

International Students Deferral, Suspension and Cancellation of Enrolment Policy

1. Purpose

The purpose of this policy is to govern the circumstances in which a learner can defer, suspend, withdraw, or cancel their enrolment with Envirotech, and under what circumstances Envirotech will initiate a suspension or cancellation of course enrolment. This policy meets the requirements of the RTO Standards and the ESOS Act (National Code).

2. Scope

All fee for service learners studying off and on shore at Envirotech

3. Relevant Standards

- Standard 13 of the National Code 2007
- Standard 5 of the RTO Standards 2015

4. Relevant links:

- <https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/nationalcodepartd/Pages/ExplanatoryguideD13.aspx>
- <https://www.asqa.gov.au/standards/chapter-2-enrolment>

5. Associated documents and location

- General Request form
- Suspension, Deferral form
- Cancellation of Enrolment form
- Cancellation for being non- GTE warning letter
- Cancellation for being non- GTE Notice
- Cancellation Refusal Letter
- Suspension, Deferral Approval Letter
- Suspension, Deferral Refusal Letter
- Suspension Register
- Cancellation list
- Refund Form

6. Associated policies

- Complaints and Appeals Policy
- Withdrawal Policy
- Re-credit and Refund Policy

7. Policy

- 7.1. Suspension or deferment of enrolment is not necessarily a result of misbehaviour, as such action may also be initiated by the learner when an unforeseen situation arises where they must temporarily attend to other matters
- 7.2. Suspension means a temporary cessation of the course enrolment
- 7.3. Deferral means a postponement of the course enrolment commencement date
- 7.4. Withdrawal means the cancellation of course after commencement
- 7.5. Approved leave is a recorded leave of not more than 3 weeks after course commencement which has been approved
- 7.6. Envirotech, in accordance with the ESOS Act, the National Code 2007 and Standards for RTO 2015 has policy and rules in relation to learners' deferral, suspension, withdrawal, cancellation and approved leave, listing the ground where these will be approved or initiate
- 7.7. Envirotech will make its decisions regarding the assessing, approving and recording of deferment, suspension, withdrawal or cancellation of learner enrolments in accordance with the procedures outlined in this policy
- 7.8. The below procedures are intended to ensure Envirotech's actions and decisions in relation to course deferment, suspension, cancellation, withdrawal and approved leave are in accordance with the requirements of the relevant standards and legislation
- 7.9. Envirotech holds the commitment to notify the Secretary and TPS Director and the Department of Home Affairs (DHA) through the Provider Registration and International Student Management System (PRISMS) of provider defaults within 3 business days and student defaults within 5 business days, and notify the Secretary and the TPS Director (via PRISMS) of the default outcome within 7 days of the provider obligation period

8. Procedures for deferment of course enrolment

- 8.1. Learners may request a temporary deferment or suspension of their enrolment on the grounds of compassionate or compelling circumstances.
- 8.2. Learners seeking to defer their studies for any reason should submit the online Deferral/ Suspension Form available on Envirotech website, together with detailed evidence to support their request. Learners must be aware that a deferral or suspension may affect their student visa.
- 8.3. An acknowledgment confirmation email will be sent to the learner and the completed form will automatically be sent to the relevant Envirotech staff for initial assessment
- 8.4. Envirotech will assess if compassionate reasons exist, these are generally outside of the control of the learner and include but not limited to:
 - serious illness or injury where medical certificate states unable to attend classes
 - bereavement of close family members such as parents and grandparents (Death Certificate should be provided where possible)
 - major political upheaval or natural disaster in home country requiring emergency travel which has impacted on student's studies

