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### 1. Purpose

An overseas student's enrolment can be deferred, suspended or cancelled. This may be initiated by either the overseas student for compassionate and compelling circumstances, or Orange College (OC) for an overseas student's breach of Visa conditions, failure to pay fees, misbehaviour, or other conditions listed in this Policy.

This Policy outlines OC's procedure for assessing, approving, and recording a deferment of the commencement of study, suspension of study, or the cancellation of enrolment and COE for the student in accordance with the requirements of the Standards for RTOs 2025 and the ESOS Act 2000.

### 2. Scope

OC may only enable students to defer, temporarily suspend their studies or cancel their enrolment, as well as grant a leave of absence, during the course through formal agreement in certain limited circumstances. This Policy provides a documented process for assessing, approving, and recording a Deferment of the commencement of study or Suspension of study for the student or Cessation of an enrolment and COE.

OC will manage the enrolment of overseas students and maintain up-to-date enrolment information in the Provider Registration and International Student Management System (PRISMS) database. including keeping documentary evidence on the student's file of the assessment of the application and maintaining a record of any decisions.

### 3. Definitions

**Deferral:** means to delay the commencement of a course.

**Suspension:** means to temporarily delay the enrolment once the course has commenced.

**Cancellation:** means the cessation of an enrolment on a course. **student:** means any person who is either active in the current term and/or active in any program at the college once the course commencement date has passed; or has enrolled in any program at the college with a future commencement date.

**Misbehaviour** is defined as students who display unacceptable behaviour in accordance with the student Handbook and Student Code of Conduct

**Compassionate or Compelling Circumstances:** is defined as circumstances beyond the control of the student and which have an impact upon the student's course progress or wellbeing. These could include, but are not limited to:

- 1) Serious illness or injury, where a medical certificate states that the student was unable to attend classes,
- 2) Bereavement of close family members such as parents or grandparents (A death certificate or Statutory Declaration should be provided),
- 3) Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies,
- 4) Global Pandemic resulting in self-isolation, travel bans, attendance requirements, country wide lockdowns and this has impacted. on the student's studies
- 5) A traumatic experience which could include:
  - o Involvement in, or witnessing of a serious accident; or
  - o Witnessing or being the victim of a serious crime, and these experiences have impacted on the student (cases should be supported by police, psychologists' reports or Statutory Declaration)
- 6) Where OC was unable to offer a pre-requisite unit, where course delivery is disrupted (e.g. due to trainer unavailability), or where the overseas student has failed a prerequisite unit and consequently has limited access to eligible units for enrolment.

Note: The OC uses its professional judgement to assess each case on its individual merits when determining whether compassionate or compelling circumstances exist. All decisions are made consistently, fairly, and

promptly to support the student's best interests.

## 4. Procedure

### OC Initiated Deferral, Suspension or Cancellation

- 1) OC may Suspend or Cancel a student's enrolment on the basis of, but not limited to, the following reasons:
  - OC has identified misbehaviour by the student
  - Student's failure to pay an amount owed to OC to undertake or continue the course, as stated in the Written Agreement - Non-payment of Fees
  - OC has identified the Student as not making satisfactory course progress - Non-compliance with Student Visa Conditions
  - OC has identified the student as not making satisfactory attendance - Non-compliance with Student Visa Conditions
  - OC has identified the student for Cheating or Plagiarism
  - Disciplinary reasons
  - Student Deceased
  - The student no longer holds a Student Visa
  - Non commencement of studies by the student
  - OC is unable to deliver the course.
  
- 2) If OC initiates a Suspension or Cancellation of the overseas student's enrolment, OC will ensure it:
  - Informs the overseas student of that intention and the reasons for doing so, in writing, as an Intention to Report Letter within 21 working days.
  - Advises the overseas student of their right to appeal through OC's internal Complaints and Appeals process, in accordance with Standard 10 (Complaints and Appeals), within 20 working days.
  - Informs the overseas student of the need to seek advice from the Department of Home Affairs (DHA) on the potential impact on their Student Visa
  - Reports the change to the overseas student's enrolment under section 19 of the ESOS Act 2000 to the DHA via PRISMS.
  
