

Policy and Procedure Manual

Full Fee Paying Overseas Students Deferment, Suspension and Cancellations Policy

1. Rationale

As a registered provider of educational services to Full Fee Paying Overseas Students (FFPOS), St Leonard's College can only enable students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through formal agreement in limited circumstances.

It is expected that students entering Year 11 will commence at the beginning of the school year, as that time marks the beginning of the two year Victorian Certificate of Education (VCE) or the International Baccalaureate Diploma (IBDP). Should a student be unable to commence on that date due to, for example, lack of English language proficiency or not arriving in the country in time, their enrolment may be cancelled.

Full Fee Paying Overseas Students may be granted leave of absence from their studies only for compassionate and compelling circumstances.

The College may suspend or dismiss a student on the grounds of:

- Misbehaviour by the student,
- Failure to pay an amount which they were required to pay St Leonard's College to undertake or continue to study
- A breach in the progress or attendance requirements as detailed in the St Leonard's College Course Progress and Attendance Policy
- Failure to comply with the College's Accommodation and Welfare Policy.

The Principal determines whether requests for deferment may be granted, and whether a student should be suspended or dismissed.

2. Scope

All Full Fee Paying Overseas Students

3. References

Legislation

National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Commonwealth), Standard 9 Deferring, suspending or cancelling the overseas student's enrolment (National Code)

St Leonard's College Policies and Documents

- Accommodation and Welfare Policy for Full Fee Paying Overseas Students
- Course Progress and Attendance Policy for Full Fee Paying Overseas Students
- Complaints Handling and Appeals (Grievance) Policy for Full Fee Paying Overseas Students
- Refund Policy as detailed in International Student Fees and Charges (Attachment 1)

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4. Definitions

CAAW	Confirmation of Appropriate Accommodation – a document issued by St Leonard's College indicating the accepts responsibility for the accommodation and welfare of the Full Fee Paying Overseas Student
CoE	Confirmation of enrolment – a document, provided electronically, which is issued by St Leonard's College to intending overseas students and which must accompany their application for a student visa. It confirms the student's eligibility to enrol in primary or secondary studies at St Leonard's College.
Day	Any day including weekends and public holidays in or out of term time
DET	<i>Department of Education and Training (Victoria)</i>
ESOS Act	<i>The Education Services for Overseas Students Act 2000 (Cth)</i>
DoHA	<i>Department of Home Affairs, the government agency responsible for issuing visas.</i>
FFPOS	<i>Full Fee Paying Overseas Student who holds a valid student visa (subclass 500)</i>
PRISMS	The Provider Registration and International Students Management System is the database system used to process information given to the Secretary of DET by registered providers.
Support Person	A friend/teacher/relative not involved in the grievance. Lawyers and/or education agents are not acceptable support persons at this stage of the complaints handling process
The College	St Leonard's College
Condition 8532	The visa condition which requires under-18-year-old FFPOS to maintain suitable accommodation, support and general welfare arrangements.
Working Day	Any day other than a Saturday, Sunday, public holiday during term time, or day of School closure

5. Implementation

5.1. Deferment of commencement of study requested by student

- 5.1.1. Students entering Year 11 must be able to commence their studies at the start of the school year. St Leonard's College does not permit deferment of studies at the commencement of Year 11. (Should a student be unable to commence their studies on the required date, St Leonard's College's refund policy will apply.)
- 5.1.2. St Leonard's College will only grant a deferment of commencement of studies for compassionate and compelling circumstances. These include but are not limited to:
- 5.1.2.1. illness, where a medical certificate states that the student was unable to attend classes

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- 5.1.2.2. bereavement of close family members such as parents or grandparents (where possible a Death Certificate should be provided)
- 5.1.2.3. major political upheaval or natural disaster in the home country requiring emergency travel that has impacted on studies
- 5.1.2.4. a traumatic experience which has impacted on the student (these cases should be where possible supported by police or psychologists' reports)
- 5.1.3. The final decision for assessing and granting a deferment of commencement of studies lies with the Principal
- 5.1.4. The student will be notified in writing of the outcome of the process.
- 5.1.5. The College's Accommodation and Welfare Policy will not apply during the period of deferment of studies.
- 5.1.6. Deferment will be recorded on PRISMS depending on the student's CoE status.

