FINTONA

OVERSEAS STUDENT DEFERMENT, SUSPENSION & CANCELLATION POLICY

1. PURPOSE

Fintona Girls' School (the School) is committed to adhering to the *Education Services for Overseas Student Act 2000* (ESOS Act) and meeting Standard 9 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) by ensuring it implements the following policies and procedures for assessing, approving and recording a deferment of commencement of studies or suspension or cancellation of study by an overseas student.

2. SCOPE

This policy applies to all of the School's overseas students, their parents, legal guardians, and all school staff and any other persons supporting our overseas students for the School.

3. POLICY

This policy sets out the School's procedures for assessing, approving and recording a deferment of commencement of studies or suspension or cancellation of study of an overseas student.

An overseas student enrolment can be deferred, suspended or cancelled. This may be instigated by either the overseas student's parents or guardians for compassionate or compelling circumstances, or the School for a breach of student's visa conditions, failure to pay fees, misbehaviour or other conditions as outlined by the School's policies.

The School will always:

- notify the student or their parents/guardian in writing of the intention to suspend or cancel their enrolment;
- advise the student or their parents/guardian to seek advice from the Department of Home Affairs on the potential impact on the student's visa if enrolment has been deferred, suspended or cancelled;
- not let a suspension or cancellation take effect until the overseas student has been given a chance to complete an internal appeals process, unless their health or wellbeing, or the wellbeing of others is likely to be at risk;
- maintain a record of any decisions to defer or suspend an overseas student's enrolment; and
- notify the Department of Education through PRISMS database of a student whose course has been deferred, suspended or cancelled.

4. DEFERMENT OF COMMENCEMENT OF STUDIES

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

- illness or injury, where a medical certificate states that the student was unable to attend classes;
- bereavement of a close family member 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; or
- a traumatic experience which has impacted on the student (these cases should be, where possible, supported by police or psychologist's reports).

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

Deferment will be recorded on PRISMS depending on the student's Confirmation of Enrolment (CoE) status.

5. SUSPENSION OF STUDY

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

- 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 (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; or
- a traumatic experience which has impacted on the student (these cases should be, where possible, supported by police or psychologists' reports).

Any suspension of study will be recorded on PRISMS which may affect the CoE status.

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.

6. ASSESSING REQUESTS FOR DEFERMENT OR SUSPENSION OF STUDIES

Applications will be assessed on merit by the Registrar and the Deputy Principal.

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

7. BEHAVIOUR MANAGEMENT – EXCLUSION

The School may exclude a student from class/es on the grounds of misbehaviour by the student. Exclusion will occur as the result of any behaviour identified as resulting in a breach of the School's Student Code of Conduct and Behaviour Management Procedures.

Excluded students must abide by the conditions of their exclusion from studies which will depend on the welfare and care arrangements in place for each student and which will be determined by the Deputy Principal in consultation with the Registrar and the relevant Head of School.

Where the student is provided with schoolwork or given online access to their class learning materials, 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.

8. BEHAVIOUR MANAGEMENT – SUSPENSION

The School may suspend a student from classes on the grounds of misbehaviour by the student. Suspension will occur as the result of any behaviour identified as resulting in suspension in the School's Student Code of Conduct and Behaviour Management Procedures.

Suspended students must abide by the conditions of their suspension from school which will depend on the welfare and accommodation arrangements in place for each student and which will be determined by the Deputy Principal in consultation with the Registrar and the relevant Head of School.

Where the student is provided with schoolwork or given online access to their class learning materials, for the period of the suspension, the student must continue to meet the academic requirements of the course.

Behaviour Management Suspensions from school will not be recorded on PRISMS.

9. CANCELLATION OF ENROLMENT

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

- failure to pay course fees as detailed in the Overseas Student Written Agreement and associated Business Terms and Conditions and International Student Fess and Changes Schedule;
- a breach of the course progress or attendance requirements (refer to the Overseas Student Attendance Policy and Overseas Student Course Progress Policy); or
- any behaviour identified as resulting in expulsion in the School's Student Code of Conduct and Behaviour Management Procedures.

The School is required to report failure to maintain satisfactory course progress and failure to maintain satisfactory attendance to the Department of Home Affairs.

10. GRIEVANCE, COMPLAINTS AND APPEALS

Student requested deferment and suspension of studies are not subject to the Overseas Student Complaints and Appeals Policy.

Exclusion from class is subject to the School's Overseas Student Complaints and Appeals Policy.

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

- for the duration of the appeals process, the student is required to maintain her enrolment and attendance at all classes as normal;
- the Deputy Principal will determine if participation in studies will be in class or under a supervised arrangement outside of classes.

If a student accesses the School's Overseas Student Complaints and Appeals Policy process, the suspension or cancellation will not be reported in PRISMS until the grievance and investigation process is finalised, unless extenuating circumstances relating to the welfare of the student apply.

Extenuating circumstances include:

- the student refuses to maintain approved welfare and care arrangements if they are under 18 years of age;
- the student is missing;
- the student has medical concerns or severe mental health or psychological issues which lead the School to have significant concerns 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;
- the student 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 the School to suspend or cancel a student's enrolment prior to the completion of any grievance and investigation process will be supported by appropriate evidence; and the final decision for evaluating extenuating circumstances lies with the Principal.

11. ADVICE TO OVERSEAS STUDENTS

Changes to enrolment status such a deferment, suspension and cancellation of enrolment, can have an effect on a student's visa. Students will be informed to contact the Department of Home Affairs for advice.

12. IMPLICATIONS FOR PRACTICE

AT PRINCIPAL LEVEL

To properly implement this policy, the Principal must ensure:

- this policy is reviewed every two years; and
- the Deputy Principal and Registrar implements this policy and its procedures.

AT OTHER LEVELS

To properly implement this policy, all the School's employees must ensure that they will abide by this policy and assist the Principal, Deputy Principal and Registrar in the implementation of this policy.

13. REFERENCES

- *ESOS Act (2000)* – Obligations of registered providers
- ESOS National Code Standard 9: Deferring, suspending or cancelling the overseas student's enrolment (Fact Sheet 14 July 2022)

14. RELATED SCHOOL POLICIES

- E02.00 Overseas Student Erolment Policy and Procedures
- E02.02 Overseas Student Written Agreement
- SL01.00 Overseas Student Course Progress Policy and Procedures
- SW10.00 Overseas Student Attendance Policy
- SW11.00 Overseas Student Complaints and Appeals Policy
- SW25.00 Student Code of Conduct and Behaviour Management Policy

15. ACCESSIBILITY

This document is available on:

- Fintona Website > Overseas Students
- inFintona>Staff Services>Policies
- inFintona>Parent Services>Policies
- inFintona>Senior Campus>Overseas Students