



# STUARTHOLME SCHOOL

## INTERNATIONAL STUDENT DEFERMENT, SUSPENSION AND CANCELLATION POLICY

It is the policy of Stuartholme School to live out the values that reflect its Sacred Heart tradition. These values are embodied in the Goals of Sacred Heart Education and we educate to:

1. A personal and active faith in God;
2. A deep respect for intellectual values;
3. The building of community as a Christian value;
4. A social awareness that impels to action;
5. Personal growth in an atmosphere of wise freedom.

### INTRODUCTION

Stuartholme School informs students of all requirements for acceptance into a course, and assesses applications for enrolment according to School procedures to determine appropriateness of educational qualifications, experience and English language proficiency for the course for which enrolment is sought.

### LEGAL & RELATED DOCUMENTS

NC D St...	<i>National Code of Practice for Providers of Education and Training to Overseas Students 2007 (Part D Standard....)</i>	<a href="https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/Pages/default.aspx">https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/Pages/default.aspx</a>
ESOS Act 2000 s...	<i>Education Services for Overseas Students (ESOS) Act 2000 (subsection...)</i>	<a href="http://www.comlaw.gov.au/Details/C2014C00350">http://www.comlaw.gov.au/Details/C2014C00350</a>
ESOS (Reg Charges) Act 1997	<i>Education Services for Overseas Students (Registration Charges) Act</i>	<a href="http://www.comlaw.gov.au/Details/C2012C00529">http://www.comlaw.gov.au/Details/C2012C00529</a>

	<i>1997 (the Charges Act)</i>	
<i>*ESOS (TPS Levies) Act 2012</i>	<i>The Education Services for Overseas Students (TPS Levies) Act 2012</i>	<a href="http://www.comlaw.gov.au/Details/C2012A00011">http://www.comlaw.gov.au/Details/C2012A00011</a>
<i>E(OS) Reg 2014 s..</i>	<i>Queensland Education (Overseas Students) Regulation 2014 (subsection...)</i>	<a href="https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducOverStuR14.pdf">https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducOverStuR14.pdf</a>
<i>ESOS Reg 2001</i>	<i>Education Services for Overseas Students Regulations 2001</i>	<a href="http://www.comlaw.gov.au/Details/F2014C00907">http://www.comlaw.gov.au/Details/F2014C00907</a>
<i>*LI –ESOS Act 2000 s46D(7) &amp; s47E(4)</i>	<i>Education Services for Overseas Students (Calculation of Refund) Specification 2014</i>	<a href="http://www.comlaw.gov.au/Details/F2014L00907">http://www.comlaw.gov.au/Details/F2014L00907</a>
<i>*LI-ESOS Act 2000 s46B</i>	<i>Legislative Instrument: Education Services for Overseas Students (Notifying provider default – requirements for a notice) Determination 2012 (No. 1)</i>	<a href="http://www.comlaw.gov.au/Details/F2012L01387">http://www.comlaw.gov.au/Details/F2012L01387</a>
<i>*LI-ESOS Act 2000 s46F</i>	<i>Legislative Instrument: Education Services for Overseas Students (Provider default – discharge of obligations – requirements for a notice) Determination 2012 (No. 1)</i>	<a href="http://www.comlaw.gov.au/Details/F2012L01388">http://www.comlaw.gov.au/Details/F2012L01388</a>
<i>*LI-ESOS Act 2000 s47C</i>	<i>Legislative Instrument: Education Services for Overseas Students (Notification of student default – requirements for a notice) Determination 2012 (No. 1)</i>	<a href="http://www.comlaw.gov.au/Details/F2012L01390">http://www.comlaw.gov.au/Details/F2012L01390</a>
<i>*LI-ESOS Act 2000 s47H</i>	<i>Legislative Instrument: Education Services for Overseas Students (Student default – discharge of obligations – requirements for a notice) Determination 2012 (No. 1)</i>	<a href="http://www.comlaw.gov.au/Details/F2012L01384">http://www.comlaw.gov.au/Details/F2012L01384</a>
<i>*LI-ESOS Act 2000 s50D</i>	<i>Legislative Instrument: Education Services for Overseas Students (TPS Director to notify Immigration Secretary of payment of refunds) Determination 2012 (No. 1)</i>	<a href="http://www.comlaw.gov.au/Details/F2012L01386">http://www.comlaw.gov.au/Details/F2012L01386</a>

## **POLICY STATEMENT & PROCEDURES**

### Deferment of commencement of study requested by student

Stuartholme School will only grant a deferment of commencement of studies for compassionate and compelling circumstances. These include but are not limited to:

- Illness, where a medical certificate states that the student was unable to attend classes;
- Bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
- Major political upheaval or natural disaster in the home country requiring emergency travel that has impacted on studies;
- A traumatic experience which has impacted on the student (these cases should be where possible supported by police or psychologists' reports).

The final decision for assessing and granting a deferment of commencement of studies will be made by the Principal.

Deferment will be recorded on PRISMS within 14 days of being granted.