- a traumatic experience such as involvement in, or witnessing a serious accident or witnessing or being the victim of a serious crime
 - student's inability to commence study on course commencement date as a result of delays in receipt of student visa
- 8.5. Impact on the learner should be supported by a written report submitted as evidence e.g. a report from the police, a qualified psychologist, Dr., etc
- 8.6. In cases not covered above, Envirotech will use its professional judgement to assess each case on its merits
- 8.7. Copies of documents used in assessing a claim are to be kept in the learner's file under the Envirotech Intranet (SP)
- 8.8. Envirotech may approve, depends on the circumstances, up to a six (6) months deferral of course enrolment. An approval will be granted when the assessor is satisfied that the learner has genuine reason for the delay and intentions to commence the course in the new nominated date
- 8.9. Envirotech staff will notify the Compliance Manager regarding each learner's deferral by accessing the Compliance Register
- 8.10. The learner will receive a response, in writing regarding the outcome within ten (10) working days from the completed request form date
- 8.11. In case the deferral request is approved, a new letter of offer and pre-enrolment procedures will have to be completed
- 8.12. Where a request to defer is refused the applicant will be advised in writing of the reasons for the refusal and will have to commence the course on time and will be advised on their right to appeal Envirotech decision by following the Complaints and Appeal Policy, available on Envirotech website. Non-commencement on time may attract a cancellation
- 8.13. Envirotech will change the students Confirmation of Enrolment accordingly:
- Envirotech notifies the DHA via PRISMS of the action to defer without affecting the end date of the Confirmation of Enrolment: In this case there is no change in enrolment status on PRISMS although the notice of deferment will be provided to DHA for future reference
 - Envirotech notifies DHA of deferment or suspension that will affect the end date of the Confirmation of Enrolment: In these situations, Envirotech will cancel the original Confirmation of Enrolment through PRISMS and will be invited to create a new Confirmation of Enrolment with an appropriate end date
 - The new Confirmation of Enrolment will be sent to the student for future reference.

9. Course Withdrawal

- 9.1. Learners wishing to cancel their enrolment after they commenced their course will be considered as *'withdrawn'* learners
- 9.2. Learners may request to withdraw from their current course by completing the Course Cancellation form, available on Envirotech website, together with relevant support documents (flight tickets, new visa grant letter, etc.)
- 9.3. An acknowledgment confirmation email will be sent to the learner and the completed form will automatically be set to the relevant Envirotech staff for initial assessment
- 9.4. Cancellation fees will be applied and approval for withdrawal will be granted based on the following criteria:
 - No outstanding fees are owned to Envirotech by the learner as outlined in the Refund Policy
 - The learner has academically progressed in the course and is not at risk of being reported to the DHA for non-progress
 - Compelling or compassionate circumstances apply
- 9.5. Under all circumstances, Envirotech encourages its learners to complete their course and gain their certificates, and therefore to apply for a fast track process when applicable
- 9.6. Learners who are at risk of being reported to the DHA will not be granted with a course withdrawn approval, unless compelling and compassionate circumstances exist.
- 9.7. Learners will receive a written response outlining Envirotech decision. In case the withdrawal request has been refused, learners will have the right to appeal Envirotech decision following the Complaints and Appeal Policy, available on the website
- 9.8. Learners who will withdraw from a course will be provided with a Statement of Attainment for the Units of Competency they achieved throughout their enrolment

10. Leave of Absence

- 10.1. Learners are expected to complete their course enrolment without interruptions. However, where this is not possible Envirotech makes reasonable provision for Learners who cannot do so, limited to compelling and companionate circumstances and subject to learners' providing sufficient evidence
Learners will have to send an email together with supporting evidence to Their Client Relation Manager including the dates they would like to be absent
- 10.2. The Client Relations manager will assess the learner request based on the evidentiary documents and will notify the learner if an approved leave as been provided
- 10.3. Under these provisions, Envirotech may grant a learner with an approved leave for a short period of time along their course enrolment. These provisions are subject to the learner completing at least one (1) unit of competency or module in the course, otherwise deferral procedures apply
- 10.4. If a learner is absente for 3 consecutive weeks, without being granted approved leave, they will receive a warning letter being at risk of a breach of their contract with Envirotech and if no attendance is recorded in the following week (7 days), they are at risk of the enrolment being cancelled under misconduct (as a non-genuine student). In this instance learners can appeal within 20 working days under the Complaints and Appeals Policy
On the next week of absence (after 7 absence days) learners will receive a second and last email notice to contact Envirotech regarding their absence. Failing to attend the 4th week, will attract the Intention to Cancel warning letter. This will lead to their enrolment being cancelled unless

compelling circumstances exist and are supported by evidence or when the learner is in the middle of an appeal process

