Full Fee Paying Overseas Student Enrolment Deferment, Suspension or Cancellation Policy

Policy Audience: Public Document

	Help for non-English speakers. If you need help to understand this policy, please contact us at enquiries@kilvington.vic.edu.au

1.0 Purpose

The purpose of this Full Fee Paying Overseas Student Enrolment Deferment, Suspension or Cancellation Policy (Policy) is to outline how, when making any decision to defer, suspend or cancel an international student's enrolment, Kilvington Grammar School (the School) meets the:

- Education Services for Overseas Students Act 2000 (Cwlth) (ESOS Act); and
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) Standard 9.

2.0 Scope

For the purposes of this Policy, an international student means an overseas student as defined in the ESOS Act.

This Policy applies to the deferment, suspension or cancellation of enrolment of an international student enrolled at the School, when that action was initiated by the School or the international student.

3.0 The Policy

An international student's enrolment can be deferred, suspended or cancelled. This may be initiated by either the School or by the international student.

The School will maintain records of all requests from international students for a suspension of study and the assessment of, and decision regarding, the request for two years after the international student ceases to be an accepted student.

4.0 Deferral, Suspension or Cancellation of Enrolment Initiated by the School

If the School suspends an international student's enrolment, the School must notify the Australian Government's Department of Education through the Provider Registration and International Student Management System (PRISMS).

Where the School initiates any deferral, suspension or cancellation action, the School must give the international student notice of intention to report and 20 working days to access the School's internal complaints and appeals process.

This requirement includes where the international student's misbehaviour is grounds for immediate expulsion from the School.

This requirement does not apply where the international student's health or wellbeing, or the wellbeing of others, is likely to be at risk. For more information, see below in this Policy.

4.1 Suspension of Enrolment

The School may suspend the international student's enrolment on the basis of a number of factors, including, but not limited to:

- Misbehaviour of the international student, which constitutes a serious breach of school rules. Such breaches may include where a student:
  - Seriously undermines the ethos and/or reputation of the School.
  - Consistently and deliberately fails to comply with any reasonable request of any staff and, in particular, the Principal, Deputy Principal, Head of School and Pastoral Staff.
  - Behaves in such a way as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person.
  - Causes significant damage to or destruction of property.
  - Commits or attempts to commit or is knowingly involved in the theft of property.
  - Possesses, uses or sells or deliberately assists another person to possess, use or sell illicit substances or weapons.
- Consistently engages in behaviour that vilifies, defames, degrades or humiliates another person.
- Consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student.
- The international student's failure to pay an amount they were required to pay the School in accordance with the Fees Schedule to undertake or continue their course as stated in the FFPOS Business Regulations and Written Agreement.
- A breach of course progress or attendance requirements by the overseas international student, which must occur in accordance with Standard 8 of the National Code (overseas student visa requirements). For information regarding course progress or attendance requirements, please refer to the School's Full Fee Paying Overseas Student Academic Progress and Attendance Policy.

The School will consider compassionate and compelling circumstances when making the decision to suspend the international student.

The conditions outlined below also apply when an international student has been suspended:

- The international student must abide by the conditions of their suspension.
- The international student must continue to meet the academic requirements of their course.
- When they have been suspended for more than 28 days, the School's FFPOS Younger Overseas Student Policy does not apply in this instance. The international student must return to their home country by the Department of Home Affairs unless special circumstances exist (eg they are medically unfit to travel). In this case the parents will be responsible for the accommodation and welfare of the international student.
- Suspensions will be recorded on PRISMS.
- Suspensions will be recorded on the international student's pastoral care record on KCEE, with restricted access.
- The period of suspension will not be included in attendance calculations.

Before imposing a suspension, the School will write to the international student and their parent/legal guardians to:

- Notify the international student of the proposed intention to suspend their enrolment and the reasons for doing so.
- Notify the international student of the intention to suspend their enrolment and the reasons for doing so.
- Advise the international student of their right to appeal through the School's internal complaints and appeals process, in accordance with Standard 10 (complaints and appeals) of the National Code, within 20 working days.
- Notify the international student of the need to contact the Department of Home Affairs on the impact on their student visa.

