

HE-BP12 INTERNATIONAL STUDENTS DEFERRAL, WITHDRAWAL, SUSPENSION & CANCELLATION POLICY AND PROCEDURE

Abbreviations:

AHE	Apex Australia Higher Education
CEO	Chief Executive Officer
DHA	Department of Home Affairs
EMC	Executive Management Committee
HR	Human Resources
National Code	National Code of Practice for Providers of Education and Training to International Students 2018
PRISMS	Provider Registration and International Student Management System
SSO	Student Support Officer

1. Purpose

1.1 The purpose of this Policy and Procedure is to outline circumstances where a student can temporarily suspend or cancel his/her course and to detail the circumstances where the student’s enrolment may be deferred, suspended, or cancelled by Apex Australia Higher Education (AHE). It applies to prospective, commencing and continuing fee-paying international students.

2. Scope

2.1 This Policy and Procedure applies to all prospective and current international students at AHE.

3. Principles

3.1 This Policy and Procedures is to ensure compliance with Standard 9 of the National Code of Practice for Registration Authorities and Providers of Education and Training to International Students 2018 and the ESOS Act 2000.

3.2 AHE will enable students to defer or temporarily suspend their studies due to compassionate or compelling circumstances which are beyond the control of the student. Compassionate or compelling circumstances include (but are not limited to):

- 3.2.1 Serious illness or injury where a medical certificate states that the student was unable to attend classes or study,
- 3.2.2 Bereavement of close family members such as parents or grandparents, with supporting documentary evidence,

- 3.2.3 Major political upheaval or natural disaster in the home country requiring a student's emergency travel to their home country or evidence from a psychologist that the situation in their home country has had a detrimental impact on the student's studies,
 - 3.2.4 A permanent or temporary disability which is supported by a medical assessment that recommends a break from study or a reduced study load,
 - 3.2.5 A traumatic experience which could include, but is not limited to, involvement in or witnessing an accident or a crime committed against the student, or the student has been a witness to a crime, and this has had an impact on the student. These cases should be supported by police or psychologists' reports, or
 - 3.2.6 Inability to begin studying on the course commencement date due to delay in receiving a student visa.
- 3.3 AHE may suspend a student's enrolment due to misbehavior or for breaching AHE's policies and procedures (including plagiarism, collusion, and cheating).
- 3.4 AHE may cancel a student's enrolment due to serious misconduct or for non-payment of fees in order to undertake or continue a course as stated in the Letter of Offer and Student Written Agreement.
- 3.5 Students who wish to withdraw from their course within the first six (6) months to transfer to another provider will be processed as per the Student Transfer Request Policy and Procedure.
- 3.6 Course withdrawals will only be approved under specific circumstances where the student provides evidence to support the validity of their request. Apex Higher Education (AHE) evaluates withdrawal applications on the following grounds. Each application is assessed individually, and students may be required to submit additional documents to substantiate their claims.
- 3.6.1 Compelling or Compassionate Reasons:
- Medical conditions
 - Students experiencing medical conditions that require extensive treatment, or recovery must provide a detailed medical certificate issued by a registered healthcare professional as evidence.
 - Bereavement of close family members:
 - In the case of bereavement involving a parent, sibling, spouse, or child, students must provide a death certificate or official documentation from relevant authorities.

- Significant unexpected circumstances:
 - For unforeseen situations impacting the student’s ability to continue their studies, such as natural disasters or personal crises, students must submit official documentation, including police reports, insurance claims, or statements from relevant organisations.

3.6.2 Change in Visa Status:

- Visa Expiry, Refusal, or Cancellation:
 - Students must provide an official notification from the Department of Home Affairs detailing their visa status.

3.6.3 Transfer to Another Education Provider:

- Approved Transfer:
 - Students must present a letter of offer from the new education provider, demonstrating that the transfer aligns with AHE’s Transfer Between Registered Providers policy.

3.6.4 Return to Home Country:

- Permanent Return:
 - Students who must return permanently due to family, medical, or financial reasons must submit relevant evidence, such as:
 - Documentation outlining family circumstances.
 - A medical certificate or letter from a healthcare professional, if applicable.
 - Bank statements to verify financial hardship.
 - Travel documentation confirming their travel arrangements.

