

Policy & Procedure - Deferring, suspending or cancelling the Overseas Student's enrolment

Purpose

This policy outlines how Lawson College Australia appropriately manages the enrolment of overseas students and ensures 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. (National Code; ESOS Standard 9)

This policy outlines how a student's enrolment can be deferred, suspended or cancelled and includes:

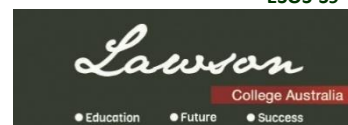
- Advising students about the effect on Confirmation of Enrolment (CoE). Registered providers must tell overseas students that deferring, suspending or cancelling their enrolment on any grounds may affect their student visa.
- Assessing, approving and recording deferment of the commencement of study or suspension of study requested by an overseas student, or suspension or cancellation of an overseas student's enrolment by the registered provider.
- How the overseas student must be notified in writing of the intention to suspend or cancel their enrolment, and the reasons for doing so, and told to seek advice from the Australian Government Department of Home Affairs on the potential impact on their visa if enrolment has been deferred, suspended or cancelled.
- Advise the overseas student of their right to appeal through the provider's internal complaints and appeals policy and procedure.
- How a provider-initiated suspension or cancellation cannot take effect until the overseas student has been given a chance to complete an internal appeals process, unless the health or wellbeing, or the wellbeing of others, is likely to be at risk.
- How a change in enrolment will be reported to the Department of Education through PRISMS within 31 days.

Scope

This Policy applies to:

- All overseas students currently enrolled with Lawson College Australia; and
- All Staff of Lawson College Australia involved in the process of deferring, suspending or cancelling student enrolment.

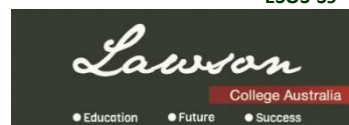
Lawson College Australia	RTO: 40679	CRICOS Provider: 03406J	Version
ESOS	Standard 9	Document Name	Policy & Procedure – Deferring Suspending or Cancelling an Overseas Student Enrolment
			5.0_22022024



Definitions

Academic misconduct	Academic misconduct is an attempt by students to cheat, plagiarise or otherwise act dishonestly in undertaking an assessment task, or assisting other students to do so.
Appeal	An appeal is an application by a complainant for reconsideration or review of an unfavourable decision or finding or investigation.
ASQA	Australian Skills Quality Authority (ASQA) is the national regulator for Australia's vocational education and training sector. ASQA regulates courses and training providers to ensure nationally approved quality standards are met.
Cancellation of enrolment	Lawson College Australia can initiate cancellation of a student's enrolment for compelling or extenuating circumstances; or misbehaviour by the student; and other reasons as detailed in the Policy. Cancellation of an enrolment is permanent cessation of Student's enrolment. A Student whose enrolment has been cancelled is no longer a Lawson College Australia Student and therefore cannot attend classes, submit assessment tasks or attend Lawson College Australia events as a Lawson College Australia Student.
Cheating	Cheating is the gaining of advantage by unfair means such as copying another students' work, or in any way mislead a lecturer or tutor about their knowledge, ability, or the amount of original work they have done
Compassionate and compelling circumstances	Circumstances generally those beyond the control of the overseas student and which may have an impact upon the overseas student's course progress or wellbeing. Students are required to provide verifiable documentary evidence.
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). CRICOS is an Australian Government website that lists all Australian education providers that offer courses to people study in Australia on Student Visas and the courses offered (The Australian Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) (education.gov.au)).
CoE – Confirmation of Enrolment	The Confirmation of Enrolment (CoE) is issued through PRISMS enabling a student to apply for a Student Visa. The CoE provides evidence of a student's enrolment with a provider registered on CRICOS. This evidence is required before the Department of Home Affairs (DoHA) will issue a Student Visa. The CoE contains information about the Provider, Agent (if involved), Course, and Duration of Study in which the student has enrolled (User manual (internationaleducation.gov.au)).
Deferral of Enrolment	Deferment of an enrolment means temporary postponement in the commencement of a Course. Deferral may be initiated by a Student or Lawson College Australia. The period of time for student-initiated deferral is up to a maximum of two time-tabled compulsory study periods. Course intakes are offered subject to numbers so there is no guarantee that the course deferred will be offered at a later date or that the course curriculum will not have been subject to significant changes or processes during the deferral period. Students are advised to contact The Department of Home Affairs (DoHA) to determine if they must return home to their country of origin at https://www.homeaffairs.gov.au .
Department of Education	Provide strategic direction and national leadership of Australia's education system – through early years, school, higher education and research. International Education - Department of Education, Australian Government
Department of Home Affairs - DoHA	Department of Home Affairs. The Department is responsible for central coordination, and strategy and policy leadership in relation to cyber and critical infrastructure resilience and security; immigration; border security and management; counter-terrorism; the protection of sovereignty; citizenship and social cohesion. https://www.homeaffairs.gov.au/about-us/who-we-are
ESOS Act	Education Services for Overseas Students Act (2000) as amended from time to time. Federal Register of Legislation - Education Services for Overseas Students Act 2000
General misconduct	General misconduct is where a student acts dishonestly, harasses other students or staff; interferes with students or staff; prevents or disrupts learning; disobeys/fails to comply with contractual or legal requirements; misuses, damages or steals Lawson College Australia 's property or the property of others; alters/defaces Lawson College Australia's documents or records; prejudices the good name of Lawson College Australia, or otherwise acts in an improper manner.
Learning Management System (LMS)	An LMS provides a learning space online. Lawson College Australia uses the LMS Moodle, which enables students and staff to access student support services information and forms, course materials, submit assessments, gain feedback, communicate, see grades and much more all by logging in to their very own online account.
Misbehaviour	To behave (oneself) in an inappropriate way
Misconduct	Behaviour not conforming to prevailing standards or laws; impropriety
National Code	<i>National Code of Practice for Providers of Education and Training to Overseas Students 2018</i> . The National Code is a legislative instrument made under the Education Services for Overseas Students Act 2000 (ESOS Act) and sets nationally consistent standards to support providers to deliver quality education and training to overseas

