation in the student's file. Maintain record of request and all documentation related to the request, the assessment of the request, the decision and any subsequent appeals process for two years after the overseas student ceases to be an accepted student at Bayside International College.</li> </ul>	

### 3. Student-initiated cancellation of enrolment (withdrawal)

Refer to Standards 2, 3 and 7 of the National Code.

Procedure	Responsibility
<p><b>A. Process student request for cancellation of enrolment (withdrawal)</b></p> <ul style="list-style-type: none"> <li>◆ Provide student with the <i>Application for Withdrawal Form</i> on request.               <ul style="list-style-type: none"> <li>○ Form includes referral to Department of Home Affairs for information about potential impact on student visa.</li> </ul> </li> <li>◆ Assist student with completing the form as required.</li> <li>◆ Meet with student to discuss reasons for the request for cancellation of enrolment (withdrawal), if this has not already taken place.</li> </ul>	Administration / PEO

# SC34-I: Deferral, Suspension and Cancellation Policy & Procedures

Procedure	Responsibility
<ul style="list-style-type: none"> <li>◆ Ensure that student is aware of the potential impact on their student visa and refer the student to the Department of Home Affairs for more information about this</li> <li>◆ If the student indicates an intention to transfer to another Australian registered provider, process this request in accordance with Bayside International College's <i>Course Transfer Policy and Procedures</i> <ul style="list-style-type: none"> <li>○ If the student indicates an intention to transfer to another Australian registered provider prior to the student's having completed six months of their primary course at Bayside International College, note the additional and specific requirements to process this request</li> </ul> </li> <li>◆ Where the student is under 18 years of age, check form to ensure that the parent or legal guardian has supported the request. (not applicable)</li> </ul>	
<p><b>B. Assess student request for cancellation of enrolment (withdrawal) and reply to student</b></p> <ul style="list-style-type: none"> <li>□ Consider reasons for request for cancellation of enrolment (withdrawal) and approve cases as defined in this policy.</li> <li>□ Reply to student in writing using the <i>Notice of Withdrawal Decision</i>, within 10 working days of receipt of completed <i>Application for Withdrawal Form</i>.</li> <li>□ Ensure that student signs and returns the <i>Notice of Withdrawal Decision</i> to indicate their understanding and acceptance of the decision (even if they wish to appeal it)</li> <li>□ Where the cancellation of enrolment (withdrawal) is approved: <ul style="list-style-type: none"> <li>○ Notify student in writing using the <i>Notice of Withdrawal Decision</i>, including reason for cancellation of enrolment, date from which enrolment is cancelled and any other relevant information.</li> <li>○ Complete course variation report in PRISMS. This will result in the status of the CoE changing to cancelled.</li> <li>○ Ensure that all fees have been charged and/or process any refund of fees paid, in accordance with Bayside International College's <i>Fees and Refunds Policy and Procedures</i>, as appropriate</li> <li>○ Ensure that student's financial records are adjusted to take account of the cancellation of enrolment as relevant.</li> <li>○ Inform all relevant personnel that the student's enrolment has been cancelled.</li> <li>○ Record cancellation of enrolment on Student Management System.</li> </ul> </li> <li>□ Where the cancellation of enrolment (withdrawal) is refused: <ul style="list-style-type: none"> <li>○ Notify student in writing using the <i>Notice of Withdrawal Decision</i>, including: <ul style="list-style-type: none"> <li>▪ the reason for refusal <ul style="list-style-type: none"> <li>▪ that the student may continue their studies as stated on their current <i>Letter of Offer and Student Agreement</i> (i.e., without cancelling their enrolment/withdrawing), and that their enrolment would continue as normal and their student visa would not be affected</li> <li>▪ that the student has the right to appeal the decision within 20 working days in accordance with Bayside International College's <i>Complaints and Appeals Policy and Procedures</i>.</li> <li>▪ That Bayside International College will not finalise the student's enrolment status in PRISMS until the appeal finds in favour of Bayside</li> </ul> </li> </ul> </li> </ul> </li> </ul>	PEO

