

Purpose

1. To enable students to:

- defer their enrolment prior to the course start date
- suspend their studies during the course through formal agreement in certain limited circumstances
- request for cancellation of their enrolment

2. To enable Duke College to:

- defer an enrolment where the course is not being offered at the proposed date, site, or any other reason the Duke College deems necessary to cancel the course
- suspend a student's studies on the grounds of misbehaviour or in any breach of Student Code of Conduct
- cancel a student's enrolment where breach of Student Code of Conduct is severe

In Duke College initiated deferment, suspension or cancellation, Students are able to access the Complaints and Appeals procedure if they feel that the decision is unfair or they have other grounds to appeal the decision.

Key Requirements

- Duke College will inform the student that deferment, suspension or cancellation of enrolment may affect his or her student visa.
- Where Duke College decides to initiate the suspension or cancellation of a student's enrolment, it must notify the student of its intention and allow the student 20 working days to access the provider's internal complaints and appeals process, unless circumstances relating to the student's welfare apply.
- If the student appeals against the provider's decision to suspend or cancel his/her studies using Duke College complaints and appeals form, Duke College will not report student's course variation to Department of Education and Training and Department of Home Affairs (DHA) via Provider Registration and International Students Management System (PRISMS) until the complaints and appeals process is completed.
- Duke College will report student's course variation via Provider Registration and International Students Management System (PRISMS) when a student's enrolment is deferred, suspended or cancelled.
- For the purposes of this policy –

Compassionate or compelling circumstances include but are not limited to:

- Serious illness or injury, where a medical certificate states that the student was / is unable to attend classes or unfit for regular occupation;
- 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 and this has impacted on the student's studies; or

- A traumatic experience which could include involvement in, or witnessing of a serious accident; or witnessing or being the victim of a serious crime, and this has impacted on the student (these cases should be supported by police or psychologists' reports)
- Where Duke College is unable to offer a pre-requisite unit

Note:

- a. The above are only some of examples of what may be considered compassionate or compelling circumstances. The CEO or a representative will use his professional judgment and to assess each case on its individual merits. When assessing the existence of compassionate or compelling circumstances, Duke College will consider documentary evidence provided to support the claim, and should keep copies of these documents in the student's file.
- b. All students' requests for deferment / suspension / cancellation must be made using "Application to Defer, Suspend or Cancel enrolment Form". Only completed forms and forwarded along with the supporting documents to the administration department will be processed.

Procedures

1. Student Initiated Deferral, Suspension or Cancellation of Enrolment

1.1 Student Deferral

- A student wishing to defer his/her enrolment must do so prior to the commencement of the course only. Students must complete an 'Application to defer, suspend or cancel enrolment Form' and submit to the Student Administrations Department.
- Students may apply for deferment in compassionate or compelling circumstances or where there is delay in granting of student visa from DHA.
- All documents related to the student's suspension are kept on the students file and the decision to defer the enrolment as a result of the student's request reported via Provider Registration and International Students Management System (PRISMS).

1.2 Student Suspension

- Students who would like to suspend their studies must first speak to a staff member in the Student Administration to gain an application form and to ensure they understand the implications of suspension of enrolment.
- An 'Application to Defer, Suspend or Cancel enrolment Form' must be completed which will need to be approved by the CEO. This application must include in detail the 'compassionate or compelling circumstances'.
- Where a suspension of enrolment is granted, Duke College will suspend an enrolment for an agreed period of time - to a maximum of 12 months. If the suspension is required for longer than 12 months the student will be required to re-apply once the initial suspension period has expired.
- Students are to be informed in writing of the outcome of their application for suspension and informed that it may affect their student visa status.

- All documents related to the student's suspension are kept on the students file and the decision to suspend the enrolment as a result of the student's request reported via Provider Registration and International Students Management System (PRISMS).
- Students have 20 working days to access the Duke College Complaints and Appeal process if they are not satisfied with the Duke College assessment of their application.

