

DEFERENTIAL, SUSPENSION, WITHDRAWAL AND EXCLUSION PP

Standard 9 ESOS Code of Practice 2018 / RTO Standards 2015

1.0 POLICY

Domestic students and overseas students whilst they are in Australia are able to initiate deferral, suspension or withdrawal from their studies only in the circumstances as described in the below procedure.

The College or LCAD may suspend students due to misbehaviour, which can also be grounds for cancellation of enrolment.

Students have the right to appeal a decision to defer, suspend or cancel their studies and LCAD will not notify PRISMS for overseas students on a study visa of a change to the enrolment status until the internal complaints and appeals process is completed, if it is engaged. Students still have the option to challenge the College's decision by external adjudication through the AUSTRALIAN MEDIATION ASSOCIATION (AMA). Students are able to continue their studies, if they chose to, until the appeals process has been exhausted.

2.0 PROCEDURE**2.1 STUDENT DEFERS THEIR STUDIES**

1. A student wishing to defer an enrolment must do so prior to the commencement of the course. Students must contact administration to obtain and complete the [S14 Deferral, Suspension or Withdrawal Application](#) and submit it to the college administration.
2. You are eligible to defer your study if you have been formally offered a place in the courses at Latrobe College of Art & Design and you have not already enrolled in this program; you have not previously deferred this offer, and you are an Australian or New Zealand citizen or a Permanent Resident of Australia or holder of a Humanitarian visa.

Note: If you have already enrolled and wish to suspend or vary or withdraw from your study, you must contact the Course Coordinator as soon as possible and complete and submit the [S14 Deferral, Suspension or Withdrawal Application](#).

3. All applicants seeking to defer their course must complete and return this form by the end of January or end of April or mid August if they are deferring the next trimester they are due to start.
4. Applicants deferring an offer are granted up to a 12 month deferment i.e. you will commence study one year from the Deferment date. The student is to make contact with the College 2 months prior to the starting to indicate they will be confirming their place in the course.
5. Applicants can choose to take up their deferred place earlier, ie the student deferring their study in first trimester may wish to return at any trimester start stage. Students will still need to contact the college 2 months before trimester starts to advise the college they will be commencing their studies.
6. Latrobe College regularly reviews its programs to ensure content is current and responsive to changes in industry and cannot guarantee that all programs will be available for commencing students or that program content, including courses, has not been altered during the period for which an applicant has deferred commencement of their studies. In such cases, the College will negotiate alternative study options with the applicant.
7. Fees are reviewed annually by the College. An increase in the course fees may take place for any applicant deferring their study or progressing in their studies. Applicants should check the College's website at www.LatrobeCollege.edu.au at the end of December each year for indications of change.
8. Applicants must enrol by the end of January or end of April or mid August, depending on which trimester they wish to enter or their offer from the college cannot be guaranteed.
9. Applicants must inform the college by email admin@LatrobeCollege.edu.au of any change of address as soon as possible.
10. The student's course deposit must be completed and paid in full by end of January or end of April or mid August, depending on which trimester they wish to enter, if the student is funding their course directly otherwise the college cannot promise the student that it can hold their place in the course.
11. Latrobe College offers up to one year deferment for all commencing students. Students must keep in mind that although study can be deferred the enrolment fees for the minimum enrolment period of one trimester must be paid as arranged.
12. All applications to defer, suspend or withdraw their enrolment will be kept on the student's file. PRISMS must be notified for overseas students on a study visa of a student's application or wish to suspend their studies.
13. The college reserves the right to change or make alterations to its courses. This may affect students electing to defer from their studies. For instance subjects or courses may be changed or withdrawn.

2.2 WITHDRAWAL

If after commencement the student wishes to withdraw, they must do so by completing and submitting to the college a completed [S14 Deferral, Suspension, Withdrawal Application](#) from admin. The date the college receives this form is the official date of withdrawal or change to enrolment. The student must themselves check that the college has received the form.

Any dispute regarding deferrals and payments and refunds must be documented in writing by the student and follow the procedures outlined in the College's [S27 Complaints Academic Grievance PP](#). There is a \$1500 cancellation fee for overseas students on a study visa withdrawing from their course, after they start and before the end of their first 6 months.

2.3 REFUNDS

See the college's refund policy for International Students, Domestic full-time and part-time Fee paying and VSL enrolled students, as well as single subject informal students. See [S15 REFUNDS PP](#) and [S11.1 FEES & TUITION ASSURANCE PP](#)

