

Deferral, suspension and cancellation of study Policy – International Students

1. POLICY STATUS AND DETAILS

Policy Number	NAP_011_1
Approving Authority	NIDA Academic Board
Date Implemented	August 2022
Current Version	NAP_011_01_AB_08_2022
Date of Review	January 2024
Contact Officer	Director Learning and Innovation
Related Policies, Procedures and Documents	<p>NIDA Code of Conduct and Student Charter</p> <p>Misconduct Policy and Procedure</p> <p>Academic Complaints and Appeals Policy</p> <p>Non-Academic Complaints, and Appeals Procedure</p> <p>International Student Transfer Policy and Procedure</p> <p>Fee Policy – International students</p> <p>NIDA Academic Calendar</p> <p>Fee Schedules</p> <p>Student Handbook</p> <p>Admissions Policy</p> <p>Academic Progression and Intervention Policy</p> <p>Privacy Policy</p>

2. DEFINITIONS

Term	Definition
Accredited course	A program that is recognised under the Australian Quality Framework (AQF) and is registered with one of the two main regulatory agencies, being TEQSA (Tertiary Education Quality Standards Authority) for Higher Education and ASQA (Australian

Skills Quality Authority) for Vocational Programs. An accredited course is one that leads to the conferral of a degree or the award of a certificate or diploma.

Assessment A systematic process for evaluating student learning. It may be formative or summative, graded or ungraded and includes the design, development and implementation of tasks and the evaluation and recording of a student's performance against the set criteria.

Credit A process that provides students with agreed and consistent credit outcomes for completed components of a course of study based on identified equivalence in content and learning outcomes between matched courses of study.

Documentary Evidence Certified transcripts, portfolios, references, work statements, photographs, Curriculum Vitae, referees.

Compassionate or Compelling Circumstances Compassionate or Compelling Circumstances are those that are outside of the control of the student, and which have an impact on the student's course progress or wellbeing.

- These could include, but are not limited to: Serious illness or injury, where a medical certificate states that the student was unable to attend classes.
- Bereavement of close family members such as parents or grandparents.
- Major political upheaval or natural disaster in the student's home country requiring emergency travel and this has impacted on the student's studies; or
- A traumatic experience; or
- Inability to begin study on the course commencement date due to the delay in receiving a student visa.

International Student A student who is the citizen of a country other than Australia who is studying in Australia on a student visa.

PRISMS Provider Registration and International Students Management System (PRISMS). A government portal for providing education providers with the Confirmation-of-Enrolment (CoE) and reporting facilities required for compliance with the Education Services for Overseas Students (ESOS) Legislation.

Show Cause The student is given the opportunity to provide an explanation and provide any supporting evidence they feel is required to explain why they should be given an opportunity to continue their studies or in the case of exclusion to explain how they are ready to return to NIDA studies.

Student An individual who has enrolled in an accredited program.

3. SCOPE

This policy and procedure covers any deferral, suspension, or cancellation of enrolment in an accredited course actioned by NIDA or an international student.

4. PURPOSE

To set out the framework, responsibilities, and consequences for changes to an international student's enrolment in their NIDA course.

5. PRINCIPLES

The principles underlying the Deferral, suspension, and cancellation of study – International Policy are that policies and procedures are:

- Compliant with the National Code and the ESOS Act 2000.
- Compliant with the Higher Education Standards Framework.
- Designed to maintain the integrity and reputation of NIDA's accredited courses.
- Fair and equitable.

6. POLICY

6.1 Successful international applicants and deferral of an offer

6.1.1 Deferral of the offer of a place is not permitted. Successful applicants unable to take up an offer must re-apply for admission the following year. There is no guarantee of the offer of a place in a future year.

6.2 Deferral – enrolled and studying international students

6.2.1 Enrolled international students who have commenced their studies may be permitted to defer their studies under compassionate or compelling circumstances.

Compassionate and compelling circumstances may include:

- Protracted illness.
- Family reasons.
- Obligations to military or extended jury service.

Compassionate or compelling circumstances are unusual or uncommon and could not be foreseen before the census date.

If students believe they meet the criteria for these circumstances, they must fill in an application to Defer stating reasons for deferring and include any relevant supporting documentation.