- 3) The Suspension or Cancellation of the overseas student's enrolment cannot take effect until the OC Internal Appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk. Deferral, suspension, and cancellation processes at OC are designed to manage and mitigate risks to student wellbeing, academic progression, and the organisation's compliance with legislative requirements, in alignment with SRTOs 2025 Outcome Standard 4.3(a).
  
- 4) A student does not have to be given the opportunity to appeal an OC initiated deferral, suspension or cancellation of enrolment when the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk. This may include, but is not limited to, when the overseas student:
  - Is missing;
  - Has medical concerns, severe depression or psychological issues which lead the provider to fear for the overseas student's wellbeing;
  - Has engaged or threatens to engage in behaviour that is reasonably believed to endanger the overseas student or others; or
  - Is at risk of committing a criminal offence.

- 5) When there is any Deferral, Suspension or Cancellation action taken, OC will:
  - Inform the overseas student of that intention and the reasons for doing so, in writing, as an Intention to Report Letter within 21 working days.
  - Advise the overseas student of their right to appeal through OC's internal Complaints and Appeals process, in accordance with Standard 10 (Complaints and Appeals), within 20 working days.
  - Inform the overseas student of the need to seek advice from the DHA on the potential impact on their Student Visa
  - Report the change to the overseas student's enrolment under section 19 of the ESOS Act 2000 to the DHA via PRISMS.

### Misbehaviour by the Student

To ensure all students receive equal opportunity to gain the maximum benefit from their training at OC, any student displaying dysfunctional or disruptive behaviours like the ones listed below may be asked to leave the session and/or the course.

Examples of unacceptable behaviour include, but are not limited to, the following:

- 1) Continuous interruptions to the Trainer
- 2) Smoking in non-smoking areas
- 3) Being disrespectful to other students, OC Staff or the Trainer
- 4) Harassment by using offensive language
- 5) Bullying or Sexual Harassment
- 6) Acting in an unsafe manner that places themselves and others at risk
- 7) Refusing to participate when required, in group activities
- 8) Continued absence or late arrival at required times.

### Student Initiated Deferral, Suspension or Cancellation

In accordance with the SRTOs 2025 and ESOS Act 2000, students may, through formal agreement with OC, be given permission to defer commencement, temporarily suspend, or cancel their studies.

OC may Defer or Suspend the enrolment of a student if it believes there are Compassionate or Compelling circumstances.

#### Deferral - Student Initiated

- 1) Students will be charged a fee for the Deferral of the commencement of the course. This will be reflected on the Letter of Offer and Student Agreement and Acceptance of Offer Form. Refer to the Fees and Charges Schedule.
- 2) Applications for Deferral of the commencement of the course must be made by completing a [Deferment, Suspension or Cancellation Form \(DSC Form\)](#) with all the evidence required and submitting it online to OC prior to the course commencing.
- 3) Once OC has processed the Deferral request, with the required evidence, the student will receive a written notification of the outcome within a maximum of 14 working days, though some cases may be resolved in a shorter timeframe to support timely progression.

- 4) An updated Letter of Offer and Student Agreement and Acceptance of Offer Form will be provided to reflect the new schedule.
- 5) Once signed and agreed upon by the student, within 14 working days of receipt, OC will issue a new Confirmation of Enrolment (CoE) to the student via email.
- 6) OC will inform the DHA via PRISMS, as required under the ESOS Act 2000.
- 7) When a deferral is approved for compassionate or compelling reasons, the original CoE is cancelled through a PRISMS variation that records the deferral approval. Subsequently, a new CoE is issued with a start date reflecting the student's intended return to study. OC ensures the student's CoE status in PRISMS accurately reflects these changes.
- 8) Students are advised to seek further information on their Visa implications with the DHA, as noted in the Deferment Approval Letter.
- 9) OC ensures that all approved deferral requests made for compassionate or compelling circumstances are monitored and that students are supported to successfully complete their course within the updated timeframe.

