

DEFERMENT, SUSPENSION, WITHDRAWAL OR CANCELLATION OF ENROLMENT POLICY AND PROCEDURES 2021

The Joint Venture Board of the University of Sydney Foundation Program Pty Limited (USFP), as the governing authority of the University of Sydney Preparation Programs, by resolution adopts the following policy.

Dated: 20 October 2021

Last amended: N/A

Signature:

Position:

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PART 1 - DEFERMENT, SUSPENSION, WITHDRAWAL OR CANCELLATION OF ENROLMENT POLICY

1 Name of policy

This is the Deferment, Suspension, Withdrawal or Cancellation of Enrolment Policy and Procedures 2021.

2 Commencement

This policy commences the day after the day on which it is registered.

3 Policy is binding

Except to the extent that a contrary intention is expressed, this policy binds The University of Sydney Foundation Program Pty Limited (CRICOS Provider Code: 00026A), staff, students and affiliates.

4 Overview

This policy and its procedures specifies the circumstances in which students enrolled in University of Sydney Preparation Programs (USPPs) may have their enrolment deferred, suspended, withdrawn or cancelled. The policy complies with the requirements of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (The National Code).

5 Application

This policy and its procedures applies to students enrolled in the USPPs delivered on behalf of The University of Sydney by Navitas Australia Pty Limited (CRICOS Provider Code: 01682E) trading as Taylors College Sydney (the College), and to staff of the College. It specifies the circumstances in which students may have their USPP enrolment deferred, suspended, withdrawn or cancelled.

6 Definitions

Admissions	means the Taylors College Sydney Admissions team.
Affiliates	means consultants and contractors to the College; members of the Board of USFP; members of College committees; and any other persons appointed or engaged by USFP to perform duties or functions on its behalf.
Appeal	means the request by a student for a review of a decision made by the College: <ul style="list-style-type: none">• about an outcome of a complaint by a student or about a student• to cancel an enrolment• in response to a Notice of Intention to Report (NIR)• in response to a request by a student to suspend their enrolment• on a grade outcome• in response to a student's application for special consideration• as a result of a misconduct finding and/or penalty.
Cancellation of enrolment	means terminating a course enrolment, which is initiated by the College (for example, on the basis of student misconduct or due to unsatisfactory course progress).
Caregiver	means a person engaged by a student's parents or legal guardians to provide support and welfare services to the student in Australia, while on a student visa.

The College	means Taylors College Sydney, including its staff, affiliates and contractors.
College Director	means the most senior staff member for the College (or their delegate).
Commonwealth Ombudsman	means the Commonwealth Ombudsman, which investigates complaints that international students have with private education providers, such as Navitas Australia. Complaints by students against the University of Sydney for refusal to release to study at another provider are handled by the Ombudsman for New South Wales.
Compassionate or compelling circumstances	means circumstances generally beyond a student's control which have a significant impact upon a student's course progress or wellbeing.
Course	means a sequence of academic subjects to achieve stated learning outcomes.
CRICOS	means Commonwealth Register of Institutions and Courses for Overseas Students.
Deferment	means postponing the commencement of a new course or program (not for continuing students), and may be initiated by the student or the College.
Delegate	means a person who has been authorised to perform a specific responsibility.
Department of Home Affairs (DHA)	means the Australian Government department responsible for issuance of student visa and provision of student visa services (www.homeaffairs.gov.au).
eCoE	means an electronic Confirmation of Enrolment (eCoE) issued by an education provider to verify a student's enrolment in a course.
Enrolment	means confirmed acceptance into a USPP course where a student is progressing towards the completion of the course requirements.
International student/overseas student	means a person (whether physically located within or outside Australia) who holds or needs a visa with rights to study in Australia, and who has the right to enrol at the College.
Letter of Offer	means the document issued by Taylors College Sydney in conjunction with other material, offering an applicant admission to a USPP.
National Code	means the National Code of Practice for Providers of Education and Training to Overseas Students 2018 made under subsection 33(1) of the Education Services for Overseas Students (ESOS) Act 2000 (Cth) , which outlines nationally consistent standards for the conduct of registered providers and the registration of their programs.
Notice of Enrolment Cancellation (NEC)	means the notification from the College to a student, stating the College's intention to cancel the student's enrolment for one of the following reasons: <ul style="list-style-type: none"> • unsatisfactory attendance

- unsatisfactory course progress
- misconduct (academic or non-academic)
- non-payment of USPP course fees.

Notice of Intention to Report (NIR)

means the notification from the College to a student, stating the College's intention to report the student to the DHA for not meeting enrolment conditions associated with their student visa.