- 10.5. Learners will only be granted with an approved leave when they have academically progressed in the course and all their fees have been paid and are up to date
- 10.6. In case the learner has been granted with approved leave, the learner's Confirmation of Enrolment will not change, and the learner profile will be updated with the approved duration of leave
- 10.7. Learners who do not return from a break for a period of 3 weeks, have inactively advised they will not be continuing their studies. The enrolment will be cancelled in accordance with the National Code and no access to an appeal process is applicable

11. Envirotech Initiating a Suspension or cancellation of enrolment

- 11.1. Learners who wish to take an extended period of leave from their study must apply for a suspension of enrolment. However, Envirotech may also initiate suspension of a learners' enrolment as a result of misbehaviour of the learner, or cancellation on the basis of academic progress failure, non-payment or in cases where Envirotech is unable to make contact with the learner for a period of three (3) weeks after a break or such other time period deemed reasonable by Envirotech
- 11.2. If Envirotech wishes to cancel a learner's enrolment and the cancellation was not requested by the learner, it must inform the learner of its intention via a written notice/letter. This is referred to as giving the learner a notice of 'Intention to report/cancel'. Envirotech allows 20 working days in which the learner may access the complaints and appeals process
- 11.3. It is very important that learners continue to attend their classes until the decision on their request is made as they are still at this stage monitored for their academic progress
- 11.4. Envirotech may suspend or terminate (cancel) learners' enrolment for the following reasons:
 - Early completion of the course
 - No commencement, or late commencement of the course
 - Transfer to another education provider
 - No payment, or late payment of course fees
 - Misconduct or misbehaviour, including but not limited to breach of discipline, bad language, harassment, aggressive and offensive behaviour, violation of Envirotech policies, student visa conditions or any Australian law. In minor misbehaviour events Envirotech will consult with the learner regarding their behaviour and relevant adjustment as the preferred action is to not suspend or cancel the learners' enrolment.
 - Cessation of studies
 - Cheating and Plagiarism: Allegations regarding cheating and plagiarism should be referred to the Academic Manager who will investigate the matter and advise the training staff. In all cases the learner will be advised in writing and given twenty (20) days to show cause as to why a penalty should not be applied.
 - Learners who have allegations of cheating, (including plagiarism) proven, are liable to incur a penalty ranging from: exclusion from that assessment, requirement to repeat the assessment, the award of a fail result in the unit concerned to exclusion from Envirotech
- 11.5. A learner who ceases attending a course or does not return from leave, and is uncontactable for 21 days, has "inactively" advised Envirotech of their failure to continue studying.

Under Section 19(1) of the ESOS Act, Envirotech will notify the DHA via PRISMS of cancellation of an accepted learner's studies within 14 days of the event occurring, by completing a Student Confirmation of Enrolment Course variation

- 11.6. In a case where Envirotech finds it necessary to initiate the suspension or cancellation of learner's enrolment, Envirotech will inform the learner in writing of its intention and allow the learner 20 working days to access the internal Complaints and Appeals policy, unless extenuating circumstances relating to the welfare of the learner apply, then this deadline may be extended
- 11.7. If learners appeal the decision to suspend or cancel their studies, Envirotech will not inform the DHA of any change to enrolment status until the internal complaints and appeals process is completed. However, if the appeal is unsuccessful, the learner withdraws from the process or chooses not to appeal, Envirotech will inform the DHA via PRISMS of the action taken, unless the learner wishes to take the matter to external mediation. Envirotech is not required to await the outcome of this process before notifying the DHA of the change to the learner's enrolment status
Learner must contact the DHA to attend to their visa to prevent visa cancellation and bridge of current visa conditions
- 11.8. If suspension is granted, regardless of the reason for the suspension, this period, as entered in PRISMS will not be included in attendance and academic progress monitoring calculations
- 11.9. The notice of intention to report will clearly identify the visa condition that was breached or otherwise the reason for which Envirotech wishes to suspend or cancel the learner's enrolment (non- payment etc.)
- 11.10. Notices will refer to the learner by name rather than a generic "Dear learner" and will include the address to which the notice will be sent (email or physical address).

