



Toorak College International Students Deferment, Suspension, Cancellation and Transfer Policy

Purpose

National Code Standards 9 and 7.

This standard also addresses cancellation of enrolment and requirements relating to notification through PRISMS should a student's enrolment be deferred, suspended, cancelled or transferred. It covers student access to complaints' and appeals' mechanisms if a provider initiates a suspension or cancellation of enrolment against a student's wishes.

Scope

Applies to all international students.

Policy Statement

1. Deferment of commencement of study requested by student.

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

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

Notification of deferment of studies should be directed to the Director of International Education with the final decision for assessing and granting a deferment of commencement of studies lies with the Principal.

Deferment WILL be recorded on the Provider Registration and International Student Management System (PRISMS) depending on the student's CoE status.

2. Suspension of study requested by student

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

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

Suspension WILL be recorded on PRISMS.

The period of suspension WILL NOT be included in attendance calculations.

All requests for suspension of studies must, in the first instance, be directed to the Director of International Education with the final decision for assessing and granting a suspension of studies lying with the Principal.

Applications will be assessed on merit and all applications for deferment or suspension will be considered within 20 working days.

3. Exclusion from class (1-28 days)

- a) Toorak College may exclude a student from class/studies on the grounds of misbehavior by the student. Exclusion will occur as a result of any behaviour identified as resulting in exclusion in Toorak College's Behaviour Policy/Code of Conduct. (Please refer to the Toorak College School Diary)
- b) 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
- c) 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 class WILL NOT be included in attendance calculations as per Toorak College's Course Progress and Attendance Policy.

4. School initiated suspension of studies (28 days +)

- a) Toorak College may initiate a suspension of studies for a student on the grounds of misbehavior by the student. Suspension will occur as the result of any behaviour identified as resulting in suspension in Toorak College's Behaviour Policy/Code of Conduct.
- b) 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.
- c) Students who have been suspended for more than 28 days are required to return to their home country by Department of Home Affairs (DHA) unless special circumstances exist (eg the student is medically unfit to travel)
- d) If special circumstances exist, the student must abide by the conditions of her suspension which will depend on the welfare and accommodation arrangement in place for each student and which will be determined by the Principal.

Suspensions WILL NOT be recorded on PRISMS.

The period of suspension WILL NOT be included in attendance calculations.

5. Cancellation of enrolment

- a) Toorak College will cancel the enrolment of a student under the following conditions:
 - i. Failure to pay course fees
 - ii. Failure to maintain approved welfare and accommodation arrangements (visa condition 8532)
 - iii. Any behaviour identified in Toorak College's Behaviour Policy/Code of Conduct (please refer to the Toorak College School Diary)
- b) The final decision in relation to the cancellation of enrolment lies with the Principal
- c) Toorak College is required to report failure to maintain satisfactory course progress and failure to maintain satisfactory attendance to DHA, which will result in automatic cancellation of the student visa.

6. Transfer of enrolment

A student must submit a request for transfer in writing to the Principal. The request must be accompanied by a letter of offer from another registered provider.

The School will respond to all requests to transfer in writing. The response will either confirm that the request for transfer has been approved or alternatively if the transfer request is refused, outline the reasons for refusal and any circumstance that the School considers detrimental to the student. In the event that a transfer request is refused the student will be informed of their right to appeal the decision.

The School endeavours to provide a written response to all transfer requests within 10 working days.

- a) Toorak College will only grant a student's request for release and transfer of enrolment to another registered provider if all of the following conditions are satisfied:
- The student has completed at least six months of their chosen course of study
 - The student has written confirmation from their legal guardian or parent to transfer
 - The student has a valid enrolment offer from another registered provider
 - There are no unpaid fees or charges at the time of the request
 - There are no reasonable grounds for refusal as outlined in 6(b)
 - The School does not identify any circumstances as outlined in 6(c) which may be detrimental to the student
- b) Toorak College considers the following conditions as reasonable grounds to refuse a transfer and will not provide a letter of release in the following circumstances:
- The conditions in 6(a) have not been met to the satisfaction of the School
 - If any of the course fees (including accommodation and associated course costs) remain unpaid at the time of the request. Unpaid course fees includes any fees in lieu of notice which will be charged when a student does not provide one full term's notice as required in the International Student Terms of Business
- c) Toorak College considers the following circumstances to be detrimental to the student and may be considered reasonable grounds to refuse a transfer request:
- If a student has commenced VCE (Units 1 to 4) transfer of enrolment may be detrimental to continuous delivery of the program
 - If the proposed course does not meet the study capabilities of the student or provide adequate access to support services

7. Complaints and Appeals

- a) Student requested deferment and suspension are not subject to Toorak College's Complaints and Appeals Policy
- b) Exclusions from class is subject to Toorak College's Complaints and Appeals Policy.
- c) For the duration of the appeals process, the student is required to maintain her enrolment and attendance at all classes as normal. The Principal will determine if participation in studies will be in class or under a supervised arrangement outside of classes.
- d) If students access Toorak College's Complaints and Appeals process regarding a school initiated suspension, where the suspension is recorded in PRISIMS, or cancellation, the suspension or cancellation WILL NOT be reported in PRISIMS until the complaints and appeals process is finalized, unless extenuating circumstances relating to the welfare of the student apply.
- f) Extenuating circumstances include:
- i. The student refuses to maintain approved welfare and accommodation arrangements (for students under 18 years of age)
 - ii. The student is missing
 - iii. The student has medical concerns or severe depression or psychological issues which lead the school to fear for the student's wellbeing
 - iv. Is at risk of committing a criminal offence; or
 - v. The student is the subject of investigation relating to criminal matters
- g) The use of extenuating circumstances by Toorak College to suspend or cancel a student's enrolment prior to the completion of any complaints and appeals process will be supported by appropriate evidence
- h) The final decision for evaluating extenuating circumstances lies with the Principal

7. Student Advice

Deferment, suspension, cancellation and transfer of enrolment can have an effect on a student's visa as a result of changes to enrolment status. Students will be informed to contact the Department of Home Affairs for advice.

Related Documents

Application for Enrolment for International Students

Application for Enrolment and Student Details

Document Review

This document was prepared in February 2018.

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