6.2.2 Deferments may only be granted for a maximum period of one year. No further deferrals will be granted if a student has already deferred admission for the maximum period of one year.

6.2.3 Approval of deferral can only be granted by the NIDA CEO or their nominated delegate.

6.3 Withdrawal from NIDA to transfer to another registered provider

6.3.1 Withdrawal to transfer timeframe

An international student may not withdraw to transfer to another registered provider within the first six (6) months of the commencement of the course without requesting a release letter. The International Student Transfer Policy covers the process of withdrawing to attend studies at another registered provider.

6.3.2 Withdrawing before the census date

Students must complete the Withdrawal Form on the NIDA website. All fees, loans and fines must be paid, all borrowed books and journals returned to the NIDA Library and the University of New South Wales Library, and all equipment returned. The relevant course census date is the last date for students to withdraw from NIDA and receive a refund of any tuition fees for which they are eligible.

6.3.3 Withdrawing after the census date

- a. If a student withdraws after the census date, the student is responsible for the tuition fees for the study period. Students that have withdrawn after the census date are not eligible for a refund.
- b. An undergraduate student will have "Withdrawn" registered on their academic transcript providing the withdrawal takes place no later than one calendar month after the census date in the relevant semester. If a student withdraws after that date, a "fail" result will be recorded on the transcript for the relevant subject/s. Applications for refunds post census date are governed by the NIDA refund policy.

6.3.4 PRISMS Reporting

All international student enrolment status changes will be reported to PRISMS and may impact a student's visa. Students must contact the Department of Home Affairs to seek advice on their Student Visa status.

6.4 Maximum time to complete and course cancellation

6.4.1 International students must complete their program of study within the time frame published in the relevant Course Regulations, this being the period for which their Student Visa has been issued.

6.4.2 Failure by international students to complete their program of study within the time frame published and without compassionate or compelling circumstances may result in the cancellation of their enrolment and their Student Visa.

6.5 Abandoning your course and course cancellation

6.5.1 International students who fail to attend without communication for five (5) working days will be considered at risk of being determined to have abandoned their course.

6.5.2 International students at risk of being determined to have abandoned their course will be issued a Show Cause request to explain why they should be allowed to return to studies.

6.5.3 International students who have abandoned their course will have their enrolment cancelled by NIDA.

6.5.4 International students who do not respond to a Show Cause Request within 10 working days, or provide adequate Show Cause will be deemed to have abandoned their course and will be reported through PRISMS, and their student visa cancelled.

6.5.5 Applications for a refund from students determined to have abandoned their course will only be considered for the current study period and only in compassionate or compelling circumstances.

6.6 Expulsion

6.6.1 International students who are expelled under NIDA's Misconduct Policy and Procedure and do not participate in or are unsuccessful in an appeals process will have their course enrolment cancelled. NIDA will notify the Department of Home Affairs of the visa cancellation. Students must contact the Department of Home Affairs and Immigration to seek advice on their Student Visa status.

6.6.2 International students who have had their enrolment cancelled are not eligible for a refund.

6.7 Appeals

An international student can appeal any decision around deferral approval, suspension, or cancellation of enrolment by submitting a Non-Academic Complaints and Appeal form. This appeal process is managed in line with Non-Academic Grievances and Appeal Policy.

7. CHANGE HISTORY

Date	Change Description	Reason for Change	Author	TRIM/CM
May 2022	Reviewed and reworked to align with new policies and processes	Quality Assurance review of all P&P	SSQA	
2014		Review	Student and Staff Services	14/0674
2011	Development of Policy	Policy Creation	Student and Staff Services	

8. CONSULTATION/BENCHMARKING

Benchmarked against policies and practice from a number of higher education providers and other sources.

Relevant policy documents from the following are gratefully acknowledged:

- AFTRS
- UNSW
- Sydney University
- University of Wollongong

Legislation and
Regulatory
Frameworks

[Higher Education Threshold Standards 2021](#)

[Higher Education Support Act 2003](#)

[Education Services for Overseas Students \(ESOS\) Act 2000](#)

[National Code of Practice for Providers of Education and Training to Overseas Students 2018](#)

[Privacy and Personal Information Protection Act 1998](#)

[Standards for Registered Training Organisations \(RTOs\) 2015](#)

[ASQA General Directions](#)