### Suspension of study requested by student

Once the student has commenced the course, Stuartholme School will only grant a suspension of study for compassionate and compelling circumstances. These include but are not limited to:

- Illness, where a medical certificate states that the student was unable to attend classes;
- Bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
- Major political upheaval or natural disaster in the home country requiring emergency travel that has impacted on studies;
- A traumatic experience which has impacted on the student (these cases should be where possible supported by police or psychologists' reports).

Suspensions will be recorded on PRISMS within 14 days of being granted.

The period of suspension will not be included in attendance calculations.

The final decision for assessing and granting a suspension of studies lies with the Principal.

### Student initiated cancellation of enrolment

All notification of withdrawal from a course, or applications for refunds, must be made in writing and submitted to the Principal. Please see Stuartholme School's Refund Policy for information regarding refunds.

### Assessing requests for deferment or suspension of studies

Applications will be assessed on merit by the Principal.

All applications for deferment or suspension will be considered within 10 working days.

### School initiated exclusion from class (1 – 28 days)

Stuartholme School may exclude a student from class studies on the grounds of misbehaviour by the student. Exclusion will occur as the result of any behaviour identified as resulting in exclusion in Stuartholme School's Peer Relations Policy.

Excluded students must abide by the conditions of their exclusion from studies which will depend on the welfare and accommodation arrangements in place for each student and which will be determined by the Principal.

Where the student is provided with homework or other studies for the period of the exclusion, the student must continue to meet the academic requirements of the course.

Exclusions from class will not be recorded on PRISMS.

Periods of 'exclusion from classes' for up to 5 days will not be included in attendance calculations as per Stuartholme School's Course Progress and Attendance Policy.

#### School initiated suspension of studies (28 days +)

Stuartholme School may initiate a suspension of studies for a student on the grounds of misbehaviour by the student. Suspension will occur as the result of any behaviour identified as resulting in suspension in Stuartholme School's Peer Relations Policy.

Suspended students must abide by the conditions of their suspension from studies which will depend on the welfare and accommodation arrangements in place for each student and which will be determined by the Principal.

Students who have been suspended for more than 28 days may need to contact Department of Immigration. (Please see contact details at:

<http://www.immi.gov.au/contacts/australia/index.htm> )

If special circumstances exist, the student must abide by the conditions of his or her suspension which will depend on the welfare and accommodation arrangements in place for each student and which will be determined by the Principal.

Suspensions will be recorded on PRISMS.

The period of suspension will not be included in attendance calculations.

#### School initiated cancellation of enrolment

Stuartholme School will cancel the enrolment of a student under the following conditions:

- Failure to pay course fees;
- Failure to maintain approved welfare and accommodation arrangements (visa condition 8532);
- Any behaviour identified as resulting in cancellation in Stuartholme School's Peer Relations Policy.

Stuartholme School is required to report failure to maintain satisfactory course progress and failure to maintain satisfactory attendance to Department of Immigration, which may impact on a student's visa.

**Stuartholme School may cancel the enrolment of a student for failure to disclose a pre-existing condition requiring a high degree of specialised support or care.**

School initiated cancellation of enrolment is subject to Stuartholme School's Complaints and Appeals Policy. Please see below.

## Complaints and Appeals

Student requests for deferment, and suspension and cancellation of enrolment are not subject to Stuartholme's School's Complaints and Appeals Policy.

Exclusion from class is subject to Stuartholme's School's Complaints and Appeals Policy.

School initiated suspension, where the suspension is to be recorded in PRISMS, and cancellation are subject to Stuartholme School's Complaints and Appeals Policy.

For the duration of the internal appeals process, the school will maintain the student's enrolment and the student will attend classes as normal.

If students access Stuartholme School's complaints and appeals process regarding a school initiated suspension or cancellation of enrolment under Standard 13, the change in enrolment status will not be reported in PRISMS until the internal complaints and appeals process is finalised, unless extenuating circumstances relating to the welfare of the student apply. NB: Students may still access the external complaints and appeals process, but the school need not await the outcome of this process before changing the student's enrolment status in PRISMS. However, if the school has issued a CAAW for a student, welfare provisions under NC St 5.3 are applicable.

Extenuating circumstances include:

- The student refuses to maintain approved welfare and accommodation arrangements (for students under 18 years of age);
- The student is missing;
- The student has medical concerns or severe depression or psychological issues which lead the school to fear for the student's wellbeing;
- The student has engaged or threatened to engage in behaviour that is reasonably believed to endanger the student or others;
- Is at risk of committing a criminal offence, or;
- The student is the subject of investigation relating to criminal matters.

The use of extenuating circumstances by Stuartholme School to suspend or cancel a student's enrolment prior to the completion of any complaints and appeals process will be supported by appropriate evidence.

The final decision for evaluating extenuating circumstances lies with the Principal.

## Student to seek information from Department of Immigration

Deferment, suspension and cancellation of enrolment can have an effect on a student's visa as a result of changes to enrolment status. Students can visit the Department of Immigration Website: [www.immi.gov.au/students/](http://www.immi.gov.au/students/) for further information about their visa conditions and obligations.

**DEFINITIONS OF TERMS**

Day – any day including weekends and public holidays in or out of term time

**Review**

This Policy will be reviewed at least every 3 years, or as required by legislation.

**Ratification Date:** \_\_\_\_\_ **Review Date:** \_\_\_\_\_