### Suspension - Student Initiated

- 1) Applications for Suspension of Enrolment of the course must be made by completing a [DSC Form](#) with all the evidence required and submitting it online to OC after the course has commenced.
- 2) Once OC has processed the Suspension of Enrolment request, the student will receive written notification of the outcome within a maximum of 14 working days, though some cases may be resolved in a shorter timeframe to support timely progression.
- 3) If the suspension period does not impact the delivery of the affected units within the original CoE end date, the student will receive an updated Training Plan. However, if the affected units cannot be completed within the original CoE duration, an extension of enrolment may be required. In this case, the College will issue a new Offer Letter reflecting the revised course end date. Once the student accepts the extension Offer Letter, OC will issue a new CoE to the student via email.

OC will also ensure that the student's CoE is updated in PRISMS to reflect the approved suspension period and the student's intended return date. This ensures the student visa remains valid throughout the period of leave and resumption of study.

- 4) OC will inform the DHA via PRISMS as required under the ESOS Act 2000.
- 5) A suspension period of up to 8 weeks may be granted for compassionate or compelling circumstances such as travel delays, family emergencies, or personal issues, where a shorter-term interruption is sufficient and supported by evidence. Suspensions longer than 8 weeks to a maximum of 6 months will only be approved in limited cases where circumstances justify an extended absence, such as:
  - .Medical grounds, supported by a valid medical certificate stating that the student is unfit for study for a longer duration
  - Serious trauma or bereavement (e.g. death of an immediate family member), with appropriate evidence such as a psychologist's report or a death certificate.
  - Major disruptions beyond the student's control (e.g. natural disaster or political unrest requiring prolonged emergency stay overseas), supported by relevant documentation

For suspensions granted for Compassionate or Compelling reasons, OC will ensure the Student Visa holder

has a valid CoE in PRISMS with a start date that reflects the student's intended date of return to studies

- 6) Students are advised to seek further information on their Visa implications with the DHA, as noted in the Suspension Approval Letter.
- 7) A student's payment plan will still be active during the approved period of suspension. However, students may request a temporary pause of their payment plan during approved suspension periods. Requests must be made in writing and approved by OC Finance.
- 8) OC ensures that all approved suspensions made for compassionate or compelling circumstances are monitored and that students are supported to successfully complete their course within the updated timeframe.

### Cancellation - Student Initiated

- 1) Applications for Cancellation of the course must be made by completing a [DSC Form](#) with all the evidence required and submitting it online.
- 2) Once OC has processed the Cancellation request, with the required evidence, the student will receive a written notification of the outcome within a maximum of 14 working days, though some cases may be resolved in a shorter timeframe to support timely progression.
- 3) If the Cancellation request is granted, the student will receive confirmation of cancellation of the CoE. Cancellations can be requested by a student for the following reasons:
  - o Visa Refusal
  - o Visa Grant for additional subclass
  - o Student notifies cessation of studies due to Compassionate or Compelling circumstances.
- 4) If the Cancellation request is denied, the student can appeal the outcome in accordance with the Complaints and Appeals Policy. Cancellations can be denied by OC for the following reasons:
  - o When a student is trying to avoid being reported to DHA
  - o When a student has fees owing to OC
  - o When a student has unsatisfactory course progress
  - o When a student has unsatisfactory attendance
- 5) OC will inform the DHA via PRISMS, as required under the ESOS Act 2000, that it wishes to permanently cancel (terminate) the overseas student's enrolment. Once this process is complete, the overseas student's CoE status will be listed as 'Cancelled'.
- 6) Students are advised to seek further information on their Visa implications with the DHA.
- 7) Students who have completed 6 months of their Principal Course and wish to Transfer Providers and require a Release Letter will need to be assessed under the [Transfer of Provider Policy](#).

### During a Global Pandemic or Similar Widespread Emergency

During a global pandemic or similar widespread emergency, students may experience circumstances beyond their control that impact their ability to commence or continue their studies. These circumstances may include self-isolation, travel restrictions, attendance requirements, or technical issues affecting learning.

Students affected by such circumstances may be eligible for special consideration, including deferment, suspension, or other course adjustments.

