KINCOPPAL – ROSE BAY
SCHOOL OF THE SACRED HEART

New South Head Road
Rose Bay NSW Australia 2029
+61 (0) 2 9388 6000
krb.nsw.edu.au
CRICOS Provider Code 02268M ABN 47 003 942 603

3.12 OVERSEAS STUDENTS' DEFERMENT, SUSPENSION AND CANCELLATION POLICY AND PROCEDURES

Document Management

NESA Requirement	Not Applicable
Relevant to	Staff, Students, Parents
Publication location	Staff and KRB Website
Version	Version 5
Date of Introduction	March 2015
Modification History	2019, 1 February 2025, 17 April 2025, 15 July 2026
Reviewed by	Governance and Risk Manager
Approved by	School Principal
Related documents	All Overseas Students Policies and Procedures – see '4. Compliance' within the School's 3.0 Overseas Students Policy and Procedures Framework and Governance Procedures
Related legislation	NSW legislation: *Education Act 1990* ('the Education Act') Commonwealth legislative framework: *Education Services for Overseas Students Act 2000 (Cth)* ('the ESOS Act') *ESOS Regulations 2019* *National Code of Practice for Providers of Education and Training to Overseas Students 2018* ('the National Code') *Education Services for Overseas Students (TPS Levies) Act 2012*

New South Head Road
Rose Bay NSW Australia 2029
+61 (0) 2 9388 6000
krb.nsw.edu.au
CRICOS Provider Code 02268M ABN 47 003 942 603

Contents

3.12 OVERSEAS STUDENTS' DEFERMENT, SUSPENSION AND CANCELLATION POLICY AND PROCEDURES 1

Document Management 1

1. Background 3

2. Purpose 3

3. Policy 3

4. Procedures 5

4.1 Informing students prior to enrolment about enrolment 5

4.2 School initiated deferment, suspension or cancellation of enrolment 5

4.3 Student initiated requests for deferment, suspension or cancellation of enrolment 5

4.3.1 Application process 5

4.3.2 Assessment of Deferment/Suspension Requests 5

4.3.3 Approval Process 6

4.3.4 Steps following a decision to defer, suspend or cancel enrolment 6

4.4 Cancellation of enrolment 7

4.5 Attendance calculations 8

4.6 Learning 8

4.7 Refunds 8

4.8 Records 8

New South Head Road
Rose Bay NSW Australia 2029
+61 (0) 2 9388 6000
krb.nsw.edu.au
CRICOS Provider Code 02268M ABN 47 003 942 603

1. Background

Kincoppal-Rose Bay School of the Sacred Heart ('the School/KRB') is listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). The School's CRICOS Provider Code is 02268M. As a CRICOS provider, the School is registered to deliver Primary (Kindergarten-Year 6), Junior Secondary (Years 7-10) and Senior Secondary (Years 11 and 12) courses to overseas students. Any references in this document to the 'registered provider', 'provider' or 'school provider' means the School or the School as a CRICOS provider, or vice versa.

The School Principal is the Principal Education Officer (PEO) under the legislation. Any references in this document to the PEO or the School Principal mean the School Principal.

An overseas student's enrolment can be deferred, suspended or cancelled. Deferment or suspension of enrolment means to temporarily put studies on hold (adjourn, delay, postpone). This may be initiated by either the overseas student for compassionate and compelling circumstances, or by the registered provider if an overseas student breaches visa conditions, fails to pay fees, misbehaves, or other condition listed in a registered provider's policy. Students are provided access to complaints and appeals mechanisms if a provider initiates a suspension or cancellation of enrolment against a student's wishes.

Registered providers must appropriately manage the enrolment of their overseas students and ensure all necessary information about enrolments has been provided to the relevant government department by maintaining updated information in the Provider Registration and International Student Management System (PRISMS) database, in accordance with the National Code of Practice for Providers of Education and Training to Overseas Students 2018 ('National Code') Standard 9.

2. Purpose

The purpose of this policy and procedures is to document the School's processes for ensuring that overseas students' enrolment is properly managed and that PRISMS contains the most up-to-date and accurate information about overseas students enrolled at the School.

3. Policy

3.1 Students will be informed prior to enrolment of the grounds on which their enrolment may be deferred, suspended or cancelled.

3.2 The School may defer, suspend or cancel a student's enrolment including, but not limited to:

3.2.1 misbehaviour by the student

New South Head Road
Rose Bay NSW Australia 2029
+61 (0) 2 9388 6000
krb.nsw.edu.au
CRICOS Provider Code 02268M ABN 47 003 942 603

3.2.2 the student's failure to pay an amount he or she was required to pay the registered provider to undertake or continue the course as stated in the written agreement

3.2.3 a breach of course progress or attendance requirements by the overseas student, which must occur in accordance with National Code Standard 8 (Overseas student visa requirements). (See the School's *3.11 Overseas Students Course Progress and Attendance Policy and Procedures*)

3.3 The School has a process for

3.3.1 accepting applications from students for deferment, suspension or cancellation of enrolment requested by overseas students

3.3.2 assessing applications

3.3.3 maintaining a record of any decisions.