Methods of sending/delivering the notice:

- Email: Since Envirotech communicates with all its learners via email through the learners' enrolment and since the learner is committed to checking their learner portal, Envirotech will issue the warning and intention to cancel notices from the Students Management System and dispatch the notice by email. Letters are available to learners in their portal when they log in
 - Where a notice is emailed the commencement of the 20 working days start from the day of delivery
 - Where Envirotech chooses to use a post method of communication, the 20 working days should begin the day after the learner signs the delivery slip.
- 11.11 Extenuating circumstances relating to the welfare of the learner may include:
 - Medical concerns, severe depression or psychological issues leading to Envirotech concerns for their wellbeing
 - Has engaged or threatens to engage in behaviour that is reasonably believed to endanger the learner or others, or
 - Is at risk of committing a criminal offence
 - 11.12 Any claim of extenuating circumstances must be supported by the appropriate evidence
 - 11.13 Envirotech may not continue to provide learning opportunities to the learner during the 20 working days and appeals process or any subsequent period of appeal

11.14 The decision whether a learner is excluded or not will depend on the individual circumstances and will be at the discretion of the Chief Executive Officer

12 Learner's requests to suspend or cancel a course enrolment:

12.11 Suspension and cancellation requests must be submitted in writing using Envirotech Cancellation Form or Suspension Request Form, available on the website. If you cannot locate the form on the website, you can seek assistance from Envirotech office and get a copy

12.12 Application must be completed and submitted with all relevant supporting documents. Only completed applications will be assessed

12.13 When learners complete the online form together with supporting documents, the request will automatically be sent to the relevant Envirotech staff for assessment, and an email confirmation will be sent to the learner

12.14 Fees and cancellation dates are calculated from the date a completed written application has been submitted

12.15 Suspension requests must include the new start date of the course and when the suspension period is requested to be over. If Envirotech does not know when the learner will return, it can delay creating the new Confirmation of Enrolment until the learner has notified Envirotech of the intended date of return

12.16 Copies of documents used in assessing a claim are to be kept in the learner's file under the Envirotech Intranet (SP)

12.17 Envirotech may approve, depends on the circumstances and subject to compelling or compassionate circumstances, up to a six (6) months suspension of course enrolment. An approval will be granted when the assessor is satisfied that the learner has genuine reason to suspend the course.

12.18 Envirotech staff will notify the Compliance Manager regarding each learner's suspension request by adding the learner record in the Suspension Register under the compliance site, and assessment of the application request will be conducted

12.19 Envirotech staff will communicate with the learner and/ or agent regarding the outcome and the implication of the outcome, in writing, within ten (10) working days

12.20 In case the suspension request is approved, the learner is liable to continue any payment plans and complete any overdue amount owe to Envirotech as per the original offer letter. The learner will receive the new approved dates and the Confirmation of Enrolment amendments:

- The suspension date will always end one day before the new start date of the new Confirmation of Enrolment
- Envirotech notifies the DHA via PRISMS of the action to suspend without affecting the end date of the Confirmation of Enrolment: In this case there is no change in enrolment status on PRISMS
- Envirotech notifies the DHA of the suspension that will affect the end date of the Confirmation of Enrolment: In these situations, Envirotech will cancel the original Confirmation of Enrolment through PRISMS and will be invited to create a new Confirmation of Enrolment with an appropriate end date.
- In case a cancellation had been approved, fees owned will be calculated based on the cancellation date and in accordance with Envirotech Refund policy

- 12.21 Where a request to suspend or cancel course enrolment is refused the learner will be advised in writing of the reasons for the refusal and must continue the course as normal. Learners will have 20 working days to appeal Envirotech decision following the Complaints and Appeal Policy
- 12.22 Where a learner chooses to access the Envirotech Appeals Process, Envirotech will maintain the learner's enrolment until the internal process is completed and has supported Envirotech's intentions. No change will be notified to the DHA via PRISMS during this process

Approved	Compliance	17/04/2019	Next Review Date: 01/04/2020
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