The suspension of the international student's enrolment cannot take effect until the internal appeals process is completed, unless their health or wellbeing, or the wellbeing of others, is likely to be at risk. For more information, see below in this Policy.

The School will:

- Maintain a record of any decisions to suspend an international student's enrolment.
- Report the change to the international student's enrolment under Section 19 of the ESOS Act.

4.2 Cancellation of Enrolment

The cancellation of enrolment may be considered where a student does anything mentioned as a grounds for suspension, and this behaviour is of such magnitude that it will affect the health, safety and wellbeing of other students and staff the School.

Cancellation of enrolment is considered only as a last resort and requires the endorsement of the Principal.

Before imposing a cancellation, the School will write to the International student and their parent/legal guardian to:

- Inform the international student of the proposed intention to cancel their enrolment and the reasons for doing so.
- Inform the international student of the intention to cancel their enrolment and the reasons for doing so.
- Advise the International student of their right to appeal through the School's internal complaints and appeals process, in accordance with Standard 10 (complaints and appeals) of the National Code, within 20 working days.

The cancellation of the international student's enrolment cannot take effect until the internal appeals process is completed, unless the international student's health or wellbeing, or the wellbeing of others, is likely to be at risk. For more information, see below in this Policy.

The School will maintain a record of any decisions to cancel an international student's enrolment.

Where the School initiates any cancellation action, the School must give the international student notice of intention to report and 20 working days to access the School's internal complaints and appeals process.

This requirement includes where the international student's misbehaviour is grounds for immediate expulsion from the School.

This requirement does not apply where the international student's health or wellbeing, or the wellbeing of others, is likely to be at risk. For more information, see below in this Policy.

The School will:

- Report the failure of the international student to maintain satisfactory course progress and failure to maintain satisfactory attendance to the Department of Home Affairs which will result in automatic cancellation.
- Write to the international student and their parent/legal guardian to inform the international student of the need to seek advice from the Department of Home Affairs (Immigration) on the impact on their student visa.
- Report the change to the international student's enrolment under Section 19 of the ESOS Act.

4.3 Safety and Wellbeing of International Student or Others

Where the international student, or others, is in immediate danger, the School must call Triple Zero (000).

The reasons for the international student's safety and wellbeing, or the wellbeing of others, is at risk include, but are not limited to the international student:

- Who is aged under 18 years of age, refuses to maintain approved care arrangements.
- Is missing.
- Has medical concerns, mental health issues, such as depression or psychological issues which lead the School to have grave concerns for their safety and/or wellbeing.
- Is at risk of committing a criminal offence.
- Has engaged in, or threatened to engage in, behaviour that is reasonably believed to endanger their life, or the lives of others.

The School must retain evidence to support that the international student's safety and wellbeing, or the wellbeing of others is at risk in line with the Privacy Act and its Privacy Policy.

4.4 Reasons for Cancellation of Visa

An international student's visa may be cancelled if the deferral or suspension of enrolment:

- Is due to their conduct.
- Is for reasons other than compassionate or compelling as outlined below in this Policy.
- Where the compassionate or compelling reason(s) which necessitated the deferral or suspension no longer exist.
- Is based on fraudulent evidence or documents provided to the School.

5.0 Deferral or Suspension of Enrolment Initiated by the Student

Where the student requests a deferral, suspension or cancellation of their enrolment, the School maintains a record of decisions made in relation to such requests.

5.1 Impact on Confirmation of Enrolment (CoE)

The School will inform the international student that their application to defer, suspend or cancel their enrolment at the School may affect their student visa.

5.2 Deferral of Study

The Department of Home Affairs will not cancel an international student's visa if the deferral is for compassionate or compelling circumstances.

The School may defer the commencement date the enrolment of an international student if there are compassionate or compelling circumstances.