Lawson College Australia	RTO: 40679	CRICOS Provider: 03406J	Version
ESOS	Standard 9	Document Name	Policy & Procedure – Deferring Suspending or Cancelling an Overseas Student Enrolment
			5.0_22022024



	students. Federal Register of Legislation - National Code of Practice for Providers of Education and Training to Overseas Students 2018
Plagiarism	Plagiarism is the use of another person's concepts, results or conclusions and passing them off as their own. Investigations into plagiarism will be handled in accordance with the complaints and appeals procedure and will follow the principles of natural justice and procedural fairness.
PRISMS	Provider Registration and International Student Management System (PRISMS) . Through PRISMS, certain Australian Government agencies can monitor student compliance with visa conditions and provider compliance with the Educational Services for Overseas Students Act 2000 (ESOS Act). PRISMS is a secure system for providers to Issue 'Confirmation of Enrolment' (CoE) to students intending to study in Australia -DoHA requires the CoE to issue a student visa; and Report changes in overseas student course enrolment
Registrar	A registrar is an official in an academic institution who handles student records
Student [International Student]	A student who is enrolled at Lawson College Australia and includes both prospective students and enrolled students who are 'overseas students' as defined in the National Code and hold a student visa as defined by the ESOS Act.
Student Conduct Committee	A committee comprising nominated senior internal staff convened for the purpose of assessing the alleged misconduct of the overseas student.
Student Course Variation (SCV)	Student Course Variation (SCV). The record a user with CoE Administrator access creates when they report a change to student information or changes to a student's course through PRISMS (User manual (internationaleducation.gov.au)).
Student Visa	Student visas are non-immigrant visas that do not require the holder to obtain citizenship. Any prospective student seeking higher education in another country must obtain a student visa for that country
Support Person	The National Code Standard 10: Complaints and appeals, clause 10.2.4 refers to ensuring <i>the overseas student is given an opportunity to formally present his or her case at minimal or no cost and be accompanied and assisted by a support person, if necessary, at any relevant meetings</i> . Refer to Policy and Procedure – Complaints and Appeals. Any disclosure of personal information to a third party would be governed under Lawson College Australia's Privacy Policy.
Suspension of enrolment	Once a course has commenced Lawson College Australia or the student can initiate a suspension of their studies due to compassionate or compelling reasons. Please note that course intakes are offered subject to numbers so there is no guarantee that the course suspended will be offered at a later date or that the course curriculum will not have been subject to significant changes or processes during the suspension period. Students are advised to contact The Department of Home Affairs (DoHA) to determine if they must return home to their country of origin at https://www.homeaffairs.gov.au
Timetabled Compulsory Study Period/Term	A period of time that normally reflects the Victorian Government Education and Training term dates and breaks, for Schools. At Lawson College Australia, one term normally aligns with one time-tabled compulsory study period. A timetabled <i>compulsory study period</i> is one in which the student must enrol unless granted a deferment or suspension from enrolment.
Written Agreement	A written agreement under Australian law, is in regard to acceptance of an offer of a course and must be in the form of a written agreement. This is the document that the student signs when they enrol with an education provider. An application form or a letter of offer could be the basis for the written agreement once it is signed or accepted by an overseas student. Overseas students enrolled in a number of consecutive courses with the one provider do not need a separate written agreement for each course. If the terms of the agreement are the same for each course, the registered provider may have a single written agreement covering all the courses. Changes can be made to the Written Agreement. Both student and provider need to agree on the changes before they take effect. Any modifications to the written agreement should be clearly dated so that it is clear which terms apply at any point in time. The student should keep a copy of any modifications to the Written Agreement. (Sources: Standard 3: Formalisation of enrolment and written agreements - Department of Education, Australian Government ; Factsheet student written-agreements.pdf (ombudsman.gov.au))