5.2. Suspension of study requested by student

- 5.2.1. Once the student has commenced the course, St Leonard's College will only grant a suspension of study for compassionate and compelling circumstances. These include but are not limited to:
 - illness, 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
 - a traumatic experience which has impacted on the student (these cases should be where possible supported by police or psychologists' reports)
- 5.2.2. The final decision for assessing and granting a suspension of studies lies with the Principal on advice from the appropriate Head of School (Junior School, Year 5/6, Middle School, Senior School) and the Registrar (or their delegate)
- 5.2.3. The College's Accommodation and Welfare Policy will not apply during the period of deferment of studies.
- 5.2.4. Suspensions will be recorded on PRISMS.
- 5.2.5. The period of suspension will not be included in attendance calculations.
- 5.2.6. A student will be notified that suspension of studies may affect his or her student visa and will also notify the student of the result in the form of the proforma on page 6 of this document. In the case of extenuating circumstances, the proforma on page 7 of this document applies.

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5.3. Assessing requests for deferment or suspension of studies

- 5.3.1. All applications for deferment or suspension will be considered within 8 working days and the result notified to the student. A full report of the process will be reported on the student's file.

5.4. School Initiated Exclusion from Class (1 – 28 days) and Suspension of Studies (28 days +)

- 5.4.1. St Leonard's College may exclude a student from class studies on the grounds of misbehaviour by the student or suspend the student if the student is unwilling to comply with the College's Accommodation and Welfare Policy. Suspension will be imposed by the Principal.
- 5.4.2. If a student is suspended from studies, the College will notify the student and parent/s and allow 20 working days to access the College's complaints, appeals and grievances process, unless extenuating circumstances relating to the welfare of the student apply.
- 5.4.3. Excluded students must abide by the conditions of their exclusion from studies and must continue to comply with the College's Accommodation and Welfare Policy.
- 5.4.4. Where the student is provided with homework or other studies for the period of the exclusion from class (1-28 days), the student must continue to meet the academic requirements of the course.
- 5.4.5. The College's Accommodation and Welfare Policy for FFPOS does not apply if students are suspended for more than 28 days. Students who have been suspended for more than 28 days are required to return to their home country by DoHA unless special circumstances exist (eg the student is medically unfit to travel), in which case the parents will be responsible for the accommodation and welfare arrangements of the student.
- 5.4.6. If special circumstances exist, the student must abide by the conditions of his or her suspension which will depend on the welfare and accommodation arrangements in place for each student and which will be determined by the Registrar (or their delegate).
- 5.4.7. Exclusion from class will not be recorded on PRISMS.
- 5.4.8. Suspensions will be recorded on PRISMS and on the student's file.
- 5.4.9. Periods of exclusion from class will be included in attendance calculations.
- 5.4.10. The period of suspension will not be included in attendance calculations.

5.5. Cancellation of enrolment

- 5.5.1. St Leonard's College may cancel the enrolment of a student under the following conditions:
- failure to pay course fees
 - failure to maintain approved welfare and accommodation arrangements (visa condition 8532)

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- any behaviour identified as resulting in cancellation as determined by the Principal
- the student is missing and all reasonable attempts to locate the student have failed
- the student is unable to commence Year 11 at the start of the academic school year

5.5.2. If a student's enrolment is cancelled, the College will notify the student and parent/s and allow 20 working days to access the College's complaints and appeals process, unless extenuating circumstances relating to the welfare of the student apply.

5.5.3. St Leonard's College will report the failure to maintain satisfactory course progress and failure to maintain satisfactory attendance to DoHA which will result in automatic cancellation.

5.5.4. A record of the process and the outcome will be included in the student's file.

5.6. Complaints and Appeals

5.6.1. Student requested deferment and suspension are not subject to the College's Complaints Handling and Appeals (Grievance) policy and associated procedures.

5.6.2. Exclusion from class is subject to the College's Complaints Handling and Appeals (Grievance) policy and associated procedures.

5.6.3. School initiated suspension, where the suspension is to be recorded in PRISMS, and cancellation are also subject to the College's Complaints Handling and Appeals (Grievance) policy and associated procedures.

5.6.4. For the duration of the appeals process, the student is required to maintain enrolment and attendance at all classes as normal, unless the Principal determines that participation in studies will be under a supervised arrangement outside of classes. The Head of School (Junior School, Year 5/6, Middle School or Senior School) will determine if participation in studies will be in class or under a supervised arrangement outside of classes.

