



CHRISTIAN HERITAGE COLLEGE

POLICY: Deferral for Overseas Students

Policy Group(s):	Group C: Administration – 3: Students (Ref: C3/0106.1-0415)		
Related Policy:	Cancellation of Enrolment for Overseas Students Enrolment Grievance Policy for Overseas Students Leave of Absence for Overseas Students Refund Policy for Overseas Students Time Limits for Course Completion		
Commencement Date:	January 2005	Review Date:	April 2020

POLICY STATEMENT

Intent:

Christian Heritage College (CHC) recognises that the needs of students alter throughout the period of their course of study and from time to time it may be beneficial for students to defer their studies for a short period of time. The importance of communication between students and staff is paramount and the requirement to make formal application for deferral is one way to assist students when making decisions about the best pathway to achieve their academic goals and expected outcomes.

Formal application for deferral assists staff in tracking students' movement and assists students to maintain successful progression through a course of study.

Scope:

Restrictions: All overseas students who are undertaking a course of study at CHC. Restrictions apply as per the *National Code 2007*.

Exclusions: Students who have not completed six months of successful study; Domestic Students – see the Deferral for Domestic Students

Objectives:

1. To provide clear guidelines concerning deferral for overseas students and staff.
2. To facilitate a smooth pathway for deferral for overseas students.
3. To provide clear guidelines for processing applications.
4. To ensure compliance with the *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007* (the National Code), specifically Standard 13.

Policy Provisions:

1. General

- 1.1 The *ESOS Act 2000* permits deferral by overseas students in compassionate or compelling circumstances only. Please refer to the Supporting Guidelines and Procedures below for examples of compassionate or compelling circumstances.
- 1.2 Deferral from a course of study at CHC is available to overseas students at the time of commencement or to overseas students who have successfully engaged in more than six months of study within their chosen program, but not within the first six months of a course of study.
- 1.3 Deferral from a course of study is available to overseas students prior to the census date of the semester for which the deferral is sought. Overseas students cannot defer beyond the census date of a semester and therefore no financial or academic penalties apply. Overseas students seeking to suspend their studies after the census date in a semester should apply for a suspension of their studies. Please refer to the *Leave of Absence for Overseas Students* policy.
- 1.4 Overseas students should be aware there may be consequences in terms of sequencing and availability of units.
- 1.5 The initial period of deferral is six months after which overseas students may apply for a further period of six months. A second period may be granted if the overseas student can demonstrate a further period of deferral is in their best interest and will be of academic benefit.
- 1.6 Applications for deferral do not attract a fee. If an overseas student chooses to defer after the census date within a compulsory study period (i.e. Semester 1 or Semester 2) academic and financial penalties will apply.
- 1.7 Approved periods of deferral do not contribute to time limits for course completion under CHC rules, however these do have implications for course duration and therefore for CoE and Student Visa under the *ESOS Act 2000*.
- 1.8 All Library borrowing rights and access to CHC services are suspended for the period of the deferral.
- 1.9 Applications to defer may be rejected for academic reasons at the discretion of the Dean of the School in which the student is enrolled. In such an instance overseas students are able to access the *Grievance Procedures for Overseas Students*. If an overseas student accesses the *Grievance Procedures for Overseas Students* the overseas student's enrolment status remains active and the overseas student is to attend classes until the completion of the review process.

2. Formal Approval

- 2.1 Formal approval to discontinue enrolment is required for overseas students to preserve their active enrolment status.
- 2.2 Overseas students must contact their Course Coordinator before enrolling to resume their studies after a period of deferral.

3. Communication

- 3.1 Should an overseas student wish to defer from a course of study they are first to discuss this with the Overseas Liaison Officer (OLO). Should they still wish to proceed with the deferral following this discussion, they must submit their request in writing to CHC via email.
- 3.2 After the OLO has assessed the application, the Academic Registrar is notified and the overseas student is informed in writing within 20 working days regarding the success or non-success of the application.
- 3.3 CHC will advise overseas students who have been successful in obtaining a deferral in writing that this may affect his or her student visa and to contact DIBP for further information.
- 3.4 CHC will notify the Department of Education through PRISMS of any successful applications for deferral as required under Section 19 of the *ESOS Act 2000*. While CHC determines the enrolment status of the overseas student it is DIBP who decides whether the student may remain in Australia or must return home. DIBP's policy is that if a student's enrolment is suspended for a period of 28 days or longer, the student **must** return home, unless special circumstances exist.
- 3.5 Students will be reminded to complete a *Unit Selection* form as the time for re-engagement of study approaches.

