



Deferral and Suspension Policy and Procedure

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A. Overview

- i. The Lead Institute of Higher Education ('the Institute' or 'LIHE') Deferral and Suspension Policy and Procedure ('the Policy') outlines the principles and process to ensure that Student and the Institute initiated deferrals, suspension and cancellations are processed fairly and equitably. This Policy is designed to provide a transparent, compliant and effective procedure for assessing, approving and recording deferral of the commencement of study, suspension of study or cancellation of study for students.
- ii. Definitions

For definitions, please refer to the 'Dictionary of Terms'.

B. Scope

This Policy applies to all current and prospective students and all staff members that process or approve student deferral, cancellation, or suspension of enrolment.

C. Policy Principles

A student may request to defer or cancel their enrolment in a course at any time during a study period or the Institute may defer or cancel the enrolment of a student on the grounds outlined below:

- i. Student applications for deferral will be considered on the grounds of delay in visa approval or due to compassionate and/or exceptional circumstances. Applications for deferment on the basis of compassionate and exceptional circumstances must be validated by supporting documentation;
- ii. LIHE may suspend or cancel a student's enrolment in a course on the following grounds:
 - a. Unacceptable level of academic progress;
 - b. Student misconduct as outlined in the *Student Code of Conduct*;
 - c. Student non-attendance and non-response to communications from LIHE by the specified due date;
 - d. Extenuating circumstances relating to the student's wellbeing including physical and/or mental health concerns, financial concerns or lack of engagement (as in C.ii.c above). All claims of extenuating circumstances must be validated by appropriate supporting documentation
- iii. LIHE may, at any time and without a hearing, suspend a student from the Institute on such terms as are reasonably necessary to protect person(s), property, and/or to prevent serious disruption of LIHE activities.

D. Responsibilities

- i. All requests for deferrals, suspensions and cancellations must be reviewed by the Student Support Manager and approved by the Dean.
- ii. International students are advised to consult the Department of Home Affairs (DHA) prior to formally lodging an application to defer or to voluntarily suspend their study so that they fully understand the impact of deferment or suspension may have on their student visa.
- iii. International students will be made aware of the circumstances in which their studies may be suspended for reasons of misconduct or of a failure to meet progression requirements prior to enrolment and during student orientation.

E. LIHE Initiated Deferral, Suspension or Cancellation of Enrolment

- i. LIHE may defer student course commencement when a course is not offered.
- ii. LIHE may cancel student enrolment on the following (but not limited) grounds:
 - a. Student misconduct as outlined in the *Student Code of Conduct*;
 - b. Submission of incorrect, incomplete, falsified, or fraudulent information at the time of application, enrolment or during their enrolment at the Institute;
 - c. Outstanding student tuition fees required to undertake or continue the course as stated in their Letter of Offer;
 - d. A breach of course progress or attendance requirements for an international student, in accordance with overseas student visa requirements;
 - e. Failure to return to study after a scheduled term break;
 - f. Failure to recommence at the agreed date of an approved deferment or suspension;
 - g. Students not commencing studies in a course when they are due to commence and not notifying LIHE in writing within 10 working days of the course commencement.
- iii. Before imposing a suspension or cancellation of an international student's enrolment or notifying the Department of Home Affairs of any change to the student's enrolment status through PRISMS, LIHE will:
 - a. Inform the international student, in writing, of the intention to suspend or cancel enrolment - outlining the reasons for doing so;
 - b. Advise the international student of their right to appeal through LIHE's internal grievance and appeals process, within 20 working days as per the *Student Grievance Management Policy and Procedure*.
- iv. LIHE will not provide an opportunity to appeal a provider-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 an international:
 - a. Is not responding or goes missing;
 - b. Has mental health concerns, which lead the provider to fear for the international student's wellbeing;

- c. Has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others; or
- d. Has breached LIHE's code of conduct.
- v. LIHE may defer, suspend or cancel an enrolment where the course is not being offered at the proposed date, location, or any other reason the Dean deems necessary.

F. Student Initiated Deferral, Suspension or Cancellation of Enrolment

- i. Students may request a deferral or suspension of an agreed period of time, not exceeding one semester.
- ii. Students may request a deferral or suspension to an enrolment on the grounds of compassionate or exceptional circumstances (outlined below).
- iii. Students will be required to complete a Deferral, Suspension or Cancellation Form and provide supporting documentation of the compassionate or exceptional circumstances.
- iv. Students will be advised to speak to the Student Support Manager and record will be kept in the student's file as per the *Records Management Policy*.
- v. The Student Support Manager will use professional judgement to assess each student's case on its individual merits when determining whether compassionate or exceptional circumstances exist.
- vi. Students will be notified of the outcome within 10 working days from the date of receipt of the student's application.
- vii. Students must not have any outstanding tuition fees prior to applying for suspension or cancellation of enrolment. If fees are outstanding, then the students are notified in writing and at the same time are advised that their cancellation request may be pending until the outstanding payment is honoured.
- viii. Students wanting to cancel their enrolment prior to completing 6 months of their principal course must refer to the *International Student Transfer Policy and Procedure*.
- ix. Course progress must be satisfactory when making an application for suspension.

G. Compassionate or Compelling Circumstances

Compassionate or exceptional circumstances are generally those beyond the control of a student and which have an impact upon the student's course progress or wellbeing. These include, but are not limited to:

- i. serious illness or injury of the student;
- ii. pregnancy or childbirth for the student or the student's partner;
- iii. serious illness or bereavement of an immediate family member;
- iv. serious upheaval or disaster;
- v. misadventure (should be supported by police or medical report);

- vi. legal responsibilities, such as jury service;
- vii. LIHE being unable to offer a pre-requisite unit and therefore the student faces a shortage of relevant units for which they are eligible to enrol;
- viii. required military service or emergency services responsibilities.

When determining whether compassionate or exceptional circumstances exist, LIHE may require the student to provide documentary evidence to support a claim.

H. Results of Deferral or Suspension

Students will be informed in writing of the outcome of their request for deferral or suspension. All documentation relating to this process will be kept on the student's file. All discussions will be recorded in the student's file. Students will be advised to retain their original documents for their own records and to submit certified copies with any applications for deferment or suspension.

I. Penalties for Cancellation

- i. Academic penalties

If a student withdraws on or before the census date of the relevant teaching period, no academic penalty applies. If the student withdraws after the census date, a Fail grade is recorded.

- ii. Financial penalties

Depending on timing of and the reason for deferral, suspension or cancellation of enrolment, financial penalties may apply and some or all of the fees paid may be refundable as per the *LIHE Fee Refund Policy*.

J. Appeals

Applicants may appeal a decision by writing to the Student Support Manager if they believe that the decision has not considered all the facts or was unfairly made in accordance with this Policy. For details, refer to the *Student Grievance Policy and Procedure*.

Version	Approved by	Approval Date
2	Academic Board	21 June 2024
Next Review	Custodian	Effective Date
Refer to the <i>Policy Documents Review Schedule</i>	Dean	21 June 2024
Related Documents	Dictionary of Terms Academic Progression and Graduation Policy Student Grievance Policy and Procedure International Student Transfer Policy and Procedure Student Selection and Admission Policy and Procedure Fee Refund Policy Student Code of Conduct	
References and Legislations	National Code of Practice for Providers of Education and Training to Overseas Students 2018 Higher Education Standards Framework (Threshold Standards) 2021	