

Procedure Details

Governing Instrument Education Services for Overseas Students (ESOS) Act 2000

Advisor Manager, International Student Administration

Approval Authority Director, Support Services

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Purpose

This document outlines the procedures for applying for a deferral, suspension or cancellation of enrolment for International Students and ensures that such requests are properly assessed within the ESOS framework.

Scope

This procedure applies to all TAFE Queensland Brisbane staff who are responsible for international students - either academically or administratively and all international students as defined within the ESOS legislation.

Procedure

Grounds on which Deferment/Suspension of Studies may be granted

Deferral or temporary suspension of studies, including granting a leave of absence for International students during the course of their formal program may only be granted where there is evidence of compassionate or compelling circumstances.

Examples of this include, but are not limited to:

- Serious 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 (a death certificate shall be required)
- Major political upheaval or natural disaster in the home country requiring emergency travel when this has impacted on the student's studies
- A traumatic experience which could include:
 - Involvement in, or witnessing of a serious accident
 - Witnessing or being the victim of a serious crime (these cases should be supported by police or psychologists' reports)
- Where a student has failed part of their course and TAFE Queensland Brisbane is unable to offer a pre-requisite unit until a later date and as a result, this prevents the student's academic progression; or
- Inability to begin studying on the course commencement date due to delay in receiving a student visa.

Applying for Deferment/Suspension of Studies

Students (either onshore or offshore) wishing to apply for a deferral or suspension of enrolment shall:

- a. Where possible submit the application for deferral 2 weeks prior to program start or semester start date. Documentary evidence is required to support requests for deferral
- b. If as a result of unexpected circumstances a student is unable to commence or continue studying a written application can be submitted to International Business at any time with supporting documentation (e.g. medical certificate).

International students are to note the following TAFE Queensland Brisbane deferral rules:

- c. All deferral decisions are at the discretion of the Manager International Business and the Industry Training Group Director (or delegate)
- d. Maximum deferral period is 12 months. Refer to the FS475a International Student Terms and Conditions of Enrolment/Refund for advice on tuition fees
- e. Consideration shall also be given to availability of placements for programs offered for the time the student wishes to resume studies
- f. Deferral or suspension of studies granted on medical grounds, require evidence from a registered medical practitioner to support the student's fitness to resume their studies
- g. Any international student convicted of a criminal offence shall not be granted a deferral of study.

Student Requests Cancellation of Studies

All students wishing to cancel their enrolment shall submit a TAFE Queensland Brisbane [Change of Enrolment application](#) with the required documentation.

Students cancelling enrolment and returning to their home country

Students who cite returning to home country as their enrolment cancellation reason shall not be issued with a release letter or provided with a copy of the cancelled confirmation of enrolment either at time of cancellation or at any future date.

Students Transferring to a different visa type shall provide evidence to enable the finalisation of the international student record.

Students requesting a release letter to transfer to another education provider shall apply under TAFE Queensland Brisbane Procedure, International Student- Application for Release (PR475).

Students need to be aware that any cancellation of enrolment may affect their Visa and TAFE Queensland Brisbane shall report students to the Department of Education via PRISMS where necessary. This action automatically alerts the Department of Immigration and Border Protection (DIBP) and students should seek immediate advice regarding their Student Visa from DIBP.

Suspension or Cancellation of Enrolment

TAFE Queensland Brisbane may suspend or cancel a student's enrolment in the following circumstances :

- a. Misbehaviour by the student. Standards of behaviour required by students at TAFE Queensland Brisbane are outlined in the Student Rules or the International Student Terms and Conditions of Enrolment
- b. Where it becomes evident that the student has behaved improperly or provided false documentation as part of the international application and enrolment process
- c. Non-payment of fees by the due date
- d. If a student is deliberately under-enrolling (taking less than a normal load without good reason) despite advice from the Institute
- e. If a student does not maintain satisfactory course progress in accordance with the International Student Academic Progression Monitoring Procedure for international students
- f. If a student fails to attend scheduled academic intervention strategy meeting, one rescheduled meeting shall be organised. Failure to attend the rescheduled meeting shall lead to cancellation of enrolment
- g. TAFE Queensland Brisbane considers the student as non-bonafide. Indicators of this include:
 - Student Rules and Academic Progression Procedure clearly state that international students shall maintain 80% attendance. Students who demonstrate erratic course progress as a result of their failure to maintain regular class attendance shall have their enrolment cancelled and shall be reported to the Department of Education as non-bonafide students.
 - Students that have been counselled regarding their attendance and progression but their attendance and progression continues to be unsatisfactory without reasonable cause
 - Students who don't commit to the learning intervention strategies developed to support their study
 - Students who attend classes but refuse to be engaged or to participate in the learning. This behaviour not only impacts on the students' own progression but the learning of other students. Examples of this include:
 - not submitting assignments
 - not attending class when assessments are scheduled
 - refusing to participate or be involved in classroom activities or group work.
- h. If an ELICOS student's attendance falls below 80%
- i. Non-commencement of studies. Where the student does not commence studies in a program when they are due to commence and they have not notified TAFE Queensland Brisbane in writing and negotiated a later program start date

- j. If a student who has not completed their program of study fails to return to study after a semester or holiday break and does not notify TAFE Queensland Brisbane. This is regarded as a passive withdrawal and the students' COE and enrolment shall be cancelled
- k. If a student is refused a deferment as there is no evidence of compassionate or compelling circumstances, but ceases to attend classes
- l. Student is deceased.

