

Deferral, Suspension and Cancellation Policy

Scope

This policy applies to all prospective and enrolled students (“students”) and staff of each of the Kaplan International Languages National Provider schools (each a “School” and collectively the “Schools”):

- Kaplan International English (Australia) Pty Ltd (ABN 31 003 631 043) is trading as *Kaplan International Languages*.
 - Melbourne – Docklands Dr
 - Sydney - Goulburn St
 - Adelaide – Grenfell St
 - Perth - Hay St
 - Brisbane – Ann St

Purpose

This policy is in place to provide information and guidelines to our students and staff with respect to changes in enrolment. This encompasses the deferral, suspension or cancellation of a student’s enrolment. It outlines the necessary steps to be taken, by both staff and students, during the application, assessment and approval/denial phases of the change of enrolment process, including the Schools’ subsequent reporting requirements via the Provider Registration and International Student Management System (PRISMS).

Policy Statement

Kaplan is committed to a policy of dealing with all changes to student enrolment in a professional, transparent and fair manner. Any deferral, suspension or cancellation action taken, whether initiated by the student or the School, will be carried out in accordance with the requirements of this policy and all relevant legislation. Students will be advised to seek information from the Department of Home Affairs (DHA) on the potential impact to their visa.

Students seeking to change their enrolment will be advised to communicate with Student Services regarding the process and options available, including potential academic and financial consequences of their decision. Any change to a student’s enrolment for any reason whatsoever, whether initiated by the School or the student, must have the written approval of the School Principal. Once the change to the enrolment process is concluded, the student will be advised in writing of the outcome and the School, where necessary, will notify the relevant government departments of the change to enrolment, via PRISMS.

Definitions

The following terms and definitions are applicable to this Policy.

| | |
|------------------------|--|
| AHPRA | Australian Health Practitioner Regulation Agency |
| Cancellation * | The termination of a student's enrolment with the School either before the start date or after the course has commenced |
| CoE | Confirmation of Enrolment |
| Course Progress | The measure of advancement within a course towards the completion of that course |
| Deferral ** | Officially postponing the commencement of a course for a period of time |
| DHA | Department of Home Affairs |
| DOS | Director of Studies |
| NAATI | National Accreditation Authority for Translators and Interpreters |
| PRISMS | The Provider Registration and International Student Management System |
| School/s | Kaplan International Languages School/s |
| Suspension | a period of time during which the student does not participate in his or her program of study, can be initiated by the student or the School |

*In the School's Terms and Conditions of Enrolment, the cancellation of a student's enrolment with the School after the course has commenced is referred to as 'termination'.

** In the School's Terms and Conditions of Enrolment, deferring the commencement of a course for a period of time is referred to as 'postponement'.

Policy Principles

Compassionate or Compelling Circumstances

The Schools understand that on occasion a student may be required to defer, suspend or cancel their studies due to unforeseen compassionate and compelling circumstances. A student wishing to defer or suspend their enrolment may only do so where they can demonstrate certain limited compassionate or compelling circumstances. These are

generally beyond the control of the student and have an impact upon the student's course progress or wellbeing. They could include, but are not limited to:

- serious illness or injury to the student, which must be evidenced by a medical certificate from an AHPRA registered practitioner, stating that the student was unable to attend classes. In exceptional circumstances, or where the student is offshore, other medical evidence may be accepted at the School's sole discretion
- bereavement of a close family member such as a parent or grandparent. This requires, where possible, a supporting document such as a death certificate
- Compelling personal reasons, such as the serious illness of a close family member or other circumstances significantly impacting the student's personal wellbeing
- A natural disaster or a major political upheaval in the student's home country requiring emergency travel by the student and which has been shown to have, or is likely to have, an impact on their studies
- A traumatic experience impacting the student, including involvement in (or witnessing) a serious accident or serious crime. This requires, where possible, a supporting document such as a police or psychologist's report. In exceptional circumstances, or where the student is offshore, other medical evidence may be accepted at the School's sole discretion
- where the School has been unable to offer a course
- inability to begin studying on the course commencement date due to delay in receiving a student visa
- the student's visa being cancelled by DHA due to reasons other than breaching student visa conditions. Evidence could include a visa refusal letter or a visa cancellation notification.

All supporting documents must be written in English or translated into English by a NAATI accredited translator or an appropriate alternative.

When determining whether compassionate or compelling circumstances exist, staff at the School will use their professional judgement and be guided by this policy to assess each case on its individual merits.

It is important to note that compassionate and compelling circumstances **do not** include:

- the student failing to progress adequately in their studies or
- the student's inability to pay tuition fees, as it is a visa condition to have sufficient funds for study and living purposes.