[S = related ESOS Standard]

Lawson College Australia	RTO: 40679	CRICOS Provider: 03406J	Version
ESOS	Standard 9	Document Name	Policy & Procedure – Deferring Suspending or Cancelling an Overseas Student Enrolment
			5.0_22022024



Policy

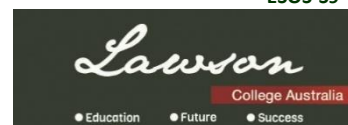
1. Effect on Confirmation of Enrolment (CoE)

- 1.1 Registered providers must tell overseas students that deferring, suspending or cancelling their enrolment on any grounds may affect their student visa. Under this standard of the National Code, there are three possible outcomes for an overseas student's CoE:
- (1) The registered provider notifies the Department of Education through PRISMS that they are deferring or suspending an overseas student's enrolment for a period without affecting the end date of the CoE. There will be no change to the CoE on PRISMS – the overseas student will still be listed as studying. However, the notice of deferment or suspension will be recorded in PRISMS.
 - (2) The registered provider notifies the Department of Education through PRISMS that they are deferring or suspending an overseas student's enrolment for a period which will affect the end date of the CoE. PRISMS will cancel the original CoE and immediately offer the registered provider the opportunity to create a new CoE with a more appropriate end date. If the registered provider does not know when the overseas student will return, it can choose not to create a new CoE at that point, but to wait until the overseas student has notified the registered provider of the intended date of return before creating a new CoE.
 - (3) The registered provider notifies the Department of Education through PRISMS that it wishes to permanently cancel (terminate) the overseas student's enrolment. Once this process is complete, the overseas student's CoE status will be listed as 'cancelled'. If the overseas student is under the age of 18, the cancellation of a CoE does not cancel a Confirmation of Appropriate Accommodation and Welfare (CAAW), and the registered provider is still responsible for welfare arrangements until one of the conditions of Standard 5.6 are met.
- 1.2 Regardless of the reason, if an overseas student's enrolment is deferred or suspended the period of suspension of enrolment (as entered in PRISMS) should not be included in attendance monitoring calculations.

2. Deferring suspending or cancelling the overseas student's enrolment – Lawson College Australia

- 2.1 Lawson College Australia has documented procedures for assessing, approving and recording
- a. a deferment of the commencement of study or
 - b. suspension of study requested by the overseas student; or
 - c. cancellation of the overseas student's enrolment. [S9.1]
- 2.2 Students must submit verifiable documentary evidence when applying to defer, suspend or cancel their enrolment.
- 2.3 Lawson College Australia retains documentary evidence on the overseas student's file of the assessment of the application including maintaining a record of any decisions. [S9.1]
- 2.4 Lawson College Australia responds to an overseas student's request, informing them if their application is successful or unsuccessful. If unsuccessful, appropriate reasons for refusal will be provided to the student. [S9.1]
- 2.5 Course deferment or suspension:
- a. If a student wishes to defer or suspend (temporarily delay or postponement) commencement of studies, he/she should apply to Lawson College Australia using the Form – Deferring, Suspending or Cancelling the Overseas Student's Enrolment.
 - b. A student can only defer from a course prior to course commencement.
- 2.6 Overseas student cancellation of enrolment:

Lawson College Australia	RTO: 40679	CRICOS Provider: 03406J	Version
ESOS	Standard 9	Document Name	Policy & Procedure – Deferring Suspending or Cancelling an Overseas Student Enrolment
			5.0_22022024



