

FULL FEE-PAYING OVERSEAS STUDENTS (FFPOS) DEFERMENT, SUSPENSION AND CANCELLATION OF STUDIES POLICY



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1. PURPOSE

This Policy explains the standards and circumstances under which Hale School will consider the deferment of study or the suspension of study by a Full Fee-Paying or Overseas Student (FFPOS). It also sets out the conditions that would lead to the cancellation of studies. All FFPOS are bound by this policy. This Policy complies with Standard 9 of *The National Code of Practice for Providers of Education and Training to Overseas Students 2018*.

2. DEFINITIONS

- **CoE** means Certificate of Enrolment.
- **Compassionate or compelling circumstances** are circumstances beyond the control of the Student that are having an impact on the Student's wellbeing or progress through a course. These are determined by Hale School, but could include:
 - Serious 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 their emergency travel that has impacted on their studies; or
 - A traumatic experience, which could include:
 - Involvement in or witnessing of a serious accident; or
 - Witnessing or being victim of a serious crime and this has impacted on the Student (these cases should be supported by police or psychologists' reports)
 - A global pandemic preventing the Student leaving his home country or border closures preventing entry to Australia.
 - Where Hale School was unable to offer a pre-requisite unit, or the Student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.
- **Day** means any day including weekend and public holidays in or out of Term time.
- **PRISMS** means Provider Registration and International Student Management System.
- **Student** means a full fee-paying overseas student.

- **Working day** means any day Monday to Friday that is not a public holiday in Western Australia.

3. POLICY STATEMENT/PRINCIPLES

3.1 Deferment of commencement of study requested by the Student.

Hale School will only grant a deferment of commencement of studies for compassionate or compelling circumstances. There is no maximum period for deferral where compassionate/compelling reasons apply.

Deferment will be recorded on PRISMS and the School will ensure the COE reflects the intended return date.

3.2 Suspension of study requested by the Student.

Once the Student has commenced the course, Hale School will only grant a suspension of study for compassionate or compelling circumstances.

Suspensions of study will be recorded on PRISMS.

The period of suspension of study will **not** be included in attendance calculations.

3.3 Assessing Requests for deferment or suspension of studies.

- The final decision for assessing and granting a deferment or suspension of the commencement of studies will be made by the Headmaster.
- All applications for deferment or suspension of study will be considered within 20 working days of receipt by Hale School of the application.

The School will retain all applications, supporting documentation, and records of decisions and reasons on the student's file.

3.4 Exclusion from class (1-5 School days)

- Hale School may exclude a Student from class studies on the grounds of misbehaviour by the Student. Exclusion may occur because of a breach of the *Hale School Code of Conduct Policy-for All Students*.

Before excluding a student from class, Hale School will inform both the overseas student and his parents, in writing, of the intention to suspend him and the reasons for doing so

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- Excluded Students must abide by the conditions of their exclusion from studies which will depend on the welfare and accommodation arrangements in place for each Student and for Boarding Students must be off campus with their guardian.
- Where the Student is provided with homework or other study materials for the period of exclusion, the Student must continue to meet the academic requirements of the course.

Exclusions from class will **NOT** be recorded on PRISMS.

Periods of 'exclusion from class,' will **NOT** be included in attendance calculations as per the *Full Fee-Paying Overseas Student (FFPOS) Monitoring Course Progress and Attendance Policy*.

3.5 School Initiated suspension of studies (14+ School days)

- Hale School may initiate a suspension of studies for a Student on the grounds of misbehaviour by the Student. Suspension will occur as the result of any behaviour identified as resulting in suspension in the *Hale School Code of Conduct for All Students*.
- Before imposing a suspension, Hale School will inform both the overseas student and his parents, in writing, of the intention to suspend him and the reasons for doing so.
- Suspended Students must abide by the conditions of their suspension of studies which will depend on the welfare and accommodation arrangements in place for the Student. Boarding Students must stay off campus with their Guardian during the period of suspension.
- Students who are suspended from studies for more than 14 days should contact the Department of Home Affairs to see if their visa is affected by the suspension.
- If special circumstances exist, the Student must abide by the conditions of his suspension. These will be determined by the Headmaster.