2.4 SUSPENDING ENROLMENT

- a) Where a **Suspension of Enrolment** is granted, the College will suspend an enrolment for an agreed period of time - to a maximum of 12 months. If the suspension is required for longer than 12 months the student shall have to re-apply once the initial suspension period has expired.
- b) If an overseas student has suspended their enrolment for a period of 28 days or longer, the student must return home (unless special circumstances exist). Please refer all questions about whether students may remain in Australia during a period of suspension of enrolment to PRISMS.
- c) Students are to be informed in writing of the outcome of their application and informed that it may affect their student study visa in Australia (if they are studying under a student study visa).
- d) All application documentation will be kept on the students file.
- e) Students suspending their studies in the middle of trimester will be unable to re-join at the point of the program in which they stopped. They will need to restart course or Units of Study at the beginning of that unit – normally at the start of a trimester. Fees that may have already paid for a partial trimester study will be forfeited. The Course Coordinator may make a judgement enabling a student to recommence their studies at a mid-trimester point in extraordinary circumstances.
- f) The college charges students fees in trimester blocks. The fees paid are allocated to funding staff, equipment, classrooms and administration for the student's tuition and are immediately consumed in full at the beginning of an individual student's study trimester. If the student suspends or withdraws from their studies at any point mid trimester, the fees paid to that point have already been consumed and cannot be refunded. Fees paid for the students tuition after the date of suspension is retained by LCAD as credit to be used when the student recommences their study. There no refund to students who have paid their trimester fees but wish to withdraw.
- g) In Suspension of Enrolment the student must understand that many units at LCAD may not be available in the following trimester but may only be available in the following year. For instance, Painting A only runs in the Feb-May Winter trimester of each year.
- h) The college reserves the right to change or make alterations to its courses. This may effect students electing to Suspend or Defer from their studies. For instance subjects or courses may be changed or withdrawn.
- i) It is accepted that a student is enrolled in the course for the full 1 year once they have started their enrolment. All students must complete Re-Enrolment Form each trimester for the college to maintain up-to-date student contact details and to manage any possible variation of enrolment.
- j) Variation of Enrolment can only be applied for before the following trimester begins.
- k) An enrolment period is limit to no more than one trimester.

3.0 DOMESTIC STUDENT & VET STUDENT LOANS CHANGES TO ENROLMENT CONDITIONS

VET Student Loans conditions of enrolment cover all students who qualify for VET STUDENT LOANS regardless of whether they elect to defer their tuition fees through VET Student Loans or pay directly to the college. It does not cover International Students or students enrolled in a Single Subject (except in cases where a student is full-time or part-time and through circumstances is only enrolled in one unit of study in a particular trimester).

3.1 Students have until Census day to continue or to withdraw from their program without incurring a FEE-HELP debt.

3.2 CENSUS DAY

For domestic full-time and part-time fee paying and VSL enrolled students see details regarding Census day
See [S11.6 STUDENT ACCESSING VSL PP](#)

3.3 A [S14.2 Deferral, Suspension or Withdrawal Application](#) must be completed by the student for any change or adjustment to their enrolment. The date the application is received by the college is the date of the Application to change, suspend or withdraw or cancel their enrolment. It is the student's responsibility to check with the college that it has received the Application in time.

4.0 TRANSFERRING TO ANOTHER PROVIDER

Overseas students have restrictions if they wish to cancel their enrolment prior to completing 6 months of study in their principal course to wish to transfer to another provider and must apply to LCAD with details of why they wish to transfers and details of the college they wish to transfer to. They must also provide a Letter of Offer from the alternative provider. This process will require the student making formal enrolment application to the alternative provider. LCAD has the right to accept or reject the student's application will issue an S17 Acceptance Letter or S17 Rejection Letter to the student based on all the details it has about the students circumstances. See [S17 STUDENT TRANSFER BETWEEN PROVIDERS PP](#).

Transferring request by an overseas student under a study visa must be reported to PRISMS.

- (a) All application documentation for the cancellation of enrolment will be kept on the students file and for overseas students on a study visa, PRISMS must be advised of the decision to cancel the student's enrolment as a result of the student's request.

5.0 LCAD CAN SUSPEND OR CANCEL A STUDENTS ENROLMENT

The College can suspend or cancel a student's enrolment on the grounds of misbehaviour, misconduct, unsatisfactory course progress, adequate attendance on non-payment to the college of their tuition fees.

- 5.1 Misbehaviour or misconduct may include, but is not limited to, acts of discrimination, sexual harassment, and vilification or bullying as well as acts of cheating or plagiarism.
- 5.2 Payment of student fees, including the timing and deadlines of due payment dates are critical to the contract between the student and the college as agreed to in the [S10 AGREEMENT ACCEPTANCE FORM](#) signed by the student. If the college has issues with

the student in regards to late or non-payment of fees it has the right to revoke the student's enrolment. Correspondence in writing or email and adequate notice or warnings by the college, with availability given to the student to access the college's Complaints and Appeals Policies and procedures is essential if the college is to pursue this action.

- 5.3 Serious cases of unsatisfactory course progress, habitual incompleteness/ failing of Units of Study, low or intermittent attendance can also lead the college to take action with the student that may lead to the student's expulsion from their course. The college use its S21 Monitoring of Course Progress & Intervention PP / MCI 7 Student Monitoring / S22 Intention to Report Student / S22 Student Warning Attendance letter / or Student Warning Academic Progress letter / S29 Assessment & Re Assessment PP / S29.2 Re-Assessment Student Handout PP / S24 Fair Treatment PP.