- a. If a student wishes to cancel (permanent cessation) studies, he/she should apply to Lawson College Australia using the Form – Deferring, Suspending or Cancelling the Overseas Student’s Enrolment.
 - b. A student may cancel his or her enrolment in the following circumstances:
 - i. Student ceases studies (must meet conditions as specified in Section 2.1 and 2.2 of this policy)
 - ii. Immigration cancels their visa
 - c. Such cancellation will be reported through PRISMS
 - d. Cancellation of an enrolment is permanent cessation of Student’s enrolment. A Student whose enrolment has been cancelled is no longer a Lawson College Australia Student.
- 2.7 Lawson College Australia will inform the overseas student that deferring, suspending or cancelling his/her enrolment may affect his/her student visa.
- 2.8 Students should seek advice from the Australian Government Department of Home Affairs as to the potential impact on their visa, and [S9.5.1] at <http://www.homeaffairs.gov.au>
- 2.9 Students selected into the Lawson College Australia courses are eligible for deferment/suspension for compassionate or compelling circumstances and must provide evidence to support this.
- 2.10 The period of time for student-initiated deferral/suspension is up to a maximum of two time-tabled compulsory study periods.
- 2.11 Students are advised that course intakes are offered subject to numbers so there is no guarantee that the course deferred/suspended will be offered at a later date.
- 2.12 Students can only defer or temporarily suspend their enrolment on the grounds of:
 - a. Compassionate or compelling circumstances [See Section 2: **Student initiated deferral, suspensions or cancellations of their enrolment** of this Policy & Procedure – *Deferring, suspending or cancelling the overseas student’s enrolment*]
- 2.13 If a student has not commenced their studies as per the CoE commencement date and has not notified Lawson College Australia in writing, Lawson College Australia will cancel the enrolment on non-commencement of studies and report through PRISMS the change to the overseas student's enrolment under section 19 of the ESOS Act within 31 days of the event occurring.
- 2.14 Lawson College Australia may also initiate suspension or cancellation of a student’s enrolment for reasons outlined in Section 3: **Provider -initiated suspensions or cancellations of enrolment** of this Policy – *Deferring, suspending or cancelling the overseas student’s enrolment*.
- 2.15 Deferral, suspensions or cancellation of enrolment may affect the student’s Confirmation of enrolment (CoE)
- 2.16 Any Student Course Variation (SCV) reason before the expected enrolment completion date must be reported through PRISMS within 14 days where the student is under 18 years of age and within 31 days for a student above 18 years of age ([User manual \(internationaleducation.gov.au\)](http://www.internationaleducation.gov.au)).
- 2.17 Lawson College Australia reports the change to the overseas student’s enrolment under section 19 of the ESOS Act. [S9.5.2]
- 2.18 The DoHA may cancel an overseas student visa if the deferral or suspension: - [S9 Fact Sheet]
- a. is due to the conduct of the student;
 - b. is for reasons other than compassionate or compelling circumstances;
 - c. the compassionate or compelling circumstances which warranted the deferral or suspension of studies cease to exist;
 - d. is based on fraudulent evidence or documents given to the registered provider
- 2.19 The complainant lodging an appeal may be accompanied and/or assisted by a support person throughout the process. Agents of any kind, Lawyers or anyone who has a perceived commercial interest are not permitted to attend as a support person, as they are considered to have a conflict of interest.
- 2.20 A FAQs and FACTSHEETS content is publicly accessible on the Lawson College Australia website. <https://lawsoncollege.edu.au/faqs/> and <https://lawsoncollege.edu.au/fact-sheets/>

Lawson College Australia	RTO: 40679	CRICOS Provider: 03406J	Version
ESOS	Standard 9	Document Name	Policy & Procedure – Deferring Suspending or Cancelling an Overseas Student Enrolment
			5.0_22022024