Supporting Procedures and Guidelines:

1. Student Procedure

- 1.1 The student is to arrange an interview with the OLO to discuss the reasons for the proposed deferral and its meeting of 'compassionate and compelling circumstances', and the implications of the deferral for course progress and student visa compliance.
- 1.2 Should the application for deferral proceed, the student must submit their request in writing to CHC.
- 1.3 The student will be notified in writing within four weeks regarding the outcome of the application.
- 1.4 Should the student wish to apply for a refund of tuition fees, an *Application for Refund* form is to be submitted.

2. Examples of Compassionate or Compelling Circumstances (as noted in the *National Code 2007*)

- 2.1 Serious illness or injury where a medical certificate states that the student is unable to attend classes.
- 2.2 Bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided).
- 2.3 Major political upheaval or natural disaster in the student's home country which requires emergency travel.
- 2.4 A traumatic experience. Such as involvement in or witnessing of a serious accident, or witnessing or being the victim of a serious crime (these cases should be supported by police or psychologists' reports).
- 2.5 CHC not being able to offer a prerequisite unit.

3. Examples of Extenuating Circumstances (as noted in the *National Code 2007*)

- 3.1 The student is missing.
- 3.2 The student has medical concerns, severe depression or psychological issues which lead CHC to fear for the student's well-being.
- 3.3 The student has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others.
- 3.4 The student is at risk of committing a criminal offence.
- 3.5 Any claim of extenuating circumstances will need to be supported by appropriate evidence.
- 3.6 The student is unable to begin studying on the course commencement date, due to a delay in receiving a student visa.

4. Staff Procedure

- 4.1 Upon receipt of an application following a meeting with the student, the OLO will assess the application taking into account any previous periods of deferral, any specific issues which may impinge on time limits for course completion such as significant transfer of credit granted and any other relevant factors.
- 4.2 The Academic Registrar will consider the application in the light of the *ESOS Act 2000*. The only consideration by the Academic Registrar will be administrative.
- 4.3 The Academic Registrar will communicate the outcome of the application to the student. If the application is successful, this communication will include advice that the deferral may have implications for the student's visa and that they should contact DIBP for further advice. If the application is unsuccessful, the student has 20 days to access the *Overseas Student Grievance Procedure*. A copy of all communication will be placed on the student's file.
- 4.4 If the application is successful, or following the period of 20 working days in which the student may access the *Overseas Student Grievance Procedure* should the application be unsuccessful, the Academic Registrar will notify the Department of Education via PRISMS.
- 4.5 Student Administration will enter any successful deferral in the Student Management System and will notify the Library.
- 4.6 The Library will make the adjustments on the Library Management System and borrowing rights will be suspended for the period of the deferral.
- 4.7 Student Administration will withdraw the student from any Moodle™ units in which the student is enrolled and, if applicable, notify the School practicum coordinator who will withdraw the student from any planned or arranged practicum placements.
- 4.8 The Vice President – Advancement and Operations will assess the request for deferral in the light of the *Refund Policy for Overseas Students*.
- 4.9 As the time for re-engagement in study approaches the student will be contacted, by way of reminder, to complete a Unit Selection form for the following semester.

5. Guidelines

No financial or academic penalties apply as deferral is not available to students after the census date in a semester. Please note the date of deferral is the date on which the application is received by CHC.

POLICY FURTHER INFORMATION

Relevant Commonwealth/State Legislation HESA – Fairness Requirements

ACCOUNTABILITIES

Implementation: Overseas Liaison Officer; Schools

Compliance: Academic Registrar

Monitoring and Evaluation: Academic Registrar and Deans

Development/Review: Academic Board

Approval Authority: Academic Board

Interpretation and Advice: Academic Registrar's Office

WHO SHOULD KNOW THIS POLICY?

Students

Deans

Academic Staff

Student Administration Staff

Corporate Services Staff – Financial Management/Fees

EFFECTIVENESS OF THIS POLICY

Performance Indicators:

- The ratio of successful: unsuccessful deferrals
- The number of students who return to study after a period of deferral

Other: Nil

Definitions and Acronyms:

CHC Christian Heritage College

CoE Confirmation of Enrolment

Commonwealth Supported Student – a student who is studying as a Commonwealth supported student pays a student contribution amount.

Deferral – is initiated by the student and applies to either commencement of study or compulsory study periods for the entire study period.

Department of Education – Commonwealth Department of Education and Training

DIBP Department of Immigration and Border Protection

HESA (2003) – Higher Education Support Act (2003)

APPROVAL – section maintained by the Director of Quality and Standards

Reference No.	Approved	Date	Committee/Board	Resolution No. / Minute Ref.
C3/0106.1	Yes	12/10/2006	Academic Board	4.4

REVISION HISTORY – section maintained by the Director of Quality and Standards

Revision Reference No.	Approved/Rescinded	Date	Committee/Board	Resolution No. / Minute Ref.
0807	Approved	09/08/2007	Academic Board	4.4
0911	Approved	15/09/2011	Academic Board	4.1
0415	Approved	30/04/2015	Academic Board	4.1