

Deferment, Suspension or Cancellation Policy for Overseas Students

1. Legislative Framework

This policy is established in accordance with the Education Services for Overseas Students Act 2000, the ESOS Regulations, the National Code of Practice for Providers of Education and Training to Overseas Students 2018, and the Guidelines for Approved NSW School Providers Delivering Courses to Overseas Students issued by NESAs.

2. Definitions

German School Johannes Gutenberg is the name of school provider; CRICOS Provider ID: 02379D

German International School Sydney (GISS) is the trading name of the school

Principal Executive Officer (PEO) is the "Principal". The PEO may delegate responsibility to an appropriate staff member.

CAAW letter – refers to the Certificate of Approved Accommodation and Welfare required for overseas students who are not residing with their parents, legal guardians or an DHA approved relative.

CoE – Certificate of enrolment which is issued in PRISMS

PRISMS: where all deferrals, suspensions, and cancellations are reported, with confirmation of reporting provided to the student. Documentary evidence supporting "compassionate or compelling circumstances"; "a copy of the written decision and reasons provided to the student"; and "confirmation of reporting action taken (including date/transaction reference where available)" must be submitted and retained on the student's file as part of the process. Reporting through PRISMS will occur in accordance with the Education Services for Overseas Students Act 2000 (Cth). This includes entering required information in PRISMS within the applicable timeframe following the relevant event, including (where applicable) reporting a student's non-commencement or termination of studies within 14 days for students under 18 years of age, and otherwise within 31 days, and reporting visa-condition breaches as soon as practicable.

ESOS Framework – The ESOS (Education Services for Overseas Students) Framework is a set of legislative requirements and standards, established under the Education Services for Overseas Students Act 2000 and the National Code, designed to protect the rights and welfare of overseas students studying in Australia and ensure the quality and integrity of education providers offering courses to international students.

Deferral of enrolment refers to a postponement of the commencement of a course prior to the course start date.

Suspension of enrolment refers to a temporary interruption of study during the course.

Cancellation of enrolment refers to the permanent termination of the student's enrolment in a course.

All deferrals, suspensions and cancellations of enrolment will be reported through PRISMS by the Registrar as required under section 19 of the ESOS Act (14 days for certain events if under 18; otherwise 31 days; breaches "as soon as practicable").

Privacy refers to the protection of personal information collected, used, stored, and disclosed by GISS in accordance with the requirements of the Privacy Act 1988 (Cth), the Australian Privacy Principles, and the Health Records and Information Privacy Act 2002 (NSW). This means German School Johannes Gutenberg is required to manage personal and sensitive information about students and parents in a secure and confidential manner, only using or sharing such information for legitimate educational, administrative, or legal purposes, and ensuring individuals have access to their own information and can request corrections if necessary.

Deferral, Suspension or Cancellation Requested by the Overseas Student

3.1 Application Process

An overseas student seeking to defer the commencement of study, suspend or cancel enrolment during a course (prior to completion) must submit a written request to the School. The request must include supporting documentation.

The PEO will assess each request individually in accordance with documented internal procedures. The assessment will consider the nature of the circumstances, the evidence provided, the impact on course progress, and the student's welfare.

The PEO will provide a written decision, including reasons for the outcome, will be provided to the student. All documentation relating to the request, assessment and outcome will be retained in the student file.

3.2 Compassionate or Compelling Circumstances

The PEO may grant a deferral or suspension where it determines that compassionate or compelling circumstances apply. These are circumstances beyond the control of the student which have an impact on the student's course progress or wellbeing.

Such circumstances may include, but are not limited to:

- serious illness or injury supported by medical certification;
- bereavement of close family members;
- major political upheaval or natural disaster in the home country;
- a traumatic experience such as involvement in or witnessing of a serious accident or crime, supported by appropriate evidence; or
- delay in receiving a student visa prior to course commencement.

3.3 Visa Implications

Where a deferral or suspension is granted, the student will be advised in writing by the PEO to contact the Department of Home Affairs to seek advice on any potential impact on their student visa. In addition, if the approved deferral or suspension affects the Confirmation of Enrolment (CoE) end date, German School Johannes Gutenberg will issue a new CoE to reflect the revised enrolment period. The new CoE start date will correspond to the student's expected return date to the course. All changes will be reported in PRISMS in accordance with legislative requirements.

The Registrar will report the approved deferral or suspension in PRISMS. Reporting through PRISMS will occur in accordance with the Education Services for Overseas Students Act 2000 (Cth). This includes entering required information in PRISMS within the applicable timeframe following the event.

When reporting a deferral or suspension in PRISMS, German School Johannes Gutenberg will ensure the student's Confirmation of Enrolment (CoE) details remain accurate. Where a deferral or suspension affects the end date of the CoE, German School Johannes Gutenberg will take appropriate action in PRISMS to ensure the CoE reflects the revised study dates, including issuing a new CoE where required. Where the return date is not yet known, the Registrar will update PRISMS once the student notifies German School Johannes Gutenberg of the intended return date.

3.4 Cancellation of enrolment requested by the overseas student (withdrawal/termination)

An overseas student may request cancellation of enrolment by submitting a written request to the Principal. The request must include the reason for withdrawal and any supporting documentation where relevant. The Principal will provide the student with written acknowledgement of the request and confirm the effective date of cancellation. The student will be advised in writing to seek advice from the Department of Home Affairs regarding the potential impact on their student visa. The Registrar will report the termination of the student's studies through PRISMS in accordance with the ESOS Act, within the applicable timeframe following the event.