3. Student initiated deferral, suspensions or cancellations of their enrolment

- 3.1 Lawson College Australia may defer, suspend or cancel the enrolment of an overseas student if it believes there are compassionate or compelling circumstances. [S9.2] Provision of evidence determined to be 'compassionate or compelling' could include, but is not limited to:
- Serious illness or injury, where a medical certificate states that the overseas 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 emergency travel and this has impacted on the overseas student's studies; or
 - A traumatic experience, which could include:
 - Involvement in, or witnessing or 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 psychologist' reports).
 - Student wishing to cancel their enrolment prior to the completion of 6 months of study in their principal course must have compelling or compassionate circumstances
- 3.2 For any approved deferral, suspension or cancellation, Lawson College Australia will report through PRISMS the change to the overseas student's enrolment under section 19 of the ESOS Act within 31 days of the event occurring.
- 3.3 Students requesting to **cancel** their enrolment as per 2.1 a-e. above must:
- Provide evidence that the tuition fee is paid and up to date as per the student written agreement, and
 - A Student whose enrolment has been cancelled is no longer a Lawson College Australia Student and therefore cannot attend classes, submit assessment tasks or attend Lawson College Australia events as a Lawson College Australia Student.
- 3.4 If the request to **defer** the enrolment is approved the student:
- Students are advised to contact The Department of Home Affairs (DoHA) to determine if they must return home if they are on-shore prior to commencement of the course.
 - Provide evidence that the tuition fee is paid and up to date as per the student written agreement, and
 - The period of time for student-initiated deferral is up to a maximum of two time-tabled compulsory study periods.
 - Please note that course intakes are offered subject to numbers so there is no guarantee that the course deferred will be offered at a later date or that the course curriculum will not have been subject to significant changes or processes during the deferral period.
 - If the request to **defer** enrolment is approved, the student must:
 - Contact Lawson College Australia prior to the end of the defer or suspension period, and
 - Provide evidence of payment of Instalment Tuition Fee, on the instalment due date, prior to commencement of classes as per the written agreement.
- 3.5 If the request to **suspend** the enrolment is approved the student:
- Students are advised to contact The Department of Home Affairs (DoHA) to determine if they must return home if they are on-shore.
 - Provide evidence that the tuition fee is paid and up to date as per the student written agreement.
 - The period of time for student-initiated suspension is up to a maximum of two time-tabled compulsory study periods.
 - Students are advised to contact Lawson College Australia prior to their expected return.

Lawson College Australia	RTO: 40679	CRICOS Provider: 03406J	Version
ESOS	Standard 9	Document Name	Policy & Procedure – Deferring Suspending or Cancelling an Overseas Student Enrolment
			5.0_22022024

- e. Please note that course intakes are offered subject to numbers so there is no guarantee that the course deferred will be offered at a later date or that the course curriculum will not have been subject to significant changes or processes during the deferral period.
 - f. If the request to suspend enrolment is approved, the student must provide evidence of payment of Instalment Tuition Fee, on the instalment due date, prior to re-commencement of classes as per the written agreement.
- 3.6 Lawson College Australia will use professional judgement to assess each case on its individual merits and maintain documentary evidence in the overseas student's file.

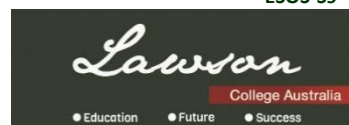
4. Provider -initiated suspensions or cancellations of enrolment

- 4.1 Lawson College Australia may suspend or cancel a student's enrolment including, but not limited to, on the basis of: - [9.3]
- a. Misbehaviour by the student [S9.3.1] (see also Section 4: **Notification and appeal – misbehaviour by the student** of this Policy & Procedure– *Deferring, suspending or cancelling the overseas student's enrolment*; and Appendix – *Misbehaviour by the student*)
 - i. Academic misconduct
 - ii. General misconduct
 - iii. Criminal acts will be reported to the relevant authorities
 - b. The overseas student's failure to pay the required amount to undertake or continue the course as stated in the written agreement; [S9.3.2] or
 - c. A breach of course progress or attendance requirements by the overseas student, which must occur in accordance with ESOS Standard 8 Overseas student visa requirements. [S9.3.3]
- 4.2 Should Lawson College Australia initiate suspensions or cancellations of enrolment the overseas student will be given a notice of intention to report and the reasons for doing so in writing and 20 working days to access Lawson College Australia's internal complaints and appeals process. This notice and timeline will apply even if an overseas student's misbehaviour is grounds for immediate expulsion, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be a risk. [S9.4.1, S9.4.2]
- 4.3 Generally, Lawson College Australia will proceed with the suspension or cancellation after the internal complaints handling and appeals process has been completed - for example, in cases of misbehaviour and non-payment. The only time Lawson College Australia will wait for both the internal and external complaints handling and appeals processes to be completed is for course progress and/or attendance breaches. [S9.6]
- 4.4 An overseas student will not be given the opportunity to appeal a provider-initiated suspension or cancellation of enrolment when the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk. Lawson College Australia will keep evidence to support this decision. This may include but is not limited to when the overseas student: [S9.6]
- a. Is missing
 - b. Has medical concerns, severe depression or psychological issues which lead the provider to fear for the overseas student's wellbeing
 - c. Has engaged or threatens to engage in behaviour that is reasonably believed to endanger the overseas student or others; or
 - d. Is at risk of committing a criminal offence.