5.6.5. If a student accesses St Leonard's College's complaints and appeals process regarding a school initiated suspension, where the suspension is recorded in PRISMS, or cancellation, the suspension or cancellation will not be reported in PRISMS until the complaints and appeals process is finalised, unless extenuating circumstances relating to the welfare of the student apply.

5.6.6. Extenuating circumstances include:

- the student refuses to maintain approved welfare and accommodation arrangements
- the student is missing
- the student has medical concerns or severe depression or psychological issues which lead the school to fear for the student's wellbeing

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- 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

5.6.7. The use of extenuating circumstances by St Leonard's 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.

5.6.8. The final decision for evaluating extenuating circumstances lies with the Principal.

5.7. Student Advice

5.7.1. When applications for deferment, suspension and cancellation of enrolment, students are advised that these processes can have an effect upon their visa as a result of changes to enrolment status.

5.7.2. Students will be informed that they are required to contact the DoHA for advice.

5.7.3. In all cases of deferment, suspension or cancellation of study, the student and parent/s are notified of the outcome in writing.

5.8. Application for deferment of commencement or suspension of studies for completion by student

Please read the attached *Deferment, Suspension and Cancellation Policy* before filling out this form to see if you meet the requirements to be granted a deferment of commencement or suspension of studies.

Student name: _____

Year level: _____

Current address in Australia: _____

Address in home country: _____

Phone number: _____

Mobile phone: _____

Email address: _____

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I am applying for

A deferment of commencement of studies

A suspension of studies

Please state why you wish to defer/suspend your studies.

Attachments:

Attach any relevant supporting documentation.

This form will be assessed once all documentation has been received. The College may ask for more documentation if required. Applications are usually processed in eight working days.

Deferment and suspension of enrolment can have an effect on a student's visa as a result of changes to enrolment status.

Please contact the Department of Home Affairs (DoHA) on 131 881 or contact the local DoHA office to see if this will affect you.

Students who have not yet commenced their studies at St Leonard's College's will also need to contact DoHA in case there is any effect on their student visa as a result of changes to enrolment or CoE status.

Student Signature

Date

5.9. Letter from the College informing of intention to suspend or cancel enrolment

Student name: _____

Year level: _____

Current address in Australia: _____

Phone number: _____

Email address: _____

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This letter is to inform you that St Leonard's College intends to

Suspend your enrolment for days/weeks/months

Cancel your enrolment

This is due to:

Deferment, suspension and cancellation of enrolment can have an effect on a student's visa as a result of changes to enrolment status. Please contact the Department of Home Affairs (DoHA) on 131 881 or contact the local DoHA office to see if this will affect you.

You have 20 working days in which to appeal against the College's decision in accordance with the *St Leonard's College Complaints and Appeals Policy*.

5.10. Letter from the College informing of intention to suspend or cancel enrolment (with extenuating circumstances)

Student name: _____

Year level: _____

Current address in Australia: _____

Phone number: _____

Email address: _____

This letter is to inform you that St Leonard's College intends to

Suspend your enrolment for days/weeks/months

Cancel your enrolment

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This is due to:

Suspension and cancellation of enrolment can have an effect on a student's visa as a result of changes to enrolment status. Please contact the Department of Home Affairs (DoHA) on 131 881 or contact the local DoHA office to see if this will affect you.

You have 20 working days in which to appeal against the College's decision in accordance with the *St Leonard's College Complaints and Appeals Policy* attached.

However, St Leonard's College has determined that extenuating circumstances apply in this case. [Insert details]

For this reason your enrolment will be suspended/cancelled immediately. This will not affect your ability to access the complaints and appeals processes of the College.

6. Communication of this Policy

This policy is communicated in the following ways -

Staff

The Deferment Suspension Cancellation Policy is available to Staff via their initial employment and induction information.

The Deferment Suspension Cancellation Policy is available to Staff on CompliSpace via the Policies and Incident Reporting tab on the College intranet (STL Link).

The Deferment Suspension Cancellation Policy is available via the Policies tab in the Staff online handbook.

Community

The Deferment Suspension Cancellation Policy is available for parents and care-givers on the College Intranet Parent Portal (STL Link) and policy locations are communicated annually to the community via the St Leonard's College Newsletter.

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7. Prepared by

Colleger Registrar

8. Approved by

Pat Kenny, Acting Principal

Pat Kenny

04 March 2022

Signature

Date

9. Reason for revision

Scheduled revision of policy and controlled format.

All policies at St Leonard's College are subject to a three (3) year review cycle (unless otherwise stated) irrespective of any amendments made during this period.