Compassionate or compelling circumstances may include, but are not limited to:

- Serious illness or injury of the international student, where a medical certificate states that they were unable to attend classes.
- Bereavement or serious illness of a close family member, such as parent or grandparent (where possible a death certificate should be provided).
- Traumatic experiences, which may involve being a victim of, or a direct witness to, accidents, crimes or trauma.
- Significant political upheaval or natural disaster in the international student's home country requiring emergency travel that impacts their studies.
- Delay in receiving student visa results in being unable to commence studies.
- Where the School was unable to offer a pre-requisite unit, or the international student failed a pre-requisite unit and therefore is unable to enrol in all of the necessary units of study.

- Other compassionate or compelling circumstances at the discretion of the Principal.

The School will consider each application on its own merits and reserves the right to request documentary evidence. This evidence will be uploaded onto the student's Pastoral Care record on KCEE, with restricted access.

All requests to defer the commencement of studies should be submitted to the Director of Admissions.

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

The international student and their parent(s) will be notified in writing of the outcome of their application.

Where the School approves the request for a deferral of an international student's studies, the School will report in PRISMS via a course variation and issue a new Confirmation of Enrolment if required.

Copies of all documentation pertaining to the deferment will be kept in the international student's pastoral care record on KCEE with restricted access.

The School will not extend the duration of the international student's enrolment if the international student is unable to complete the course within the expected duration, unless:

- there are compassionate or compelling circumstances, as assessed by the registered provider on the basis of demonstrable evidence (see above in this Policy); or
- the registered provider has implemented, or is in the process of implementing, an intervention strategy for the international student because the international student is at risk of not meeting course progress requirements ; or
- an approved deferral or suspension of the international student's enrolment has occurred under Standard 9 of the National Code (Deferring, suspending or cancelling the international student's enrolment).

Where the School approves a deferment, the School will inform the international student of the need to seek advice from Immigration on the potential impact on their student visa.

5.3 Suspension of Study

The School may suspend the commencement date the enrolment of an international student if there are compassionate or compelling circumstances as outline above in this Policy.

The School will consider each application on its own merits and reserves the right to request documentary evidence. This evidence will be uploaded onto the student's Pastoral Care record on KCEE, with restricted access.

All requests for the suspension of studies should be directed to the International Student Coordinator in the first instance, who will refer this application to the Principal for a final decision.

If successful, the period of suspension will not be included in the attendance calculations.

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

The international student and their parent(s) will be notified in writing of the outcome of their application.

Where the School approves the request for a suspension of an international student's studies, the School will report in PRISMS via a course variation and issue a new Confirmation of Enrolment if required.

Copies of all documentation pertaining to the suspension will be kept in the international student's pastoral care record on KCEE with restricted access.

6.0 Relevant Legislation and Standards and Related Documents

6.1 Relevant Legislation and Standards

- Education Services for Overseas Students Act 2000 (Cwlth)
- Migration Act 1958 (Cwlth)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- Victorian Child Safe Standards 2022

6.2 Related Documents

- Child Safety and Wellbeing Policy
- Complaints Resolution Policy (Parents, Guardians and Students) Policy
- Full Fee Paying Overseas Student Academic Progress and Attendance Policy
- Full Fee Paying Overseas Student Assessment of English Language Proficiency Policy
- Full Fee Paying Overseas Student Business Regulations: International Students Enrolment and Written Agreement
- Full Fee Paying Overseas Student Education Agents Policy
- Full Fee Paying Overseas Student English Language Proficiency Policy
- Full Fee Paying Overseas Student Enrolment Policy
- Full Fee Paying Overseas Student Refund Policy
- Full Fee Paying Overseas Student Transfer Request Policy
- Full Fee Paying Overseas Student Younger Overseas Student Policy
- Kilvington Grammar School Homestay Responsibility Agreement
- Privacy Policy

7.0 Evaluation

Policy reviewed: October 2026
Approval: The Executive
Review cycle: 5 years