Ombudsman NSW

means the state Ombudsman for New South Wales. The Ombudsman NSW investigates complaints that students have about State universities, including the University of Sydney.

Package Offer

means letters of offer and corresponding eCoEs issued to a student for two or more programs of study. Completion of earlier programs at a certain level of attainment is a requirement for progressing to the next program.

Principal Course

means the main course of study to be undertaken by an overseas student. If the student visa has been issued for multiple courses of study (a 'package' of courses), the principal course would normally be the final course of study that leads to the highest qualification in the 'package'. Where a student visa has been issued for only one course, that course is the student's principal course of study.

PRISMS

means the Provider Registration and International Student Management System. It is the Australian government system that Australian education providers use to issue, amend and cancel eCoEs for students.

Staff

means staff of the College.

Student

means a person who is currently an enrolled student in a University of Sydney Preparation Program (this does not include former students).

Student Management System (SMS)

means the system used to record student personal information and grades.

Student Non-Academic Misconduct Panel

means the panel formed by the College Director or delegate to make decisions regarding allegations of student misconduct.

Suspension

means temporarily putting a commenced course on hold, and may be initiated by the student (for example, a leave of absence) or by the College.

University of Sydney Preparation Programs (USPP)

means the non-award pathway programs offered by the University of Sydney and delivered by Navitas Australia trading as Taylors College Sydney. They include the University of Sydney Foundation Program and the High Achievers Preparation Program (HAPP).

Withdrawal

means a request to cease a course enrolment that is initiated by the student, effective on the date when the student makes a formal written request.

**Visa Entitlement
Verification Online
system (VEVO)**

means the Australian Department of Immigration system for checking visa conditions.

7 General principles

- (1) Students may initiate a deferral prior to commencing their course, a suspension after commencing their course, or withdraw from enrolment.
- (2) Students may suspend their enrolment for up to two semesters or for the duration of mandatory military service. Students who do not return after two semesters or after completing their mandatory military service must reapply for admission to a USPP course.
- (3) Students must refer to Part 2 of this policy for information on how to request to defer/postpone the commencement of a new student enrolment, suspend an ongoing student enrolment or to withdraw prior to commencement. Agents acting on behalf of students will be referred to this policy and its procedures.
- (4) The College may agree to defer a new student enrolment or suspend a student's continuing enrolment.
- (5) The College may initiate the suspension or cancellation of the enrolment of a student for reasons not limited to:
 - (a) academic and/or non-academic misconduct;
 - (b) failure to pay required USPP course fees; or
 - (c) unsatisfactory USPP course progress and/or attendance requirements.
- (6) Before the College initiates a suspension or cancellation, the College must:
 - (a) send the student, and their parents/legal guardian(s) and caregiver if aged under 18, a written notice of intention to suspend or a notice of enrolment cancellation, setting out the reasons for the College's decision; and
 - (b) advise the student of their right to access the College's internal appeal process through the Student Complaints and Appeals Policy and Procedures, within 20 working days.
- (7) The College will generally not suspend or cancel a student enrolment until the completion of any internal appeals made under the Student Complaints and Appeals Policy and Procedures, unless the College has supporting evidence and reasonable grounds to determine that a student's health or wellbeing, or the wellbeing of others, is likely to be at risk.
- (8) When the College processes a deferral, suspension, or cancellation request, the College will:
 - (a) inform the student of the need to seek advice from the Department of Home Affairs (DHA) regarding the potential impact on their student visa; and
 - (b) report the change to the student's enrolment to the DHA in PRISMS, consistent with the College's compliance obligations under the ESOS Act.
- (9) A notice of intention to suspend or Notice of Enrolment Cancellation will be sent to the student's email (College email address and personal email address) listed in the SMS. Parent(s)/legal guardian(s) and the caregiver will also be contacted for students under the age of 18. If no reply is received, the notice will be sent to the student's postal address. If no appeal is made against the suspension or cancellation under the Student Complaints and Appeals Policy and Procedures, a notification confirming completion of the process is sent to the student, or their parent(s)/legal guardian(s) and the caregiver (where applicable).

8 Records Management

Records in association with this policy will be kept in accordance with the Records Management Policy and Procedures. Confidential documents related to the implementation of the policy will be maintained according to relevant privacy requirements.