5. Notification and appeal – misbehaviour by the student

- 5.1 Students must be notified in writing of penalties as a consequence of their misbehaviour.
- 5.2 The grounds for appeal are:
- a. Procedural irregularities, and/or

Lawson College Australia	RTO: 40679	CRICOS Provider: 03406J	Version
ESOS	Standard 9	Document Name	Policy & Procedure – Deferring Suspending or Cancelling an Overseas Student Enrolment
			5.0_22022024



- b. Factual errors on which the decision was based, and which were of such magnitude as to invalidate the decision.

5.3 Appeals must be lodged in writing to the Registrar within 20 working days of the date of the student being notified of the consequence.

6. Reporting on PRISMS

6.1 Lawson College Australia will inform the Department of Education through PRISMS when a student's enrolment is deferred, suspended or cancelled.

6.2 Lawson College Australia will report student course variation reasons on PRISMS within 31 days of student leaving Lawson College Australia for a student above 18 years of age.

6.3 If Lawson College Australia advises the Department of Education through PRISMS that a student's enrolment is being deferred or suspended for a period without affecting the end date of the CoE there is no change to the CoE or the student's enrolment status on PRISMS, that is, the student's CoE status will still be listed as 'studying'. However, the notice of deferment or suspension will be recorded in PRISMS and sent on to DOHA. This information will be kept for future reference.

6.4 If Lawson College Australia advises the Department of Education through PRISMS that it is deferring or suspending a student's enrolment for a period which will affect the end date of the CoE PRISMS will cancel the original CoE, and immediately offer Lawson College Australia the opportunity to create a new CoE with a more appropriate end date.

6.5 If Lawson College Australia 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.

6.6 If Lawson College Australia notifies the Department of Education through PRISMS that it wishes to permanently cancel the student's enrolment then once this process is complete, the student's CoE status will be listed on PRISMS as 'cancelled'.

6.7 If the student appeals the decision to defer, suspend or cancel his or her studies, Lawson College Australia will not notify the Department of Education through PRISMS of a change to the student's enrolment status until the internal complaints and appeals process is completed.

7. Record keeping

7.1 All records related to deferral, suspension, cancellation and the assessment of and decision regarding the requests will be kept on the overseas student's file for two years after the overseas student ceases to be an accepted student.

8. Dissemination of information to staff

Relevant staff will be informed of this Policy and Procedure and any subsequent changes will be through an agenda item at a scheduled Quality and Compliance Committee (QACC) Executive meeting, and published minutes, and dissemination by public access of this Policy and Procedure on the Lawson College Australia website – International Student Policies (<https://lawsoncollege.edu.au/international-student-policies/>)

9. References

- [National Code of Practice for Providers of Education and Training to Overseas Students 2018 \(legislation.gov.au\)](https://www.legislation.gov.au)
- <https://www.education.gov.au/esos-framework/resources/standard-9-deferring-suspending-or-cancelling-overseas-students-enrolment>
- [Factsheet_student_written-agreements.pdf \(ombudsman.gov.au\)](https://www.ombudsman.gov.au)

Lawson College Australia	RTO: 40679	CRICOS Provider: 03406J	Version
ESOS	Standard 9	Document Name	Policy & Procedure – Deferring Suspending or Cancelling an Overseas Student Enrolment
			5.0_22022024

- [Education Fact Sheet Title \(internationaleducation.gov.au\)](http://internationaleducation.gov.au)
- [User manual \(internationaleducation.gov.au\)](http://internationaleducation.gov.au)

Procedure

Responsible staff for relevant area (as per Organisational Chart) to process the procedure:

Assess

Review aspects of situation as applied to this policy and any other related policies and specific documentation to be completed (and where relevant advising students of requirements of same as required); including relevant timeframes and any reporting mechanisms.

Plan

Identify strategies and actions to be taken, including timeframe/s and relevant personnel.

Implement

Strategies and take actions in accordance with policy, associated information and documentation required, documentation where necessary

Retain

Documentation in accordance with policy, procedure and practices.

Report

In relation to practice outcomes as related to policy and procedure.

Review

Process with view for continuous improvement including reporting to relevant personnel/Quality and Compliance Committee (QACC).