In circumstances covered by grounds (a) to (h) TAFE Queensland Brisbane shall notify the student in writing of its intent to suspend or cancel enrolment and inform the student of the 20 business days to access the appeals process.

Should the student choose to access the appeals process, the student's enrolment shall be maintained until the internal appeals process is completed (and has supported TAFE Queensland Brisbane intention to suspend or cancel the student's enrolment) unless extenuating circumstances relating to the welfare of the student apply.

Maintaining a student's enrolment is different to allowing a student to attend class. Based on the nature of the misconduct a decision shall be made on a case by case basis whether to allow the student to continue to attend class, make alternative study arrangements or to deny the student access to study opportunities. In making such a decision TAFE Queensland Brisbane shall consider whether denying the student learning opportunities throughout the 20 business day appeal period and during the internal complaints and appeals process may disadvantage the student in their subsequent studies should the complaints and appeals process find in their favour.

When a student has not completed their program of study, does not return from a semester or holiday break and has not notified TAFE Queensland Brisbane. The student is considered to have inactively advised that they shall not be continuing their studies. Maximum period of unapproved absence is 5 business days after study recommencement. The student shall be emailed notifying of the intention to cancel enrolment. If no response is received within 2 business days TAFE Queensland Brisbane shall notify Department of Education via PRISMS of the student's intention to cease studies by cancelling the student's COE. This action automatically advises the Department of Immigration and Border Protection.

Extenuating circumstances relating to the welfare of the student

Extenuating circumstances relating to the welfare of the student may include, but are not limited to the following. The student:

- Refuses to maintain approved care arrangements (only for students under 18 years of age)
- Is missing
- Has medical concerns, severe depression or psychological issues which lead the provider to fear for the student's wellbeing
- Has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others
- Is at risk of committing a criminal offence.

Any claim of extenuating circumstances by TAFE Queensland Brisbane shall be supported by appropriate documented evidence.

Deferring, Suspending and Cancelling Enrolment of an Under 18 International Student

Where the enrolment of a student under the age of 18 is terminated, suspended or cancelled, TAFE Queensland Brisbane is obliged to continue monitoring the care arrangements for that student until:

- the student is accepted by another registered provider and that registered provider takes over responsibility for approving the student's accommodation, support and general welfare arrangements
- the student leaves Australia
- other suitable arrangements are made that satisfy the Migration Regulations
- TAFE Queensland Brisbane reports that it can no longer approve the arrangements for the student.