3.7 AHE has in place a procedure for assessing, approving, and recording a deferment of the commencement of study or suspension of study for the student (see below).

3.8 AHE will ensure that students are informed of this Policy and Procedure prior to enrolment.

3.9 AHE will also inform the student that deferring, withdrawing, suspending, or cancelling his or her enrolment may affect his or her student visa.

3.9.1 The students will be informed of the need to seek advice from Immigration with the [Department of Home Affairs](#) (DHA) or Helpline 131 881 on the potential impact on their student visa.

3.10 AHE will notify the Secretary of the Department of Education and Training via PRISMS where the student’s enrolment is deferred, temporarily suspended, or cancelled, under section 19 of the ESOS Act 2000, i.e., notification via PRISMS.

- 3.11 AHE will inform the student of AHE's intention to suspend or cancel the student's enrolment where the suspension or cancellation is not initiated by the student and notify the student that they have twenty (20) working days to access the Student Grievance, Complaint and Appeal Procedure.
- 3.12 If the student accesses the Student Grievance, Complaint and Appeal Procedure, the suspension or cancellation of the student's enrolment under this Standard cannot take effect until the internal process is completed, unless extenuating circumstances where the international student's health or wellbeing, or the wellbeing of others, is likely to be at risk.
- 3.13 Outstanding Payments
 - 3.13.1 Students with outstanding tuition or miscellaneous fees will not be eligible to receive academic documents (e.g., transcripts, certificates) or administrative letters (e.g., holiday letters) until the outstanding balance is fully cleared. This applies to withdrawals, suspensions, and late payment penalties.

4. Procedures for deferring or suspending an enrolment as per student's request.

- 4.1 Deferral (or when a student defers his/her course) relates to postponing an offer of a place before the course has commenced.
- 4.2 Suspension refers to temporary interruption of the studies (or course) after the commencement of the course, which includes AHE initiated suspension.
- 4.3 To apply for a deferral or suspension of studies the student must complete a Request for Deferral or Suspension of Studies Form and submit this to the Student Services Officer (SSO) or in person at Reception.
- 4.4 The Student Services Officer (SSO) must:
 - 4.4.1 Ensure that each request has supporting evidence,
 - 4.4.2 Ensure that the request is considered on the grounds of the written request and ensure that compassionate and compelling circumstances (which are beyond control of the student) are assessed where evidence of their validity is provided,
 - 4.4.3 Ensure that the student is aware of AHE's complaint and appeals process under the student grievance, complaint, and appeal procedure, and
 - 4.4.4 Forward the request for deferral or suspension of studies form to the administration staff.
- 4.5 The Registrar makes the decision on the deferral / suspension and informs the SSO who then:
 - 4.5.1 Informs the student of the resulting decision in a timely manner.
 - 4.5.2 Ensures that all records of the request and supporting evidence are placed in the student's file.

- 4.5.3 Ensures that the student is advised to contact the Immigration office, [Department of Home Affairs](#) (DHA) or Helpline 131 881 to seek advice on the effect on their student visa.
- 4.5.4 Updates the AHE student management system and PRISMS database as soon as practicable after the decision has been finalised.
- 4.5.5 Issues amended or new e-CoE's where required.

5. Procedures for cancelling an enrolment / withdrawing from studies as per student's request.

- 5.1 A student may request to cancel their enrolment or withdraw from their studies.
- 5.2 The student must first contact the Registrar to discuss the reasons and to explore support options.
- 5.3 If, after the discussion, the student still decides to cancel or withdraw from his/her studies, the student will be directed to the withdrawal from studies form to be completed and informed of the evidence that must be submitted along with the application.
- 5.4 The student will also be notified that the withdrawal may affect their student visa.
- 5.5 If AHE accepts the reasons for cancellation / withdrawal, then all current and future enrolments will be cancelled.
- 5.6 Students will be advised to refer to their signed Letter of Offer and Student Written Agreement for refund-related enquiries.