## SC34-I: Deferral, Suspension and Cancellation Policy & Procedures

Procedure	Responsibility
<p>International College, or the student chooses not to access the complaints and appeals processes within the 20 working day period, or the student withdraws from the process</p> <ul style="list-style-type: none"> <li>○ If the student continues their studies as stated on their current <i>Letter of Offer and Student Agreement</i> (i.e., without cancelling their enrolment/ withdrawing), their enrolment will continue as normal and no change to their enrolment status will be made in PRISMS</li> <li>○ Bayside International College will not finalise the student's enrolment status in PRISMS until the appeal finds in favour of Bayside International College, or the student chooses not to access the complaints and appeals processes within the 20 working day period, or the student withdraws from the process</li> </ul> <p><input type="checkbox"/> Any refund of fees paid will be made as per Bayside International College's <i>Fees and Refunds Policy and Procedures</i>.</p> <p><input type="checkbox"/> Where the student indicates an intention to transfer to another Australian registered provider, refer to Bayside International College's <i>Course Transfer Policy and Procedures</i> for any additional steps/ notifications that are required</p> <ul style="list-style-type: none"> <li>○ Where student indicates an intention to transfer to another Australian registered provider prior to the student's having completed six months of their primary course at Bayside International College, note the additional and specific requirements for this</li> </ul> <p><input type="checkbox"/> Include all documentation in the student's file. Maintain record of request and all documentation related to the request, the assessment of the request, the decision and any subsequent appeals process for two years after the overseas student ceases to be an accepted student at Bayside International College.</p>	

### Procedure: Provider-initiated suspension or cancellation of enrolment

1. **Special conditions related to provider-initiated suspension or cancellation of an overseas student's enrolment** Refer to Standards 8, 9 and 10 of the National Code.

<p><b>A. Any provider-initiated suspension or cancellation of an overseas student must abide by the following special conditions:</b></p> <p><input type="checkbox"/> Bayside International College may suspend or cancel a student's enrolment including, but not limited to, on the basis of:</p> <ul style="list-style-type: none"> <li>○ misbehaviour by the student</li> <li>○ the student's failure to pay an amount the student was required to pay Bayside International College to undertake or continue the course as stated in the written agreement</li> <li>○ a breach of course progress or attendance requirements by the overseas student which must occur in accordance with Standard 8 (Overseas student visa requirements) of the National Code 2018.</li> </ul>	PEO
---	-----

# SC34-I: Deferral, Suspension and Cancellation Policy & Procedures

<ul style="list-style-type: none"> <li>□ The suspension or cancellation of the overseas student’s enrolment in these circumstances cannot 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</li> <li>□ Further to this, Bayside International College only reports unsatisfactory course progress or unsatisfactory course attendance in PRISMS in accordance with section 19(2) of the ESOS Act if:             <ul style="list-style-type: none"> <li>○ the internal and external complaints processes are completed, and the decision or recommendation supports Bayside International College, or</li> <li>○ the overseas student chooses not to access the internal complaints and appeals process within the 20 working days period, or</li> <li>○ the overseas student chooses not to access the external complaints and appeals process, or</li> <li>○ the overseas student withdraws from the internal or external appeals processes by notifying Bayside International College in writing.</li> </ul> </li> </ul>	
---	--

## 2. Provider-initiated suspension or cancellation of enrolment due to non-payment of fees Refer to Standards 9 and 10 of the National Code.

Procedure	Responsibility
<p><b>A. Alternative arrangements for payment of fees</b></p> <ul style="list-style-type: none"> <li>◆ Where a student indicates that they are having difficulty in paying their fees, alternative arrangements for payment should be investigated that would allow the student to continue their studies uninterrupted, while not causing undue hardship to Bayside International College.</li> <li>◆ Any alternative arrangements must be agreed in writing by the student and the PEO, using the <i>Alternative Arrangements for Payment of Fees</i> form.</li> <li>◆ Ensure form is signed by the student to state that they agree to the alternative arrangements and give student a copy for their records.</li> <li>◆ Maintain record of agreement and all documentation related to payment/non-payment of fees for two years after the overseas student ceases to be an accepted student at Bayside International College.</li> </ul>	PEO
<p><b>B. Monitor and record student’s fee payments</b></p> <ul style="list-style-type: none"> <li>□ Administration will notify the PEO if any student’s fees are 10 working days overdue</li> </ul>	Administration
<p><b>C. First Reminder letter</b></p> <ul style="list-style-type: none"> <li>□ Where a student’s fees are 5 working days overdue, the PEO will notify the student in writing via the <i>First Reminder Letter for Overdue Fees</i>, which will state that:</li> </ul>	PEO