1.3 Student Cancellation

- Students wishing to cancel their enrolment must complete an 'Application to Defer, Suspend or Cancel enrolment Form' and submit to the Student Administrations Department.
- Students wishing to cancel their enrolment prior to completing 6 months of study in their principal course must provide a valid letter of offer from an alternative provider. This is required under Standard 7 of the National Code and Duke College Transfer of students between Providers Policy.
- All documents related to the student's cancellation are kept on the students file and the decision to cancel the enrolment as a result of the student's request is reported via Provider Registration and International Students Management System (PRISMS).

2. Provider Initiated Deferral, Suspension or Cancellation of Enrolment

2.1 Provider Deferral/Provider Default

- Duke College may defer an enrolment where the course is not being offered at the proposed date, site, or any other reason the Duke College deems necessary to cancel the course. Refer to Duke College Refund policy for information regarding refunds in case of provider initiated deferral.

2.2 Provider Suspension

- Duke College may suspend a student's enrolment on the grounds of misbehaviour or in any breach of Student Code of Conduct. This misbehaviour may include but is not limited to acts of discrimination, sexual harassment, and vilification or bullying.
- Where there is a violation of Student Code of Conduct by a student, the CEO shall be informed and will make a decision on the penalty and the severity of the penalty. The CEO may take into account the type of misconduct that has occurred and the level of misconduct that occurred when deciding penalties.
- Where a student has been identified in breach of Student Code of Conduct, Duke College shall ensure the following:
 - Students must be treated fairly, with dignity and with due regard to their privacy

- Students are to be regarded as innocent of the alleged misconduct until they have either admitted to it or been found by proper inquiry by the CEO to have so behaved.
- Past misconduct is not taken as evidence that a student has behaved in the same manner again.
- Each case is dealt with on its own merits and according to its own circumstances with the provision that the first instance of misconduct will be penalised more leniently than subsequent instances of misconduct.
- Students are able to access the Complaints and Appeals procedure if they feel that the decision is unfair or they have other grounds to appeal the decision.
- Student has 20 working days to appeal Duke College decision of suspending the enrolment due to misbehaviour.
 - DHA's policy is that if a student's enrolment is suspended for a period of 28 days or longer, the student must return home (unless special circumstances exist).
 - Where the severity of misconduct is severe, the CEO may decide to cancel the enrolment

Note: Students are advised to contact DHA immediately to work out their obligations and further visa related alternatives.

1.3 Provider Cancellation

In some cases where the student's misconduct is severe, Duke College has the right to cancel the enrolment.

Where the CEO has decided the misconduct is severe enough for cancellation, the following must occur:

- The student must be informed in person (where possible), and in writing of the decision of the Duke College to cancel the student's enrolment along with the grounds of decision
- They must be informed about their right to appeal the decision by accessing the relevant procedures and completing this appeal within 20 working days of the notification
- Students must also be informed about Duke College intention to notify Department of Education and Training (DET) and Department of Home Affairs (DHA) of the change of enrolment status

3. Recording and reporting deferments, suspension or cancellation of enrolments

- All applications of deferment and outcomes are to be kept on the students file.
- All reports of misconduct, decisions and actions taken in relation to misconduct, and other related documentation must be kept on file.
- Any decisions to initiate deferral, suspension or cancellation of an enrolment must be reported to Department of Education and Training (DET) and Department of Home Affairs (DHA) via PRISMS.
- Students are to be kept informed of any decisions or outcomes that relate to a deferment, suspension, or cancellation of enrolments.



Deferment, suspension or cancellation of study during enrolment Policy and Procedures

Version: 2.0

Last Modified: 8 August 2018

- All students are to be given the opportunity to access the complaints and appeals procedure before reporting any provider-initiated suspensions or cancellations of enrolments via PRISMS occurs. The students have 20 working days to lodge an appeal.
- Where a student decides to access this procedure within 20 working days of notification, the Duke College must wait until the process has finished before going ahead with the reporting of the student's enrolment changes via PRISMS.

Reference:

This policy/procedure supports 'Standard 9' of the 'National Code of Practice for Registration Authorities & Providers of Education & Training to Overseas Students 2018.

Documents/Forms:

1. Application to Defer, Suspend or Cancel enrolment Form
2. Compassionate or Compelling Circumstances Policy and Procedure
3. Complaints/Appeal Form

Revision History

Version	Date	Revision Description
2.0	8 August 2018	Changes to reflect National Code 2018
1.0	12 February 2015	Original