Student Initiated Deferral or Suspension

Students are permitted to defer their enrolment a maximum of two times, (for up to six (6) months at a time), within one year of the original booking date. Students are required to fill in a Change of Enrolment form at this time and need to provide evidence of compassionate and compelling grounds and send the request to StudentServicesAUS@kaplan.com.

If a student wishes to defer outside of this initial twelve (12) month period or suspend their enrolment on compassionate and compelling grounds, they must also complete a Change of Enrolment form, and attach as much independent supporting documentation as possible to support their application, and send the request to StudentServicesAUS@kaplan.com.

These applications may incur a fee and where practical should be made ten (10) working days prior to the effective date. Students will be provided with a dated receipt when the form is lodged and informed of the outcome within ten (10) working days.

Under certain circumstances a student may be allowed to fill in the above-mentioned form retroactively. This is usually possible when circumstances are outside the control of the student, for instance when a student needs to return quickly to their home country due to the sudden death of a close relative. In the case of a student being under 18 years of age, evidence of a parent or legal guardian supporting any request for a change to enrolment must be provided, in accordance with the School's Management and Monitoring of Under 18s Policy.

Note: After the Student has signed their Letter of Offer, deferrals (postponements) can only be approved on compassionate and compelling grounds.

The Schools have a flexible start date; meaning there are no set start or completion dates for a study period, with the exception of the English for Academic Purposes (EAP) course. Given the rolling nature of student commencements, the Schools allow for a study break of up to two (2) weeks in duration during the study period. Students should confirm their study breaks during the process of Admissions and Enrolment; electing to utilise the maximum study break for their course within the approved duration stated on the Confirmation of Enrolment to avoid suspension. However, study breaks are not permitted during EAP course.

School Initiated Deferral

In accordance with the National Code 2018, the School may defer a student's enrolment on the basis of, but not limited to:

- misbehaviour by the student, including academic misconduct and any behaviour of the student which is in breach of the School's Student Code of Conduct or
- in the event that a course is no longer being offered at the agreed start date.

Student Initiated Cancellation

Students wishing to cancel their enrolment with the School should fill out a Change of Enrolment form; please refer to the School's Refund Policy to see how and when refunds will be calculated and paid to the student. Students must ensure that all outstanding fees have been paid at the time of making a request to cancel their enrolment with the School. The School will provide students with a dated receipt when the form is lodged. In the case of a student being under 18 years of age, evidence of a parent or legal guardian supporting any request for a change to enrolment must be provided, in accordance with the School's Under 18 Student Policy.

School Initiated Suspension or Cancellation

In accordance with the National Code 2018 the School may suspend or cancel a student's enrolment on the basis of, but not limited to:

- misbehaviour by the student, including academic misconduct and any behaviour of the student which is in breach of the School's Student Code of Conduct.
- failure to pay fees (either those required to undertake or continue the course as stated in the written agreement)
- failure to arrive to commence the course
- failure to meet minimum attendance requirements
- failure to make satisfactory course progress

School Communication

Before the School suspends or cancels a student's enrolment it will begin a process of written communication with the student. Information provided to the student will include, but is not limited to:

- reasonable warnings where the student is failing to meet one of the above listed requirements to maintain their enrolment
- the reasons why the School is planning to suspend or cancel the student's enrolment
- the fact that the student has 20 working days to access the School's Appeals Process
 - how the student can appeal a decision of the School, both internally and externally
 - the need for the student to seek advice from DHA on the potential impact to their visa
 - timeframes relevant to the process, such as the timeframe within which the school will report the cancellation via PRISMS and
 - how the student can ascertain if they are entitled to a fee refund, and, if they are entitled, how to access it.

Length of Deferral or Suspension

The School permits students to **defer** their studies a maximum of two times, (for up to six (6) months at a time), within one year of the original booking date. Students are required to fill in a Change of Enrolment form at this time and provide evidence of compassionate and compelling grounds and send the request to StudentServicesAUS@kaplan.com.

Each application for deferral will be assessed in accordance with the School's policies and procedures.

The School permits students to **suspend** their studies for a maximum period of twelve (12) months.

When the suspension/postponement is initiated by the school, the period of suspension cannot exceed fourteen (14) days.

Note: Students who are under 18 years of age will continue to attend classes during a period of suspension.

When taking up their studies at a future point in time the student must still meet the School's entry requirements for the course they wish to study and pay additional fees if there has been a change to the School's fee structure.

Time Frame for Notifications

| Action | Information provided | Number of Calendar Days within which the School will contact the Student * | |
|---|--|---|---------|
| There has been a deferral or suspension of the student's studies | . The day the deferment or suspension starts and . The expected duration of the deferment or suspension | Students under 18 years | 14 days |
| | | All other students | 31 days |
| There has been a breach by a student of a condition of a student visa | . Details regarding the breach and possible actions which will follow as a result | Students under 18 years | 14 days |
| | | All other students | 31 days |
| The student's studies are cancelled / terminated- either by the school or the student | . The day the student's studies are cancelled / terminated and . The last day of the student's studies | Students under 18 years | 14 days |
| | | All other students | 31 days |

*The school will contact the student via phone and email and will send a letter to the student's residential address.

