



Deferment and Leave of Absence Procedure (ESOS Specific)

1. POLICY AGREEMENT SUPPORTED

Deferment and Leave of Absence Policy

2. DEFINITIONS

2.1 **Cancellation:** CoE is cancelled. Student must re-apply for program if they wish to continue study.

2.2 **Compassionate or compelling Circumstances* (*Professional judgement to assess each case on its merits):** : Circumstances generally beyond the student's control and have an impact on the student's health, wellbeing or ability to study

- Where a student does not receive their student visa in time to arrive at the college to commence study.
- Serious illness or injury – where a medical certificate states the student was unable to attend classes.
- Bereavement of close family members such as parent, grandparent, sibling, spouse, child (death certificate should be provided).
- Major political upheaval or natural disaster in home country requiring emergency travel and this has impacted on the students studies.
- A traumatic experience i.e. involvement in or witnessing of a serious crime or accident and this has impacted on the student (police or psychologists report to be provided).
- Where the Registered Provider was unable to offer a pre requisite course/unit.
- Other reasons may be considered but must have documentary evidence to support the claim.

2.3 **CoE:** Confirmation of Enrolment

2.4 **Deferment:** A request by the student prior to the commencement of study of their program to temporarily postpone study. (Student initiated).

2.5 **DIAC:** Department of Immigration and Citizenship

2.6 **ESOS:** Education Services for Overseas Students Act 2000

2.7 **Leave from Studies:** A request by the student to temporarily postpone study after the commencement of their program. (Student initiated).

2.8 **Non Compelling or Non Compassionate Circumstances**

- Difficulties in adjusting to living in Australia
- Difficulties adjusting to academic life
- Relationship problems
- Financial difficulties (Deferral / leave from studies due to lack of funds is not accepted by DIAC as a compassionate or compelling circumstance to defer for a semester. It is a condition of a student visa that students have access to funds to cover the tuition fees and cost of living for the duration of their student visa.
- Travel or employment opportunities
- Family or customary obligations such as weddings of a relative or friend

3. PROCEDURAL DETAILS

	STEPS	WHO IS RESPONSIBLE?	COMMENTS
1	Request for Leave from Studies for a full semester or longer. <i>Deferment request (Refer point 8 & 9)</i>	Student	Must be in writing using the Application for Leave from All Studies Form. Additional documentation to support application must be lodged with form.
2	Receipt of Application for Leave from Studies form	Course Coordinator	Course Coordinator will provide student with a dated receipt when form lodged. Course Coordinator will forward form to Director for assessment. Course Coordinator may attach recommendation to the student's form.
3	Assessment for Leave from Studies.	Director	Approval can only be given in accordance with defined compassionate or compelling circumstances. Where a student wishes to take a break from their studies but does not have compassionate or compelling circumstances the student will need to withdraw and re-apply when they are ready to return to study. The Director may delegate approval for Course Coordinator to assess applications for short term leave from studies. Refer Short term leave from studies below.
4	Approval / Decline of Leave of Studies.	Director	
5	Notification is provided to Student of decision.	Director/ HoP Manager International	Records to be maintained of the provision of notification and information provided to student. Information provided to International student to include: their visa may be affected as a result of the Leave of Studies and DIAC contact details
6.	Approved signed form is sent to Student Administration and copy of form sent to Course Coordinator	Director/HoP	The Director/HoP retains a copy of the form.

7	Form is processed. Change to CoE reported via student information management system	Student Administration	Processed form is kept by Student Administration.
8	Deferment of commencement of program	Student	Students requesting a deferment will contact the Director/HoP International students requesting a deferment due to not receiving their student visa in time to commence their program for the current semester or other compassionate or compelling reasons will contact the Manager International and request a new CoE for the following semester.
9	Deferment approved	Director/HoP Manager International	When approved Director or HoP/ Manager Higher Education International will issue new offer & acceptance agreement and re-issue CoE with new commencement date. New commencement date will be recorded in student information management system

Note:

- International students should check with DIAC before applying for leave of studies or withdrawing from all studies. In most cases students will be required to go back to their home country while on leave from studies.
- While the College may allow a leave from studies for more than 6 months under certain limited circumstances, DIAC may not recognise it and act to cancel the student's visa. DIAC have limited and strict conditions for extensions to student visas.
- The College, via TAFE International WA (TIWA), will record the dates of the leave of study on the student file and notify the Secretary of DEEWR^[1] via PRISMS^[2] where the students' enrolment is deferred, temporarily suspended or cancelled.

Leave from studies for compassionate or compelling circumstance

Returning students who wish to enrol or commence classes after the last date allowed for the semester, must apply for leave from studies and have the leave approved prior to commencement of the semester unless circumstances out of the control of the student prevents this from occurring. Student Administration will inform students of the last date to enrol for the semester.

^[1] Department of Education, Employment and Workplace Relations

^[2] Provider Registration and International Student Management System

Students who wish to take leave from studies during a semester must apply for leave from studies prior to taking leave unless a circumstance out of the control of the student prevents this from occurring.

An approved leave from studies on the grounds of compassionate or compelling circumstance is leave will normally not affect the length of an international student's visa. Student Administration will notify DIAC, via TIWA, that the student's course of study is temporarily suspended.

When assessing leave from studies application the Director /HoP and Course Coordinator will consider the number of classes the student will miss during the leave from studies period and how it will affect the student's results at the end of the semester.

Appropriate documentary evidence with a statement of the compassionate and compelling circumstances should be lodged by the student at the same time as the Leave from Studies request.

When assessment of a leave from studies application is assessed under the compassionate or compelling definition, it is not necessary for Student Administration to make changes in student information management system unless advised at a later date by the HoP that the student did not return to study in current semester. Copy of approved form or letter must be held in student's file.

Leave from studies for non compassionate or non-compelling circumstance (International students)

The College will inform DIAC, via TIWA, that student's studies have ceased if

- Leave has been granted and there are no compassionate and compelling circumstance
- The student does not provide appropriate appropriate documentary evidence that compassionate or compelling circumstances exist.

The CoE will be cancelled and the student visa is subject to cancellation. The student will have 28 days from the start of leave to depart Australia or make other visa arrangements with DIAC.

Version. No.	Approved/ Amended/ Rescinded	Date	Approval Authority	
1.1	Approved	19 Aug 2016	HE Standing Committee	Changes to reflect new corporate structure