Document History and Version Control Table

Version Number	Date approved	Approved by	Type of change	Extent
V 1.0	18/09/2013	GRMC	Initial	Initial development
V 2.0	18/09/2015	GRMC	Major	Updated and reformatted
V 3.0	18/01/2018	CEO	N/A	Reviewed and updated in relation to ESOS 2018
V 3.1	24/09/2018	CEO	Minor	Reviewed and updated to reflect changes in legislative arrangements
V 4.0	30/09/2019	QACC	Major	Complete revision with appendix added
V 4.1	23.03.2020	QACC	Minor	Section 2.4 added
V 4.2	15/09/2020a	QACC/CEO	Minor	Added Notes to page one Updated definitions – separated defer, suspend, cancel Added definitions – Cloud Learning @ Lawson, LMS, Distance Learning, Student, Support Person, Social Distancing Changed Section 2.2-2.5
V4.3	28/09/2021	QACC	Minor	Added Procedure to title Added definitions: Scholarship Reimbursement, CRICOS, and more detail and weblinks to other entries. Added additional points in Section 2 and 3 Added Sections 5, 6, 7 Added Procedure Removed reference to flights/boarding passes
V4.4	130102021	QACC	Minor	Added definition – Appeals, Student Course Variation (SCV). Updated other definitions – plagiarism. Removed Notes on page 1 Inserted content – refer to Section 1.13, 1.16, 1.19, 2.2, 2.3, 5.2

Lawson College Australia	RTO: 40679	CRICOS Provider: 03406J	Version
ESOS	Standard 9	Document Name	Policy & Procedure – Deferring Suspending or Cancelling an Overseas Student Enrolment
			5.0_22022024

Version Number	Date approved	Approved by	Type of change	Extent
4.5	27/10/2022	QACC	Minor	Updated definitions: Cloud learning @Lawson, added DoHA website where applicable, DESE, Replaced Scholarship reimbursement with 'Spent Scholarship' and updated content to align with P&P Scholarship and Reward; removed 'social distancing'; updated support person, updated written agreement Inserted Section 7: Dissemination of information to staff. Updated terminology to <i>Policy & Procedure</i> throughout as applicable References now Section 8 – also updated. Updated Footer content Improved formatting as applicable
4.6	22/11/2023	QACC	Minor	Updated definitions: International student, support person. Removed all references to Cloud learning @Lawson in definitions and policy content. Removed all references to Scholarship, spent scholarship, fee waiver, discounts from definitions and policy content. Removed reference/ definition – Distance/ online learning. Section 2.4 e. and 2.5 f. removed specific dates and referred to as per written agreement. Inserted Section 1.20 Updated references Updated Footer Reformatted
5.0	22/02/2024	QACC	Major	Inserted Section 1. Content aligns - Department of Education through PRISMS and related terminology. Reformatted.

Lawson College Australia	RTO: 40679	CRICOS Provider: 03406J	Version
ESOS	Standard 9	Document Name	Policy & Procedure – Deferring Suspending or Cancelling an Overseas Student Enrolment
			5.0_22022024

APPENDIX: *Misbehaviour by the student*

The following information provides information about behaviours that are not deemed appropriate in reference to ESOS Standard 9.3: A registered provider may suspend or cancel a student's enrolment including, but not limited to, on the basis of 9.3.1 misbehaviour by the student.

1. Academic misconduct

- All students are expected to maintain high standards of academic honesty and integrity.
- Academic misconduct is defined as attempts by students to cheat, plagiarise or otherwise act dishonestly in undertaking an assessment task, or assisting other students to do so.
- Students are considered guilty of cheating if they seek to gain advantage by unfair means such as copying another student's work, or in any way mislead a Trainer and Assessor about their knowledge, ability or the amount of original work they have done.

1.1 Lawson College Australia's responsibilities:

1.1.1 Procedural fairness

- a. Students must be treated fairly, with dignity and with due regard to their privacy
- b. Students are to be regarded as innocent of the alleged misconduct until they have either admitted to it or been found by proper inquiry of a student conduct committee to have so behaved.
- c. Past misconduct is not evidence that a student has behaved in the same manner again.
- d. Each case is dealt with on its own merits and according to its own circumstances with the proviso that the first instance of misconduct will be penalised more leniently than subsequent instances of misconduct.

1.1.2 Penalties

- a. Penalties imposed will take into account the nature and the extent of the misconduct
- b. A student's second offence is penalised more severely than their first offence and a third offence will result in exclusion from Lawson College Australia
- c. The following penalties may be imposed: a warning, a reduction in grades, receiving zero for an assessment event, failing the unit, exclusion from Lawson College Australia.