Time Frame for Appeal Process

When the Student has initiated a change to enrolment

- Once a decision has been made students are given a written notification of the outcome of the request to change their enrolment status. At this time students are informed of their right to appeal this decision using the appeals processes as outlined in the School's Grievances, Complaints and Appeals Policy.

When the School has initiated a change to enrolment

- Students have the right to appeal a decision by the School to defer, suspend or cancel their studies. Students will have 20 working days to access the School's internal complaints and appeals process.

Throughout the internal appeal process the School will maintain the enrolment of the student, and **will not** notify the relevant government departments, via PRISMS, of a change to the enrolment status, **unless** there is likely to be a risk to:

- the student's health or wellbeing, or
- the wellbeing of others.

Instances where the health and/or wellbeing of the student and/or others is put at risk can include, but is not limited to, when the student:

- has medical concerns, severe depression or psychological issues which lead the School to fear for the student's wellbeing
- has engaged in, or threatens to engage in, behaviour that is reasonably believed to endanger the student or others
- refuses to maintain approved care arrangements (only for students under 18 years of age) or
- is at risk of committing a criminal offence.

If a student is not successful in the School's internal complaint handling and appeals process, they will be advised, within 10 working days of concluding the review, of their right to access an external complaint handling and appeals process. This external process will be provided at minimal or no cost to the student. See the School's "*Grievances, Complaints and Appeals Policy*" at <https://www.kaplan.edu.au/kaplan-international-languages/>.

For students over the age of 18 years, the School is only required to maintain their enrolment during this external appeal process if the suspension or cancellation has been initiated due to the student's failure to meet minimum attendance requirements and/or make satisfactory course progress. For students over the age of 18 years who have been suspended for other reasons, such as disciplinary reasons, the School is **not** required to maintain their enrolment during the external appeals process, and their change in enrolment may be reported to DHA.

For students under the age of 18 years, the School is required to maintain their enrolment during any internal and external appeal process. (see the School's Under 18 Student Policy for further information).

The School will notify the relevant government departments of any change to enrolment via PRISMS.

Record Keeping

In all cases of deferment, suspension or cancellation of a student's enrolment, whether initiated by the School or by the student, records will be maintained in accordance with the requirements set out in the School's Record Management Policy.

Responsibilities

This policy will be implemented and communicated throughout the Schools using the following strategies

- Kaplan's intranet
- Internal circulation to staff
- Staff professional development.

Complaints and Appeals

Students who are dissatisfied with the application of this Policy by the School may refer to the School's Grievances, Complaints and Appeals Policy for information regarding their options.

Relevant Legislation and Policies

As a registered education provider, Kaplan International Languages operates under strict laws and regulations. Policies and procedures are in place to ensure compliance with such laws. Below, please find the most relevant legislation which apply to this policy:

- Education Services for Overseas Students (ESOS) Act 2000
- The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018
- Education Services for Overseas Students Regulations 2019
- ELICOS Standards 2018
- Department of Home Affairs.

Related Policies and Documents

This Policy should be read in conjunction with the following Kaplan policies available on the Company's Intranet:

- Kaplan Record Management Policy.

and the following School specific policies at:

<https://www.kaplan.edu.au/kaplan-international-languages/>

- Admissions and Enrolments Policy

- Change of Enrolment Form
- Course Attendance Monitoring and Intervention Policy
- Course Progress Monitoring and Intervention Policy
- Completion Within Expected Course Duration of Studies Policy
- Grievances Complaints and Appeals Policy
- Refunds Policy
- Terms and Conditions of Enrolment
- Under 18s Policy.

Version Control and Accountable Officers

It is the joint responsibility of the Implementation Officer and Responsible Officers to ensure compliance with this policy.

| Policy Category | Operations | | | |
|-------------------------------|---|--|----------------------|-----------------------|
| Responsible Officers | Operations Support Manager ANZ | | | |
| Implementation Officer | Student Services Manager and Admissions Manager | | | |
| Review Date | July 2024 | | | |
| Approved by: | | | | |
| Policy Committee | | | | |
| Version | Authored by | Brief Description of the changes | Date Approved | Effective Date |
| 2.0 | Kaplan Australia Quality, Regulations and Standards Team. | Revised Policy | 09/07/2020 | 30/07/2020 |
| 2.1 | Quality, Regulations and Standards Team | Immaterial changes to locations under one provider | 14/06/2022 | 14/06/2022 |
| 2.2 | Quality, Regulations and Standards Team | Immaterial changes to one provider and weblink | 21/10/2022 | 21/10/2022 |