6.0 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 students' work, or in any way mislead a lecturer or tutor about their knowledge, ability, or the amount of original work they have done.

6.1 STUDENT'S RESPONSIBILITIES:

Exams

Students must not help or receive assistance from other students

- b) Students must not request the loan of or lend materials or devices to other students
- c) Students must not bring any materials into the examination room other than those specified for that examination
- d) Students must not use computer software or other devices during an examination other than those specified.

A student may be excluded from a final examination in a unit for any of the following reasons:

- a) Unauthorised absence from class.
- b) Failure to meet unit requirements, for example non-submission of assignments or failure to attend class or present work or complete Knowledge Tools or attend and present Folio Week.
- c) Academic misconduct
- d) General misconduct (see below)

Other Assessment Tasks

- a) Students must not copy or paraphrase any document, audio-visual material, computer-based material or artistic piece from another source except in accordance with the conventions of the field of study
- b) Students must not use another person's concepts, results or conclusions and pass them off as their own
- c) In cases where the assessment task is intended to be individual work not group work, students must not prepare an assignment collaboratively and then submit work that is substantially the same as another student's assessment.
- d) Students must not ask another person to produce an assessable item for them.

7.0 LCAD'S RESPONSIBILITIES

Treatment of Student

Students must be treated fairly, with dignity and with due regard to their privacy
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 the student conduct committee to have so behaved.
Past misconduct is not evidence that a student has behaved in the same manner again.
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.

7.1 Penalties

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

7.2 Notification and Appeal

- a) Students must be notified in writing of penalties as a consequence of academic misconduct
- b) The grounds for appeal are:
- c) Procedural irregularities, and/or
- d) Factual errors on which the decision was based and which were of such magnitude as to invalidate the decision
- f) Appeals must be lodged in writing with the Course Coordinator within working 20 days of the date of the student being notified of the consequence.

8.0 GENERAL MISCONDUCT

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.

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 from the College property or the property of others; alters/defaces Institute documents or records; prejudices the good name of the College, or otherwise acts in an improper manner.

8.1 Breaches of Australian Laws

The College is required to report all breaches of Australian laws by student.
Including some of the following:

- a) Contravenes any rules or acts;
- b) Prejudices the good name or reputation of College;
- c) Prejudices the good order and governance of the College or interferes with the freedom of other people to pursue their studies, carry out their functions or participate in the life of Institute;

- 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 or herself when lawfully asked to do so by an officer of Institute;
- 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 College, or on College premises or other premises to which the student has access as a student of the College;
- i) Obstructs any member of staff in the performance of their duties;
- j) Acts dishonestly in relation to admission to the College;
- k) Knowingly makes any false or misleading representation about things that concern the student as a student of College or breaches any of College's rules;
- l) Alters any documents or records;
- m) Harasses or intimidates another student, a member of staff, a visitor to Institute, or any other person while the student is engaged in study or other activity as an Institute student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- n) Breaches any confidence of the College;
- 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 the College premises while acting as an College 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 Institute or for which the College is responsible; or
- q) Is guilty of any improper conduct.

9.0 Determining 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 the College.

9.1 If the student admits to the alleged misconduct, the Course Coordinator may impose one or both of the following:

- a) A charge for the cost of damage to facilities and equipment
- b) Temporary exclusion from the College.

The Course Coordinator may with impose the penalty of permanent exclusion from the College in the case of physical or verbal abuse of students or staff of the College, repeated or severe misconduct, or in the case of criminal acts.

10.0 STUDENT APPEAL

- a) Students must be notified in writing of penalties as a consequence of general misconduct
- b) The grounds for appeal are:
 - Procedural irregularities, and/or
 - Factual errors on which the decision was based and which were of such magnitude as to invalidate the decision
 - Appeals must be lodged in writing with the Course Coordinator within 20 working days of the date of the student being notified of the consequence. The process will commence within 10 working days from the date of receipt of the student's appeal.

11.0 PROCESSING AND RECORDING DEFERMENTS, SUSPENSION OR CANCELLATION OF ENROLMENTS

- a) All applications of deferments and outcomes are to be kept on the students file.
- c) All reports of misconduct, decisions and actions taken in relation to misconduct, and other related documentation must be kept on file.
- d) Any decisions to initiate deferral, suspension or cancellation of an enrolment of an overseas student on a study visa must be reported to PRISMS.
- e) Students are to be kept informed of any decisions or outcomes that relate to a deferment, suspension, or cancellation of enrolments.
- f) All students are to be given the opportunity to access the college's Complaints and Appeals procedure before reporting any provider-initiated suspensions or cancellations of enrolments. The students have 20 working days to lodge an appeal.
- g) Where a student decides to access this procedure within 20 working days of notification the College must wait until the process has finished before going ahead with the reporting of the student's enrolment changes to PRISMS if they are studying at LCAD as an overseas student on a study visa.

12 Extending Course Duration

If the student restores and re-engages with the course with the college's approval they may be behind schedule in completing their studies on time, or they have been approved by the college to suspend their studies for a period. In this case the student can apply to the college, an email request is accepted, to extend their course duration.