In place of medical certificates or formal medical documentation, students may provide a written statement explaining the nature and duration of the misadventure, illness, or injury they have experienced, along with any

available supporting evidence (e.g., government notices, travel restrictions, official quarantine orders).

### Students Affected by a Global Pandemic Situation Offshore

Current Students:

OC offers the option to temporarily suspend studies for students affected by a global pandemic or similar widespread emergency. To do this, you must submit a Suspension of Enrolment request by completing the [DSC Form](#).

Please be aware that this suspension may result in an extension of your course duration. If you have any concerns regarding your student visa or related matters, you should contact the Department of Home Affairs directly for further guidance.

Fees and Payment Plans:

The College will not offer any discounts on fees during the suspension period. However, the student payment plan may be frozen upon receipt of a written request, subject to approval by Accounts..

Future Students:

Temporary Deferment of Studies:

Students may defer their enrolment by completing the [DSC Form](#).

Please note that Deferral will result in an adjusted course start and end date. As this may extend the course duration beyond the student's current visa expiry, it is the student's responsibility to maintain a valid visa covering the full duration of their enrolment. Students should contact the DHA directly for advice regarding any visa-related matters.

Fees Extension and discounts:

OC will not offer any fee discounts for this option; however, student payment plans will be deferred.

Guidelines and Implications of Deferral, Suspension or Cancellation - Effect on CoE

- 1) OC advises overseas students that Deferring, Suspending or Cancelling their enrolment on any grounds may affect their Student Visa, students are advised in their letter of Deferment, Suspension or Cancellation to contact the DHA for further information and implications on their Student Visa.
- 2) A maximum period of 8 weeks approved Suspension will only be granted by OC, unless on Medical Grounds.
- 3) A Suspension granted upon Medical Grounds will have a maximum suspension period of 6 months.
- 4) If a student has a Deferral or Suspension approved by OC, this approved leave will not affect the student's attendance or course progress requirements.
- 5) All documentation relating to Deferment, Suspension or Cancellation of studies will be recorded in the student's SMS Wisenet Record.

### Reporting Process

OC Initiated

- 1) OC may initiate deferral, suspension, or cancellation based on student conduct, course progress, or other breaches of policy. In such cases, a formal warning or notification email is sent to the student, and a record of the action is forwarded to [request@orange.edu.au](mailto:request@orange.edu.au) for a ticket to be raised. The DSC form is not used in this process.

- 2) The Student Services or Administration Staff log the deferral, suspension, or cancellation request in the ticketing system (DSC Register) based on the formal warning or email received.
- 3) OC staff receive and acknowledge the DSC Form and supporting evidence. Staff will then wait for the required 20 working days for any applicable appeal to be lodged, as per OC's Complaints and Appeals Policy, before proceeding with further processing.
- 4) At the completion of the complaints and appeals process, should the deferment, temporary suspension or cancellation of studies be upheld by the complaints and appeals hearing, or 'extenuating circumstances relating to the welfare of the student apply', then OC will inform DHA via PRISMS as required under the ESOS Act 2000.
- 5) The case is then actioned internally by the relevant department, considering supporting evidence and the student's current academic progress and circumstances to make a fair and timely decision in line with OC's policies  
the decision, consistent with OC policies.
- 6) Student Services/Administration Staff are to place all documents on the student's SMS Wisenet Record.

### Student Initiated

- 1) Student completes and submits a [DSC Form](#) with all supporting evidence online.
- 2) Administration Staff record the DSC Form in the DSC Register.
- 3) The Student Support Staff will then assess the request and evaluate any supporting evidence, taking into account the current academic progress of the student
- 4) The Student Support Staff will then respond in writing to the student to confirm the decision
- 5) The student has the right to appeal the decision in accordance with the Complaints and Appeals Policy
- 6) OC will inform DHA via PRISMS, as required under the ESOS Act 2000.
- 7) Administration Staff are to place this letter on the student's SMS Wisenet Record.

**Disclaimer:** This policy is for international students ONLY for Smart and Skilled students please refer to the [Smart and Skilled Deferral Discontinuing, Transferring and Cancellation Policy](#).