PART 2 - DEFERMENT, SUSPENSION, WITHDRAWAL OR CANCELLATION OF ENROLMENT PROCEDURES

9 Deferral of enrolment

- (1) Students who have been admitted to the College and/or granted a student visa, but have not yet commenced studies, may apply to Admissions (taylorsadmissions@navitas.com) for a delay in the start of their studies on the grounds of compassionate or compelling circumstances (see definition).
- (2) The request to defer an offer must be in writing and include sufficient supporting evidence to enable Admissions to determine whether the circumstances justify deferral. Admissions will consider all evidence provided in support of a claim of compassionate or compelling circumstances, determine each case on its own merits, and keep copies of these records in the SMS.
- (3) In cases where a visa application has been lodged or issued, and before making an application for deferral, students should refer to the Department of Home Affairs (DHA) website <http://www.homeaffairs.gov.au/>, for advice on how the potential change to their enrolment status may impact on their visa. Deferral of an offer will affect the end date of a student's eCoE, and potentially impact a packaged offer of courses. In this situation, students must contact the DHA for advice
- (4) If a student is under 18 years of age, and the University has taken responsibility under the ESOS Act and Migration Regulations for approving the student's accommodation, support and general welfare arrangements, Admissions must receive written approval from a parent and/or legal guardian and caregiver in advance of a proposed deferral.
- (5) If a student in receipt of a packaged offer receives approval to defer their offer, a new eCoE will be issued to confirm the revised packaged offer, subject to the same entry requirements into the principal USPP course and course quotas.
- (6) Students will be advised by Admissions of the outcome of their application to defer their studies within 10 working days, or as soon as practicable, after the submission of a request to defer.

10 Suspension of enrolment

- (1) Prior to making an application to suspend their studies, students should refer to the Department of Home Affairs (DHA) website <http://www.homeaffairs.gov.au/> for advice on how the potential change to their enrolment status may impact their visa.
- (2) Students who have commenced their studies may apply to suspend their enrolment if there are compassionate or compelling circumstances (see definition). The application for suspension must be in writing, using the Suspension Request Form, and include sufficient supporting evidence to enable the College to assess whether the circumstances justify a suspension. The College will consider all evidence provided in support of a claim of compassionate or compelling circumstances, determine each case on its own merits, and keep copies of these records in the SMS.
- (3) Students will be contacted by the College and be advised of the outcome of their application to suspend their enrolment within 10 working days or as soon as practicable upon submission of an application to suspend enrolment.

- (4) The provisions of the Cancellation and Refunds Policy and Procedures apply if a student suspends their studies and the College is holding unspent tuition fees in credit.
- (5) In certain instances of student non-academic misconduct, the College may suspend or cancel a student's enrolment for a specified period of time. Please refer to the Student Misconduct Policy and Procedures for full details.
- (6) If a student's enrolment is suspended, the suspension period will not be used for the purpose of calculating attendance and progress.
- (7) The period of suspension must be recorded in the SMS and PRISMS. Students who do not return at the end of their suspension period, or who do not request an extension will have their enrolment cancelled and will be reported to DHA when their eCoE is cancelled.
- (8) The PRISMS record of suspension for student misconduct, or for compassionate or compelling circumstances, will reflect the student's study status as required for student visa conditions. The College will only cancel and reissue an eCoE if the suspension period will not allow a student to complete the course/program within the timeframe shown on the eCoE. If the suspension will not affect the end of the course/program, the eCoE will not be cancelled and will still have the eCoE status 'studying'.
- (9) If the student is under 18 years of age, and the University has taken responsibility under the ESOS Act and Migration Regulations for approving the student's accommodation, support and general welfare arrangements as specified in the University of Sydney's [Under 18 International Students Policy 2016](#) and [Under 18 International Students Procedures 2016](#), the College must receive written approval from a parent/legal guardian and caregiver in advance of the proposed commencement date of the requested suspension of studies. This must include sufficient information about the student's proposed arrangements during the suspension of studies to enable the College to make an informed decision in relation to the suitability of these arrangements.