3.4 The School may defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances.

3.5 The School will inform the overseas student in writing of the intention to report before imposing a suspension or cancellation of enrolment, identifying the risk of cancellation of student enrolment and provide the School's *3.13 Overseas Students Complaints and Appeals Policy and Procedures*.

3.6 When there is any deferral, suspension or cancellation of enrolment taken under this standard, the School will inform the overseas student of the need to seek advice from the Department of Home Affairs (DHA) on the potential impact on his or her student visa.

3.7 When there is any deferral, suspension or cancellation of enrolment, the School will report the change to the overseas student's enrolment under section 19 of the ESOS Act.

3.8 It is the School's policy that any suspension or cancellation of the overseas student's enrolment under National Code Standard 9.3 will not take effect until the internal appeals process is completed, unless the student's health or wellbeing, or the wellbeing of others, is likely to be at risk (extenuating circumstances).

3.9 The School will not count student requested suspension periods or School initiated suspension of enrolment periods due to misbehaviour in attendance monitoring calculations. See the School's *3.11 Overseas Students Course Progress and Attendance Policy and Procedures.*

3.10 The School will assess whether it continues to provide learning opportunities to students during any internal or external appeals processes, on a case-by-case basis.

3.11 The School will ensure that it manages the enrolment of overseas students and maintains up-to-date enrolment information in PRISMS, including when a student's enrolment is deferred, suspended or cancelled. The School reserves the right to not maintain the student's enrolment during any external appeals process.

3.12 The School will maintain records of any applications for and decisions to defer, suspend or cancel an overseas student's enrolment, and copies of all documents and communication provided to the student.

3.13 Refunds will be managed in accordance with the School's *3.6 Overseas Students Refund Policy and Procedures*.

New South Head Road
Rose Bay NSW Australia 2029
+61 (0) 2 9388 6000
krb.nsw.edu.au
CRICOS Provider Code 02268M ABN 47 003 942 603

4. Procedures

4.1 Informing students prior to enrolment about enrolment

4.1.1 Overseas students will be informed prior to enrolment of the grounds on which their enrolment may be deferred, suspended or cancelled.

4.1.2 Students will be provided with the relevant documents, including this policy and procedures, and these will be explained during the Induction program, and at any other time as required.

4.1.3 See the School's *3.6 Overseas Students Enrolment Policy and Procedures* and *3.9 Overseas Students Support Services Policy and Procedures* for further details.

4.2 School initiated deferment, suspension or cancellation of enrolment

4.2.1 The School may defer, suspend or cancel a student's enrolment for the reasons listed in Policy 3.3.

4.2.2 The PEO will inform the Head of Admissions, who will follow the steps in Procedures 4.3.4.

4.3 Student initiated requests for deferment, suspension or cancellation of enrolment

4.3.1 Application process

4.3.1.1 Students must email requests to defer, suspend or cancel enrolment to principalpa@krb.nsw.edu.au.

4.3.1.2 The Head of Admissions will acknowledge receipt of the application by return email to the student.

4.3.1.3 The Head of Admissions will verify the completeness of the application and required documents, and refer to the PEO for assessment.

4.3.2 Assessment of Deferment/Suspension Requests

4.3.2.1 The PEO will review the student's request for deferment, suspension or cancellation.

4.3.2.2 The PEO will assess the validity of the reasons provided by the student and consult with relevant departments, if necessary (e.g., academic, financial), and consider if any of the reasons given above in Policy 3.3 (misbehaviour and breaches) apply.

4.3.2.3 The PEO will consider if compassionate or compelling circumstances exist. 'Compassionate or compelling' circumstances are generally those beyond the control of the overseas student and which have an impact upon the overseas student's course progress or wellbeing. These could include, but are not limited to:

4.3.2.3.1 serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes;

New South Head Road
Rose Bay NSW Australia 2029
+61 (0) 2 9388 6000
krb.nsw.edu.au
CRICOS Provider Code 02268M ABN 47 003 942 603

4.3.2.3.2 bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);

4.3.2.3.3 major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies;

4.3.2.3.4 a traumatic experience, which could include:

- involvement in, or witnessing of a serious accident; or
- witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be supported by police or psychologists' reports)

4.3.2.3.5 where the registered provider was unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.