Suspensions **WILL** be recorded on Prisms.

The period of suspension of studies will **NOT** be included in attendance calculations.

3.6 Cancellation of enrolment

Hale School will cancel the enrolment of a Student under the following conditions:

- Failure to pay course fees.
- Failure to maintain approved welfare and accommodation arrangements.
- Any behaviour identified as a serious breach of conduct in *Hale School's Code of Conduct Policy for All Students* that requires that the Headmaster exclude a student permanently from the School.
- Before imposing a cancellation of enrolment due to serious misbehaviors, Hale School will inform both the overseas student and his parents, in writing, of the intention to cancel his enrolment and the reasons for doing so
- A Student, and if under the age of 18, his parent/s, decide to leave Hale School.

3.7 Duty of Care

If the School suspends or cancels the enrolment of the overseas student, then the School will continue to provide and approve the welfare arrangements for that student until one of the following applies:

- The student has alternative welfare arrangements approved by another registered provider
- Care of the student by a parent or nominated relative is approved by the Department of Home Affairs
- The student leaves Australia
- The School has notified the Department of Home Affairs that it is no longer able to approve the student's welfare arrangements or that it has taken the required action after not being able to contact the student.

3.8 Complaints and Appeals

- Student-requested deferment and suspension of studies are not subject to *Hale School's Disputes and Complaints Policy*.
- Exclusion from class is subject to *Hale School's Disputes and Complaints Policy*.
- Hale School-initiated suspension, where the suspension is recorded in PRISMS, as well as

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cancellation of enrolments is subject to *Hale School's Disputes and Complaints Policy*.

- While the complaint or appeal is being processed, the Student is required to maintain his enrolment and attendance at all classes as per normal. The Headmaster will determine if participation in studies will be in class or under a supervised arrangement outside of class.
- If a Student and/or his parents access Hale School's complaints and appeals process regarding a Hale School-initiated suspension or cancellation where this would be normally reported in PRISMS, it will not be reported in PRISMS until the complaints and appeals process is finished. This is unless the following extenuating circumstance relating to welfare apply.
 - i. The Student refuses to maintain welfare and accommodation arrangements for all Students over the age of 18. Boarding Students over the age of 18 at Hale School are also required to stay in the boarding House or with their parents until the completion of Year 12.
 - ii. The Student is missing.
 - iii. The Student has medical concerns, severe depression or other mental health concerns which lead Hale School to be worried about the Student's wellbeing.
 - iv. The Student has taken part in, or threatened to take part in, behaviour that is reasonably believed to endanger the Student or others.
 - v. The Student is at risk of committing a criminal offence or under investigation relating to criminal matters.
 - vi. The use of extenuating circumstances by Hale School to suspend or cancel a Student's enrolment before the completion of the Complaints and Appeals Process will be supported by appropriate evidence. The final decision for evaluating this evidence lies with the Headmaster.
- The School will advise students of their right to access the Complaints and Appeals Process within 20 working days of receiving Notice of the Intention to Report

3.9 Student and Parent Advice

Deferment, suspension, and cancellation of enrolment can have an impact on a Student's visa because of changes to the enrolment status. Students and/or their parents will be advised to contact the Department of Home Affairs for advice.

Related Legislation

School Education Act 1999

Education Services for Overseas Students Act (2000)

The National Code of Practice for Providers of Education and Training to Overseas Students 2018

Related School Policies/Procedures

Disputes and Complaints Policy- (Students/Parents/Community)

• Disputes and Complaints Procedure (Student/Parents/Community)

Duty of Care for Students Policy

Code of Conduct Policy - for All Students

FFPOS Monitoring Course Progress and Attendance Policy

FFPOS Refund Policy

FFPOS Transfer (Between Registered Providers) Policy

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Policy Version

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Changes Made

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- Department of Immigration changed to Department of Home Affairs
- Inclusion of record keeping requirements
- Clarification that there is no maximum period of deferment of commencement in compassionate or compelling circumstances