11 Cancellation of enrolment

- (1) In certain instances of student academic or non-academic misconduct, the College may exclude a student by cancelling their enrolment for a specified period of time or expel the student from the College permanently. Please refer to the Student Misconduct Policy and Procedures for full details.
- (2) The College may cancel a student's enrolment for unsatisfactory attendance. Please refer to the Attendance Policy and Procedures for full details.
- (3) The College may cancel a student's enrolment for unsatisfactory course progress. Please refer to the Monitoring Course Progress Policy and Procedures for full details.
- (4) The College may cancel a student's enrolment for non-payment of USPP course fees. The College will do this by sending the student a notice of enrolment cancellation, and inform the student that they have 20 working days to appeal the decision to cancel their enrolment by accessing the internal appeal process (Phase 3) under the Student Complaints and Appeals Policy and Procedures. Please refer to the Student Complaints and Appeals Policy and Procedures for full details of the appeals process and the subsequent enrolment cancellation process. Please refer to the Student Terms and Conditions for full details of the sanctions applicable for non-payment of course fees.
- (5) Students remain liable for all fees incurred prior to the cancellation of their enrolment. This includes fees incurred by students who commence their USPP and do not return to complete their studies. Unpaid fees may be referred to a debt collection agency and students will be liable for any costs incurred by the College in recovering outstanding fees, if applicable.
- (6) Student visa holders reported to DHA with a cancellation of their eCoE will break their subsequent package of study with the University of Sydney. The University of Sydney will be advised accordingly and will take any necessary action in respect of an eCoE for the University of Sydney course.

12 Withdrawal of enrolment

- (1) Before having completed at least six months of the principal course of study (at the University of Sydney) applicable to their student visa, students who seek to withdraw from their USPP course to transfer to another Australian education provider should apply to the University of Sydney in the first instance by referring to the [International Student Change of Provider Policy 2020](#).
- (2) Students remain liable for all fees incurred prior to the withdrawal of their enrolment. This includes fees incurred by students who withdraw from their USPP after commencing studies. Unpaid fees may be referred to a debt collection agency and students will be liable for any costs incurred by the College in recovering outstanding fees, if applicable.
- (3) All notifications of withdrawal from enrolment must be made in writing, using the Withdrawal Form. The College will advise the DHA of the withdrawal as required via PRISMS, and for student visa holders, cancel the eCoE.
- (4) If the student visa holder is under 18 years of age:
 - (a) the written notification requesting enrolment withdrawal must be submitted by the student's parent(s) and/or legal guardian(s) and caregiver;
 - (b) the student's caregiver (or sponsoring agency if applicable) in Australia must be informed;
 - (c) and the student is not transferring to another provider, a return flight ticket to the student's home country must be submitted to the College as evidence that the University of Sydney no longer needs to be responsible for the student's welfare arrangements (the cancellation of the eCoE and the Confirmation of Appropriate Accommodation and Welfare (CAAW) will occur when it is confirmed on VEVO that the student is offshore; and
 - (d) if the student intends enrolling with another provider and has been approved to withdraw from their USPP course, and they have been granted a release from the University of Sydney, the University must maintain responsibility for the welfare arrangements of the student until such time as the other provider accepts responsibility for approving the care arrangements, to avoid any gap periods.

13 Refunds

Students who withdraw their enrolment, or have it cancelled due to compassionate and compelling circumstances, may be entitled to a refund of unspent pre-paid USPP course tuition fees and certain non-tuition fees, if permitted under the Cancellation and Refund Policy and Procedures.

14 Rescissions and replacements

This document replaces the following, which are rescinded as from the date of commencement of this document:

Nil

NOTES

Deferment, Suspension, Withdrawal or Cancellation of Enrolment Policy and Procedures

Date adopted: 20 October 2021

Date registered: 3 November 2021

Date commenced: 3 November 2021

Administrator: The position title of the most senior person responsible for the day to day operation of the policy.

Review date: At least once every 5 years from the date of commencement.

Rescinded documents: Not applicable

Related documents:

- (1) *Competition and Consumer Act 2010 (Cth)*
- (2) *Corporations Act 2001 (Cth)*
- (3) Higher Education Standards Framework (Threshold Standards) 2021
- (4) National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code)
- (5) National Standards for Foundation Programs
- (6) *Privacy Act 1988 (Cth)*
- (7) Cancellation Form
- (8) Enrolment Cancellation Appeal Form (Phase 3)
- (9) Suspension Form
- (10) Withdrawal Form
- (11) Academic Integrity Policy and Procedures
- (12) Attendance Policy and Procedures
- (13) Cancellation and Refund Policy and Procedures
- (14) Monitoring Course Progress Policy and Procedures
- (15) Progression and Exclusion Policy and Procedures
- (16) Records Management Policy and Procedures
- (17) Student Code of Conduct
- (18) Student Complaints and Appeals Policy and Procedures
- (19) Student Disability Policy and Procedures
- (20) Student Learning Assistance Policy and Procedures
- (21) Student Misconduct Policy and Procedures
- (22) Student Privacy Policy
- (23) Student Support Procedures
- (24) University of Sydney Change of Provider Policy 2020
- (25) University of Sydney Under 18 International Students Policy 2016
- (26) University of Sydney Under 18 International Students Procedures 2016