4. Suspension or Cancellation Initiated by the School

4.1 Grounds

German School Johannes Gutenberg may initiate suspension or cancellation of enrolment on one or more of the following grounds:

- breach of a School rule or policy;
- breach of enrolment condition;
- non-payment of tuition or other course-related fees as required under the written agreement;
- failure to meet course progress or attendance requirements in accordance with the Overseas Students Visa Requirements Policy and Procedure and National Code Standard 8. Noting that suspension or cancellation for this reason will generally not take effect until the internal appeals process has concluded, in line with additional timing safeguards. Under Standard 10, reporting to authorities should only occur after all internal and external appeal options have been exhausted, waived, or withdrawn;
- serious misconduct; or
- behaviour that poses a risk to the health, safety or wellbeing of the student or others.

Where enrolment is suspended, the period of suspension as recorded in PRISMS will not be included in attendance monitoring calculations.

4.2 Notice of Intention

Before imposing a suspension or cancellation, the PEO will provide the student with written notice of German School Johannes Gutenberg's intention to suspend or cancel enrolment. The notice will:

- clearly state the reasons for the proposed action;
- inform the student of their right to access the School's internal complaints and appeals process; and
- state that the student has 20 working days to lodge an internal appeal

For students under 18 years of age, the parent or legal guardian will also be notified by the PEO in writing of the proposed action and of the student's right to appeal.

In accordance with Standard 9, if a Confirmation of Enrolment (CoE) is cancelled for an under 18 student, the Confirmation of Appropriate Accommodation and Welfare (CAAW) letter is not cancelled automatically. German School Johannes Gutenberg's welfare responsibility remains in place until the conditions outlined in Standard 5.6 are satisfied. These conditions include: (a) the student being taken over by another approved provider who accepts welfare responsibility and issues a new CAAW; (b) the student turning 18 years of age; (c) the student leaving Australia; or (d) other arrangements approved by the Department of Home Affairs. German School Johannes Gutenberg must continue to monitor and support the student's accommodation and welfare until one of these conditions is met.

4.3 Effect of Appeal

Except where the student's health or wellbeing, or the wellbeing of others, is likely to be at risk, a suspension or cancellation will not take effect until:

- the internal appeals process has been completed, or
- the student has chosen not to access the internal appeals process within the 20 working day period, or
- the student withdraws from the internal appeals process in writing.

Where the student's health or wellbeing, or the wellbeing of others, is likely to be at risk, German School Johannes Gutenberg may implement a provider-initiated deferral, suspension or cancellation immediately. The student may still access the internal appeals process after the action is taken, and if the appeal is upheld in the student's favour the action will be reversed immediately and any required corrective action implemented.

4.4 Visa Implications and Reporting

Where German School Johannes Gutenberg proceeds with a suspension or cancellation, the student will be advised in writing by the PEO to seek advice from the Department of Home Affairs regarding the impact on their student visa.

The change of enrolment status will be reported through PRISMS by the Registrar as required under the ESOS Act. This includes entering required information in PRISMS within the applicable timeframe following the relevant event.

Where the proposed suspension or cancellation relates to an alleged breach of course progress or attendance requirements, PRISMS reporting will occur only after the student has had the opportunity to complete the School's complaints and appeals processes in accordance with National Code Standard 10, including any external complaints/appeals pathway available to the student, unless the student chooses not to access, or withdraws from, the process.

For students under 18 years of age, German School Johannes Gutenberg will ensure accommodation and welfare obligations continue as required. Where a CoE is cancelled, this does not automatically cancel a Confirmation of Appropriate Accommodation and Welfare (CAAW), and German School Johannes Gutenberg will remain responsible for the student's welfare arrangements until the relevant conditions are met.

5. Complaints and Appeals

German School Johannes Gutenberg maintains a documented internal complaints and appeals process that is consistent with National Code Standard 10 and described within the School's *Overseas Student Complaints and Appeals Policy and Procedure*.

This process is free, easily accessible and provides the student with the opportunity to present their case at minimal or no cost and to be accompanied or assisted by a support person. The PEO will commence assessment within 10 working days of lodgement and finalise the outcome as soon as practicable.

The student will receive a written statement of the outcome, including reasons for the decision, and a written records will be kept on the student's file.

Where the student is not successful through the internal process, the PEO will advise the student within 10 working days of completion of the internal process of their right to access an external complaints/appeals process (where applicable) and provide contact details. Any decision or recommendation in favour of the student will be implemented immediately.

6. Record Keeping

For each overseas student, where applicable, German School Johannes Gutenberg will maintain:

- any request for deferment or suspension;
- evidence of assessment and written notification of the outcome;
- written notice of intention to suspend or cancel enrolment;
- evidence of advice regarding the 20 working day appeal period;
- records of any complaint or appeal and the outcome; and
- evidence of notification to the Department of Education via PRISMS.

All records will be retained in PRISMS by the Registrar in accordance with legislative requirements. This includes entering required information in PRISMS within the applicable timeframe following the relevant event.

Document Management

Policy name	Deferment, Suspension or Cancellation Policy for Overseas Students
Version	3.0
School responsible	Principal
Board portfolio	Governance and Strategy
Related documents	Overseas Students Visa Requirements Policy and Procedure Overseas Students Complaints and Appeals Policy and Procedure
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Next Review	Scheduled for February 2027
Approved by	Michael Cordes (Principal) and Tammie Christie (Board of Directors)

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