6. Procedures for AHE initiated suspension, withdrawal or cancellation.

- 6.1 AHE may initiate a suspension, withdrawal or cancellation of a student in cases of student misconduct in accordance with AHE's policies and procedures (including plagiarism, collusion, and cheating) or non-payment of fees to undertake or continue the course as stated in the written agreement.
- 6.2 AHE may initiate a suspension, withdrawal or cancellation of a student if there is a breach of course progress requirements by the international student and in accordance with Standard 8 of the National Code of Practice for Providers of Education and Training to International Students 2018 (International student visa requirements) and as specified in the Student Academic Progression Procedure.
- 6.3 AHE will inform the student of AHE's intention to suspend or cancel the student's enrolment where the suspension or cancellation is not initiated by the student and notify the student that he or she has twenty (20) working days to access the Student Grievance, Complaint and Appeal Procedure.
- 6.4 If the student accesses the Student Grievance, Complaint and Appeal Procedure, the suspension or cancellation of the student's enrolment under this Standard cannot take effect until the internal process is completed, unless extenuating circumstances where the international student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

- 6.5 In receiving a report of misconduct, or breach of course progress or attendance, the CEO or the Dean shall:
- 6.5.1 Validate the actions of all staff involved including seeking further advice, verbal or written.
 - 6.5.2 Where necessary, seek further advice from the student or students involved maintaining an unbiased approach to the student or students involved.
 - 6.5.3 Decide whether an enrolment suspension or enrolment cancellation is warranted.
- 6.6 Only the Registrar makes the final determination of cancelling a student's enrolment due to misconduct, non-payment of fees, breach of course progress or attendance.
- 6.6.1 The student will be informed of the AHE's decision to cancel the enrolment in writing stating the reason for the decision and re-affirming the student's right to the appeals process within twenty (20) working days in accordance with Standard 10 of the National Code of Practice for Providers of Education and Training to International Students 2018 (Complaints and Appeals).
- 6.7 Under no circumstances will the suspension or cancellation of the international student's enrolment under Standard 9.3 take effect until the internal appeals process is completed, unless the international student's health or wellbeing, or the wellbeing of others, is likely to be at risk.
- 6.8 AHE shall maintain the student's enrolment if the student chooses to access AHE's complaints and appeals process except in the case of extenuating circumstances relating to the welfare of the student. These include, but are not limited to the following:
- 6.8.1 The student is missing,
 - 6.8.2 The student has medical concerns, severe depression or psychological issues which lead the provider to fear for the student's wellbeing,
 - 6.8.3 The student has engaged or threatens to engage in behavior that is reasonably believed to endanger the student or others, or
 - 6.8.4 The student is at risk of committing a criminal offence.
- 6.9 The Registrar shall:
- 6.9.1 Only suspend or cancel the enrolment to Department of Education and Training via PRISMS if the student does not appeal the decision or if the student requests an independent adjudicator.
 - 6.9.2 Not suspend or cancel the enrolment to the Department of Education and Training via PRISMS before the outcome of any internal/external appeals process if extenuating circumstances exist.

6.10 All paper records are kept in the respective student file. Electronic records are kept in AHE's student management system and PRISMS database. AHE will retain records of all written agreements (including the Letter of Offer and Student Written Agreement) and well as receipts of any payments made by students or any refunds for at least two (2) years after the student ceases to be an accepted student.

6.11 Apex Higher Education (AHE) will not approve a release in PRISMS for students within the first six (6) months of their principal course of study, unless exceptional circumstances apply. This is in accordance with Standard 7 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

7. Appeals and Grievances

7.1 A student may complain and / or appeal the outcome of a deferral, suspension, release or cancellation decision using the Student Grievance, Complaint and Appeal Procedure.