# SC34-I: Deferral, Suspension and Cancellation Policy & Procedures

Procedure	Responsibility
<ul style="list-style-type: none"> <li>○ The student's fees of [amount] are now 5 working days overdue</li> <li>○ The student must pay all outstanding fees in full immediately or make an appointment with the PEO to discuss the overdue fees</li> <li>○ If the student is having difficulty in paying their fees, alternative arrangements for payment can be investigated that would allow the student to continue their studies uninterrupted, while not causing undue hardship to Bayside International College</li> </ul> <p><input type="checkbox"/> Maintain record of agreement and all documentation related to payment/non-payment of fees for two years after the overseas student ceases to be an accepted student at Bayside International College.</p>	
<p><b>D. Meet with the student to discuss overdue fees</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Discuss the reasons for the overdue fees with the student and agree on appropriate next steps with the student.</li> <li><input type="checkbox"/> Where a student indicates that they are having difficulty in paying their fees, alternative arrangements for payment should be investigated as described above.</li> <li><input type="checkbox"/> Any alternative arrangements must be agreed in writing by the student and the PEO, using the <i>Alternative Arrangements for Payment of Fees Form</i>.</li> <li><input type="checkbox"/> The student will be reminded that they are required to pay their fees as a condition of their enrolment, and that if they continue not to pay their fees, they will be reported to DET via PRISMS and that this may affect their visa.</li> <li><input type="checkbox"/> Maintain record of agreement and all documentation related to payment/non-payment of fees for two years after the overseas student ceases to be an accepted student at Bayside International College.</li> </ul>	PEO
<p><b>E. Monitor student's progress</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Administration should continue to track the student's fee payments and report to the PEO.</li> <li><input type="checkbox"/> Maintain all documentation related to payment/non-payment of fees for two years after the overseas student ceases to be an accepted student at Bayside International College.</li> </ul>	Administration / PEO
<p><b>F. Send second Reminder letter to student</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> After 5 working days from the date of the <i>First Reminder Letter for Overdue Fees</i>, If the student still has not paid all outstanding fees in full or made alternative arrangements for payment, the PEO /Student Administrative team will send the student the <i>Second Reminder Letter for Overdue Fees</i>, which will state that:             <ul style="list-style-type: none"> <li>○ The student has 5 working days from the date of the <i>Second Reminder Letter for Overdue Fees</i> to pay all outstanding fees in full or meet with the PEO to discuss the overdue fees</li> </ul> </li> </ul>	PEO

## SC34-I: Deferral, Suspension and Cancellation Policy & Procedures

Procedure	Responsibility
<ul style="list-style-type: none"> <li>○ If the student is having difficulty in paying their fees, alternative arrangements for payment can be investigated that would allow the student to continue their studies uninterrupted, while not causing undue hardship to Bayside International College</li> <li>○ If the student does not do this, Bayside International College will send the student the <i>Notice of Intent to Report for Overdue Fees</i> letter</li> <li>□ Where a student indicates that they are having difficulty in paying their fees, alternative arrangements for payment should be investigated as described above.</li> <li>□ Maintain all documentation related to payment/non-payment of fees for two years after the overseas student ceases to be an accepted student at Bayside International College.</li> </ul>	
<p><b>G. Inform student of intention to report following continued non-payment of fees</b></p> <ul style="list-style-type: none"> <li>□ Administration should continue to track the student’s fee payments and report to the PEO.</li> <li>□ After 5 working days from the date of the <i>Second Reminder Letter for Overdue Fees</i>, if the student still has not paid all outstanding fees in full or made alternative arrangements for payment, the PEO /Student Administrative team will send the student the <i>Notice of Intent to Report for Overdue Fees</i>, which will state that: <ul style="list-style-type: none"> <li>○ Bayside International College intends to initiate the process of suspension of enrolment for non-payment of fees</li> <li>○ The student has 20 working days from the date of the <i>Notice of Intent to Report for Overdue Fees</i> letter to: <ul style="list-style-type: none"> <li>▪ Pay all outstanding fees in full, or</li> <li>▪ Make alternative arrangements for payment, or</li> <li>▪ Lodge an appeal of this decision, in accordance with Bayside International College’s <i>Complaints and Appeals Policy and Procedures</i>.</li> </ul> </li> <li>○ Special conditions related to provider-initiated suspension or cancellation of an overseas student’s enrolment described above</li> </ul> </li> <li>□ Where a student indicates that they are having difficulty in paying their fees, alternative arrangements for payment should be investigated as described above.</li> <li>□ Maintain all documentation related to payment/non-payment of fees for two years after the overseas student ceases to be an accepted student at Bayside International College.</li> </ul>	Administration / PEO
<p><b>H. Following the Notification of Intention to Report</b></p>	PEO