Records Management

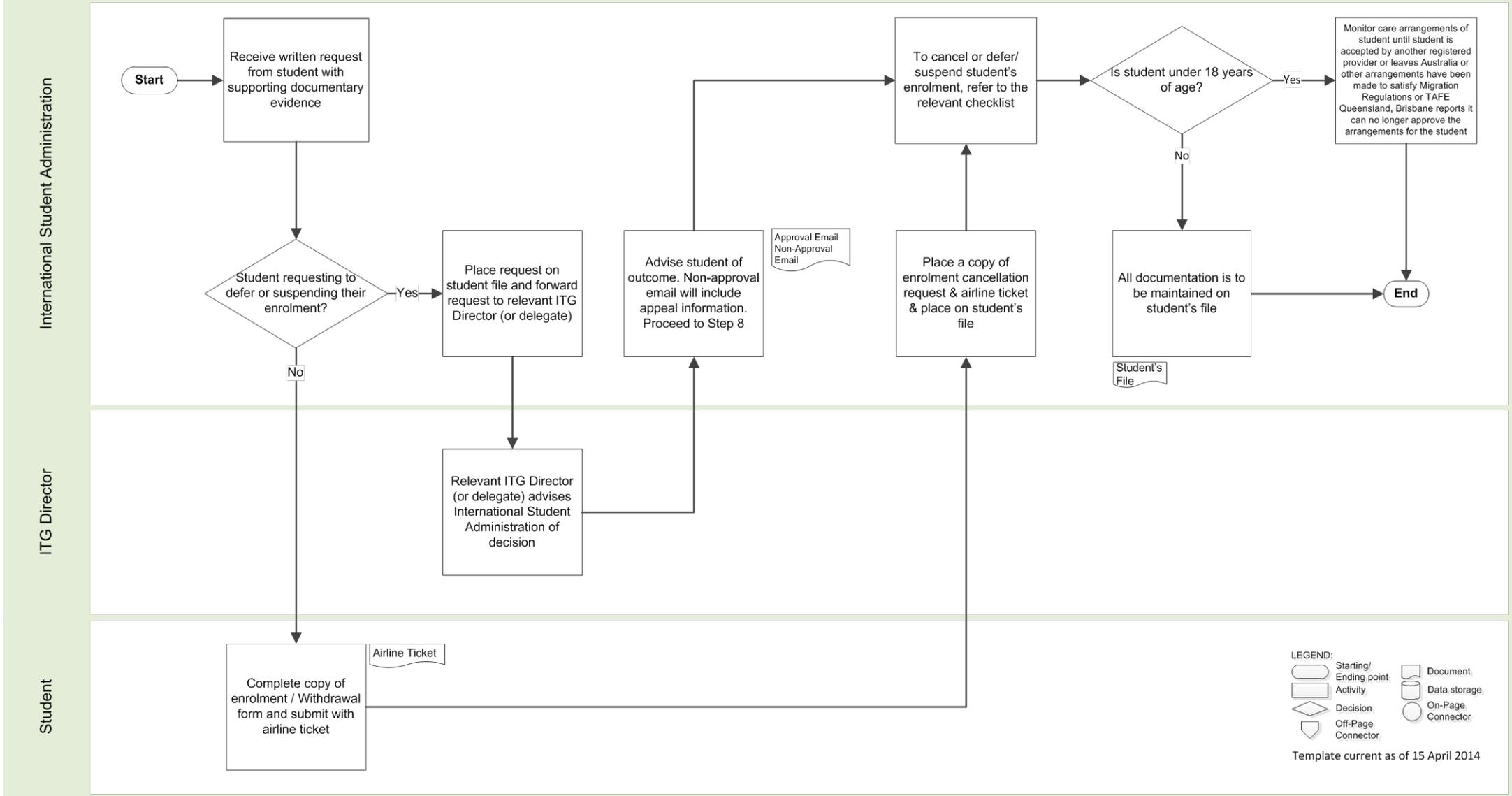
Records shall be retained in accordance with the Qld State Archives – General Retention and Disposal Schedule for Administrative Records ([QDAN249](#)).

The process of deferring, suspending or cancelling enrolment shall be recorded and documented in the student's file. All documentary evidence shall be kept within the student's file. These records shall be retained for 7 years after the last action date.

Procedure Flowchart

International Deferral, Suspension and Cancellation of Enrolment

TAFE Queensland Brisbane



Affiliated Documents / References

Internal:

- FS475a - International Student Terms and Conditions of Enrolment/Refund
- [Change of Enrolment application](#)

External:

- [Education Services for Overseas Students \(ESOS\) Act 2000](#)
- [National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 – Standard 13 – Deferring, suspending or cancelling the student's enrolment](#)
- [Migration Act 1958](#)
- [QDAN249](#) - Qld State Archives – General Retention and Disposal Schedule for Administrative Records

Glossary of Terms / Definitions

Term/s	Definition/s
APPEAL	Request by a student to have a matter heard and/or re-considered after receiving an unfavourable decision
CoE	A Confirmation of Enrolment is a document generated via PRISMS which confirms the enrolment of an international student at TAFE Queensland Brisbane. The CoE provides details of the program, duration of study, start and end dates and cost. International students require a CoE to obtain a Student Visa for travel to Australia.
CRICOS	Commonwealth Register for Institutions and Courses for Overseas Students
DIBP	Department of Immigration and Border Protection
ELICOS	English Language Intensive Courses for Overseas Students
INTERVENTION STRATEGY	An individual plan to provide academic support and/or assistance to an international student identified as being “at risk” of not achieving satisfactory academic progression
ISAS	Institute Student Administration System. A TAFE QLD-wide software application used for student enrolment, payments & billing, some student tracking and other student management functions. ISAS is the data source used for most state-level auditing.
PRISMS	Provider Registration and International Students Management System The management system used by CRICOS and DIAC to record international student program enrolment details
REGISTERED PROVIDER	As defined in section 5 of the ESOS Act, the registered provider for a course for a state, means an approved provider that is registered on CRICOS as a provider for the course for the state
RELEASE LETTER	A letter supplied by a current provider of education indicating their agreement to release an international student to transfer to study at another institution. The international student may not have either commenced or yet completed the first six months of their principal program of study.
STUDENT RULES	TAFE Queensland Student Rules, Code of Conducts etc.

Revision History

Revision Date	Summary of Amendments	Prepared By	Version
01/07/2014	Initial document	Manager, International Administration Services	1.0