4.3.3 Approval Process

4.3.3.1 The PEO will decide based on their assessment.

4.3.3.2 The PEO will inform the Head of Admissions, who will follow the steps in Procedures 4.3.4.

4.3.4 Steps following a decision to defer, suspend or cancel enrolment

4.3.4.1 The Head of Admissions will, in writing

4.3.4.1.1 inform the overseas student of the intention to report and the reasons for doing so

4.3.4.1.2 advise the student's parents of any identified risk of cancellation of student enrolment

4.3.4.1.3 advise the overseas student of their right to appeal through the registered provider's internal complaints and appeals process, in accordance with National Code Standard 10 (Complaints and appeals), within 20 working days. See the School's *3.13 Overseas Students Complaints and Appeals Policy and Procedures.*

4.3.4.2 The Head of Admissions will report the change to the overseas student's enrolment by either

4.3.4.2.1 notifying the Department of Education through PRISMS that the School is deferring or suspending a student's enrolment for a period without affecting the end date of the Confirmation of Enrolment (CoE). In this case there is no change to the CoE or the student's enrolment status on PRISMS i.e. the student's CoE status will still be listed as 'studying'. However, the notice of deferment or suspension will be recorded in PRISMS and

New South Head Road
Rose Bay NSW Australia 2029
+61 (0) 2 9388 6000
krb.nsw.edu.au
CRICOS Provider Code 02268M ABN 47 003 942 603

sent on to the DHA. This information will be kept for future reference. OR

4.3.4.2.2 notifying the Department of Education through PRISMS that the School is deferring or suspending a student's enrolment for a period which will affect the end date of the CoE. In such situations, PRISMS will cancel the original CoE and immediately offer the provider the opportunity to create a new CoE with a more appropriate end date. If the provider does not know when the student will return, it can choose not to create a new CoE at that point, but to wait until the student has notified the provider of the intended date of return before creating the new CoE.

4.3.4.3 The School will maintain the overseas student's enrolment under National Code Standard 9.3 until the internal appeals process is completed, unless the student's health or wellbeing, or the wellbeing of others, is likely to be at risk (extenuating circumstances). Extenuating circumstances include but are not limited to where the overseas student

4.3.4.4 refuses to maintain approved care arrangements (for students under 18 years of age)

4.3.4.5 is missing

4.3.4.6 has medical concerns, severe depression or psychological issues which lead the School to fear for the student's wellbeing

4.3.4.7 has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others, or

4.3.4.8 is at risk of committing a criminal offence.

4.4 Cancellation of enrolment

4.4.1 The PEO may cancel an overseas student's enrolment if any of the reasons given above in Policy 3.3 (misbehaviour and breaches) apply.

4.4.2 Before imposing a cancellation, the PEO will:

4.4.2.1 inform the overseas student of the intention to report and the reasons for doing so, in writing

4.4.2.2 advise the student's parents of any identified risk of cancellation of student enrolment

4.4.2.3 inform the overseas student of the need to seek advice from DHA on the potential impact on his or her student visa

4.4.2.4 advise the overseas student of their right to appeal through the registered provider's internal complaints and appeals process, in accordance with National Code Standard 10 (Complaints and appeals), within 20 working days. See the School's *3.13 Overseas Students Complaints and Appeals Policy and Procedures* and the School's *Complaints Policy and Complaints and Appeals Procedures.*

New South Head Road
Rose Bay NSW Australia 2029
+61 (0) 2 9388 6000
krb.nsw.edu.au
CRICOS Provider Code 02268M ABN 47 003 942 603

4.4.3 The School will maintain the overseas student's enrolment under National Code Standard 9.3 until the internal appeals process is completed, unless the student's health or wellbeing, or the wellbeing of others, is likely to be at risk (extenuating circumstances – see Procedures 4.3.2.3 for definition).

4.4.4 When there is any cancellation action taken under this standard, the School notifies the Department of Education through PRISMS that it wishes to permanently cancel (terminate) the student's enrolment. Once this process is complete, the student's CoE status will be listed as 'cancelled'.

4.5 Attendance calculations

4.5.1 The School will not include student requested suspension periods or School initiated suspension of enrolment periods due to misbehaviour in attendance monitoring calculations.

4.6 Learning

4.6.1 The PEO will assess whether the School will continue to provide learning opportunities to students during any internal or external appeals processes, on a case-by-case basis.

4.7 Refunds

4.7.1 The PEO will instruct the Director of Corporate Services to follow the procedures in the School's *3.5 Overseas Students Refund Policy and Procedures* for any refund that is applicable.

4.8 Records

4.8.1 The Head of Admissions will

4.8.1.1 maintain records of any applications for deferment and suspension of enrolment and decisions to defer, suspend or cancel an overseas student's enrolment, and copies of all documents and communication provided to the student, for future reference and compliance purposes

4.8.1.2 maintain evidence of any complaint or appeal made by the overseas student and written evidence of the overseas student being notified of the outcome of the process. See the School's *3.13 Overseas Students Complaints and Appeals Policy and Procedures.*

4.8.1.3 update the student management system with the deferment, suspension or cancellation of enrolment details

4.8.1.4 manage the enrolment of overseas students and maintain up-to-date enrolment information in PRISMS, including when a student's enrolment is deferred, suspended or cancelled.