## SC34-I: Deferral, Suspension and Cancellation Policy & Procedures

Procedure	Responsibility
<ul style="list-style-type: none"> <li>◆ Bayside International College will not finalise the student's enrolment status in PRISMS until the appeal finds in favour of Bayside International College, or the student chooses not to access the complaints and appeals processes within the 20 working day period, or the student withdraws from the process.</li> <li>◆ If the student does not appeal against the decision to report them within the 20 working day period; or if their appeal is unsuccessful or they withdraw from the process, report the student to DET via PRISMS for student default</li> <li>◆ Maintain all documentation related to payment/non-payment of fees for two years after the overseas student ceases to be an accepted student at Bayside International College.</li> </ul>	

### 3. Provider-initiated suspension or cancellation of enrolment due to course progress

Refer to Standards 8, 9 and 10 of the National Code.

<p><b>A. Refer to Bayside International College's <i>Course Progress and Attendance Monitoring Policy and Procedures</i></b> for detailed information related to the monitoring of students' attendance and action that may be taken (including intervention strategies) if course progress is unsatisfactory</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Note special conditions related to provider-initiated suspension or cancellation of an overseas student's enrolment described above and in the <i>Course Progress and Attendance Monitoring Policy and Procedures</i></li> </ul>	Head Trainer & Assessor / PEO
--	-------------------------------

### 4. Provider-initiated suspension or cancellation of enrolment due to attendance

Refer to Standards 8, 9 and 10 of the National Code.

<p><b>B. Refer to Bayside International College's <i>Course Progress and Attendance Monitoring Policy and Procedures</i></b> for detailed information related to the monitoring of students' attendance and action that may be taken (including intervention strategies) if attendance is unsatisfactory</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Note special conditions related to provider-initiated suspension or cancellation of an overseas student's enrolment described above and in the <i>Course Progress and Attendance Monitoring Policy and Procedures</i></li> </ul>	Administration / PEO
---	----------------------

### 5. Provider-initiated suspension or cancellation of enrolment due to misbehaviour

Refer to Standards 9 and 10 of the National Code.

Procedure	Responsibility
<b>I. Assess the violation</b>	PEO

# SC34-I: Deferral, Suspension and Cancellation Policy & Procedures

Procedure	Responsibility
<ul style="list-style-type: none"> <li><input type="checkbox"/> Where a student is suspected of having failed to adhere to the Code of Conduct, the PEO should investigate the situation thoroughly, including meeting with the student(s) and staff involved</li> <li><input type="checkbox"/> Record the meetings on the <i>Suspected Violation Meeting and Strategy Form</i>.</li> <li><input type="checkbox"/> Give the student a copy of the completed <i>Suspected Violation Meeting and Strategy Form</i> for their records.</li> <li><input type="checkbox"/> Maintain record of all documentation related to violation of the Code of Conduct for two years after the overseas student ceases to be an accepted student at Bayside International College.</li> </ul>	
<p><b>J. Serious violations of the Code of Conduct</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> A <b>serious violation</b> of the Code of Conduct is defined as a violation of the Code of Conduct that is assessed by Bayside International College as likely to place the health or wellbeing of that student at risk, or to place the health or wellbeing of another person at risk.</li> <li><input type="checkbox"/> Due to the perceived risk to health and wellbeing, in cases of serious violation, the suspension or cancellation of the overseas student’s enrolment should take effect immediately.</li> <li><input type="checkbox"/> If the violation is assessed to have been a <b>serious violation</b>: <ul style="list-style-type: none"> <li>o The student should be issued with the <i>Notice of Suspension/Cancellation for Serious Violation</i> as quickly as possible <ul style="list-style-type: none"> <li>▪ If the student is on Bayside International College premises, the Notice of Suspension/Cancellation for Serious Violation can be delivered by hand to the student and the student should be escorted off the premises by appropriate Bayside International College staff.</li> <li>▪ If the student is not on the premises, a copy of the Notice of Suspension/Cancellation for Serious Violation may be e-mailed to the student.</li> <li>▪ Ensure that a copy of the Notice of Suspension/Cancellation for Serious Violation is mailed to the address on file for the student, even if a copy was e-mailed or delivered by hand.</li> </ul> </li> <li>o In the <i>Notice of Suspension/Cancellation for Serious Violation</i>, include: <ul style="list-style-type: none"> <li>▪ A detailed description of the student’s misbehaviour, including dates and any witnesses</li> <li>▪ The definition of a <b>serious violation</b></li> <li>▪ The reasons that the violation has been determined to constitute a serious violation</li> <li>▪ That the student’s enrolment has been suspended/ cancelled (select one), effective immediately</li> </ul> </li> </ul> </li> </ul>	PEO
SC34-I - Deferral Suspension Cancellation P&P v1.2	Page 13