1.1.3 Notification and appeal

- a. Students must be notified in writing of penalties as a consequence of academic misconduct.
- b. Appeals must be lodged in writing with the Registrar within 20 days of the date of the student being notified of the consequence

1.1.4 The grounds for appeal are:

- a. Procedural irregularities, and/or
- b. factual errors on which the decision was based, and which were of such magnitude as to invalidate the decision.

2. General misconduct

- 2.1 Students are expected to respect other students, staff and property so that learning and teaching can take place freely, safely and without impediment due to the misconduct of others.
- 2.2 General misconduct is where a student: acts dishonestly; harasses other students or staff; interferes with students or staff; prevents or disrupts learning; disobeys/fails to comply with contractual or legal requirements; misuses, damages or steals Lawson College Australia's property or the property of others; alters/defaces Lawson College Australia's documents or records; prejudices the good name of Lawson College Australia, or otherwise acts in an improper manner.
- 2.3 Lawson College Australia will report all criminal acts committed by its students to the relevant authorities.
- 2.4 The following examples indicate the kinds of behaviour which constitutes student misconduct but is not an exhaustive list – student misconduct may occur when a student:
 - a. Contravenes any rules or acts.
 - b. Prejudices the good name or reputation of Lawson College Australia.

Lawson College Australia	RTO: 40679	CRICOS Provider: 03406J	Version
ESOS	Standard 9	Document Name	Policy & Procedure – Deferring Suspending or Cancelling an Overseas Student Enrolment
			5.0_22022024

- c. Prejudices the good order and governance of Lawson College Australia or interferes with the freedom of other people to pursue their studies, carry out their functions or participate in the life of Lawson College Australia.
 - d. Fails to comply with conditions agreed in the contract.
 - e. Wilfully disobeys or disregards any lawful order or direction.
 - f. Refuses to identify him/herself when lawfully asked to do so by an officer of Lawson College Australia.
 - g. Fails to comply with any penalty imposed for breach of discipline.
 - h. Misbehaves in a class, meeting or other activity under the control or supervision of Lawson College Australia, or on Lawson College Australia premises or other premises to which the student has access as a student of Lawson College Australia.
 - i. Obstructs any member of staff in the performance of their duties.
 - j. Acts dishonestly in relation to admission to Lawson College Australia.
 - k. Knowingly makes any false or misleading representation about things that concern the student as a student of Lawson College Australia or breaches any of Lawson College Australia's rules.
 - l. Alters any documents or records.
 - m. Harasses or intimidates another student, a member of staff, a visitor to Lawson College Australia, or any person while the student is engaged in study or other activity as Lawson College Australia's student, because of race, ethnic or national origin, sex, marital status, sexual preference.
 - n. Breaches any confidence of Lawson College Australia.
 - o. Misuses any facility in a manner which is illegal, or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from Lawson College Australia premises while acting as a Lawson College Australia student, in a manner which is illegal or which is or will be detrimental to the rights or property of others.
 - p. Steals, destroys or damages a facility or property of Lawson College Australia or for which Lawson College Australia is responsible; or
 - q. Is guilty of any improper conduct.
- 2.5 Procedural fairness
- a. Students must be treated fairly, with dignity and with due regard to their privacy
 - b. Students are to be regarded as innocent of the alleged misconduct until they have either admitted to it or been found by proper inquiry of a student conduct committee to have so behaved.
 - c. Past misconduct is not evidence that a student has behaved in the same manner again.
 - d. Each case is dealt with on its own merits and according to its own circumstances with the proviso that the first instance of misconduct will be penalised more leniently than subsequent instances of misconduct.
- 2.6 Penalties for general misconduct
- a. Penalties imposed will take into account the nature and the extent of the misconduct.
 - b. A student's second offence is penalised more severely than their first offence and a third offence will result in exclusion from Lawson College Australia.
- 2.6 The Director may impose the penalty of permanent exclusion from Lawson College Australia in the case of physical or verbal abuse of students or staff of Lawson College Australia, repeated or severe misconduct, or in the case of criminal acts.
- 2.7 Students must be notified in writing of penalties as a consequence of general misconduct.
- 2.8 The grounds for appeal are:
- a. Procedural irregularities, and/or
 - b. Factual errors on which the decision was based, and which were of such magnitude as to invalidate the decision.
- 2.9 Appeals must be lodged in writing to the Registrar within 20 working days of the date of the student being notified of the consequence.

Lawson College Australia	RTO: 40679	CRICOS Provider: 03406J	Version
ESOS	Standard 9	Document Name	Policy & Procedure – Deferring Suspending or Cancelling an Overseas Student Enrolment
			5.0_22022024