8. Dissemination and Publication:

8.1 This Policy and Procedure will be published on the publicly accessible AHE website.

8.2 Students will also be advised of this Policy and Procedure during Orientation in the Student Handbook.

9. Relevant Legislation, Benchmarking Documents and Relevant Websites:

Legislation

- [Education Services for Overseas Students Act 2000](#) – Section 19
- [Higher Education Standards Framework \(Threshold Standards\) 2021](#)
- [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) – Standard 8, 9, 10 (Specifically 8.16, 9.3, 9.5).
- [Section 9 of the Education Services for Overseas Students \(Calculation of Refund\) Specification 2014](#)
- [Tuition Protection Service](#)

Benchmarking Documents

- [National Code of Practice for Providers of Education and Training to Overseas Students 2018 Fact Sheet Standard 2: Recruitment of an Overseas Student](#)
- [National Code of Practice for Providers of Education and Training to Overseas Students 2018 Fact Sheet Standard 3: Written Agreements](#)
- [National Code of Practice for Providers of Education and Training to Overseas Students 2018 Fact Sheet Standard 9: Deferring, Suspending or Cancelling the Overseas Student's Enrolment](#)
- [Section 9 of the Education Services for Overseas Students \(Calculation of Refund\) Specification 2014](#)

Relevant Websites

- [Australian Government Tuition Protection Service](#)
- [Commonwealth Register of Institutions and Courses for Overseas Students \(CRICOS\)](#)
- [Department of Home Affairs](#)
- [TEQSA National Register](#)

10. Related Documents

- HE-AD10 Non-Tuition Fees and Charges
- HE-AP02 Student Academic Progression Policy and Procedure
- HE-AP04 Student Admission Policy and Procedure
- HE-AP06 Student Academic and Non-Academic Support Policy and Procedure
- HE-AP15 Course Discontinuation Policy
- HE-AP18 Award and Graduation Policy and Procedure
- HE-APR07 Student Request for Transfer Policy and Procedure
- HE-BP08 International Students Fees Payment Policy and Procedure
- HE-BP11 International Students Fees Refund Policy and Procedure
- HE-BPR04 Student Grievance, Complaint and Appeal Policy and Procedure
- HE-EDF41 Request for Refund Application Form
- HE-EDF42 Request for Deferral or Suspension of Studies Application Form
- Letter of Offer and Student Written Agreement
- Relevant Course Guides
- SARAS (Student At Risk Academic Support) Agreement and Review
- Student Handbook

11. Definitions

Refer to:

- Table of Acronyms and Definitions

12. Version Control

Document Name		International Students Deferral, Suspension, Withdrawals and Cancellation Policy and Procedure		
Document Code		HE-BP12		
Department		Admissions		
Approved By		Board of Directors	Date Approved	13 September 2018; December 2023
Revision History				
Version	Date of Changes	Change Summary	Author	Review Due
V1.0	5 July 2018	New Document	CEO / Executive Dean	July 2021
V1.1		Amended Document that students are charged for re-taking units they failed or for suspension or termination.	CEO / Executive Dean	
V1.2	13 September 2018	Confirmed that students can access consumer laws in Australia; this Procedure is for international students	CEO / Executive Dean	September 2021
V1.3	14 January 2019	Proof-read, formatted, and updated document with relevant policies	CEO / Executive Dean	January 2022
V2.0	26 August 2021	Made 3 separate policies: one for fees, and another for refunds. Updated this policy for ESOS Act and National Standards, including reference to TPS, additional fees and record keeping, and other requirements including Australian consumer law	CEO / Executive Dean	August 2024
V2.1	26 September 2021	For consistency with non-attendance requirements, Section 4.2 has been revised accordingly.	CEO / Senior Compliance & Risk Manager	September 2024
V3.0	18 January 2022	<ul style="list-style-type: none"> CRICOS Provider Code inserted (administrative) As per TEQSA's identification of a minor typo, paragraph 4.7 has now corrected / deleted references to both Standard 8 and Standard 10 	CEO / Senior Compliance & Risk Manager	January 2025
V4.0	30 October 2023	Updated formatting, embedded links, updated version control table. Reviewed and approved/noted at BoD meeting – 04.12.2023	Senior Compliance & Risk Manager	October 2026
V4.1	January 2024	Updated relevant Links	Senior Compliance & Risk Manager	January 2027
V4.2	October 2024	Updated wording from 'discontinuation' to 'withdrawal'	Senior Compliance & Risk Manager	January 2027
V4.3	December 2024	Added information in at 3.6 and 3.1.3, included 'withdrawal' in #3, 4, 5 and 6.	Registrar Business Manager Senior Compliance & Risk Manager	January 2027
Organisation		Apex Australia Higher Education		
Document Controller		Senior Compliance & Risk Manager		