# SC34-I: Deferral, Suspension and Cancellation Policy & Procedures

Procedure	Responsibility
<ul style="list-style-type: none"> <li>▪ That the suspension/ cancellation will be reported to DET via PRISMS, which may have an effect on the student’s visa</li> <li>▪ That the student should contact Home Affairs for information about the potential effect on their visa</li> <li>▪ That the student has the right to lodge an appeal within 20 working days, in accordance with Bayside International College’s <i>Complaints and Appeals Policy and Procedures</i></li> <li>▪ That due to the nature of a <b>serious violation</b>, the suspension/ cancellation will remain in effect until and unless an appeal finds in the student’s favour, and will not be lifted during the appeals process</li> </ul> <ul style="list-style-type: none"> <li>○ Report the student to DET via PRISMS for misbehaviour.</li> <li>○ The student has 20 working days from the date of the <i>Notice of Intent to Report for Overdue Fees</i> letter to lodge an appeal of this decision, in accordance with Bayside International College’s <i>Complaints and Appeals Policy and Procedures</i>. Due to the nature of a <b>serious violation</b>, the suspension/ cancellation will remain in effect until and unless an appeal finds in the student’s favour, and will not be lifted during the appeals process</li> <li>○ DET has a discretionary framework in place to enable the department to consider individual circumstances, such as where a student may be struggling with particular unit choices and could benefit from a change of course or education provider.</li> <li>○ Await advice from the DET as to whether the student’s visa has been cancelled and take the relevant action depending on whether the visa is cancelled or not.</li> </ul> <ul style="list-style-type: none"> <li>□ Maintain record of all documentation related to violations of the Code of Conduct for two years after the overseas student ceases to be an accepted student at Bayside International College.</li> </ul>	
<p><b>K. All other violations of the Code of Conduct</b></p> <ul style="list-style-type: none"> <li>□ For all violations other than <b>serious violations</b>, the PEO should identify and discuss restorative and/or disciplinary actions with the student. Record these in the <i>Suspected Violation Meeting and Strategy Form</i>.</li> <li>□ Ensure form is signed by the student to state that they agree to the restorative and/or disciplinary actions and give student a copy for their records.</li> <li>□ Implement restorative and/or disciplinary actions as soon as possible and within 5 working days of the meeting.</li> <li>□ Remind the student that if they continue to violate the Bayside International College Code of Conduct, they may be reported to DET via PRISMS and that this would affect their visa.</li> </ul>	PEO

# SC34-I: Deferral, Suspension and Cancellation Policy & Procedures

Procedure	Responsibility
<ul style="list-style-type: none"> <li>□ If appropriate, have one or more follow-up meetings with the student to review the restorative and/or disciplinary actions and the outcomes thereof. Record the meeting(s) and any changes to the restorative and/or disciplinary actions on the <i>Suspected Violation Meeting and Strategy Form</i>.</li> </ul>	

## Document Control

<b>Document No. &amp; Name:</b>	SC34-I - Deferral, Suspension and Cancellation P&P v2.4.docx
<b>Quality Area:</b>	SC Students & Clients
<b>Author:</b>	Bayside International College
<b>Status:</b>	Approved
<b>Approved By:</b>	Moira Bass-Skardon
<b>Approval Date:</b>	1 Dec 2019
<b>Review Date:</b>	1 Dec 2020
<b>Standards:</b>	The National Code for Providers of Education and Training to Overseas Students 2018