POLICY AND PROCEDURE FOR DEFERRAL, CANCELLATION AND EXCLUSION

Students are able to defer or temporarily suspend their studies during their course only in certain limited circumstances.

Students may also have their enrolment deferred or suspended due to misbehaviour which can also be grounds for cancellation of studies.

ANC must:

1) Inform the student that deferring, suspending or cancelling his or her enrolment may affect his or her visa and
2) Notify the Secretary of DEST via PRISMS as required under section 19 of the ESOS Act where the student’s enrolment is deferred, temporarily suspended or cancelled.

Students have the right to appeal a decision by the College to defer, suspend or cancel their studies and the College will not notify DEEWR of a change to the enrolment status until the internal complaints and appeals process is completed.

Deferring a term/semester
Students who would like to defer their studies must first speak to Student Administration. A Deferment and Allowable Suspension of Studies Claim Form must be completed which will need to be approved by the Student Administration. Prior to applying to defer their program Students must ensure that they have paid any outstanding fees/fines.

Deferral of studies by international Students is permitted only in compassionate or compelling circumstances such as serious illness, death in the family or for some other reason. Students will be required to provide evidence of the compassionate or compelling circumstances. The procedure can be summarised as follows:

- Student fills the Deferment and Allowable Suspension of Studies Claim Form and then submits it to the Student Administration Officer/ Frontline Services Officer.
- The form is then forwarded to the Campus Officer who arranged an appointment with the student.
- The student is required to bring any supporting documentation to the meeting.
- The Campus Officer then assess the situation and evidence and if the application is approved the documents are kept on the student file and student is asked to contact the Course Coordinator to arrange a study plan if required to make up for the classes missed during deferment period.
- A letter is then sent to the student informing the student that deferring, suspending or cancelling his or her enrolment may affect his or her visa.
- The Secretary of DEST is notified via PRISMS as required under section 19 of the ESOS ACT where the student’s enrolment is deferred, temporarily suspended or cancelled.

Suspension and Cancellation of Student enrolment

ANC
CRICOS: 03009M
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TOID: 22134
Approved: QA Manager Next Review: October 2009
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V1008.doc
If a suspension or cancellation is not initiated by the student then, ANC must also inform the student of its intention to suspend or cancel the student's enrolment and also that he or she has 20 working days to access ANC's internal complaints and appeals. If the student accesses ANC's internal complaints and appeals process, the suspension or cancellation of the student's enrolment cannot take place until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply.

**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/Assessor about their knowledge, ability, or the amount of original work they have done.

**A Student's responsibilities:**

1. 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.

**B. The College's responsibilities:**

**Procedural fairness**

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

**C. Penalties**

1. Penalties imposed will take into account the nature and the extent of the misconduct.
2. Penalties imposed will take into account the Students' stage in the program.
3. Penalties imposed will take into account the conventions of the field of study.
4. A Student's second offence is penalised more severely than their first offence and a third offence will result in exclusion from the College.
5. Some of the penalties that may be imposed include but is not limited to: a warning, a reduction in grades, receiving a Not Competent for an assessment event, failing the unit, exclusion from the College.
Notification and appeal

1. Students must be notified in writing of penalties as a consequence of academic misconduct. If a student’s enrolment is being cancelled or suspended ANC must also inform the student of its intention to suspend or cancel the student’s enrolment and also that he or she has 20 working days to access ANC’s internal complaints and appeals. If the student accesses ANC’s internal complaints and appeals process, the suspension or cancellation of the student’s enrolment cannot take place until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply.

2. 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

3. Appeals must be lodged in writing with the Campus officer within 20 working days of the date of the Student being notified of the consequence.

General misconduct

Students are expected to respect other Students, staff and property so that teaching and learning 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 College property or the property of others, alters/defaces College documents or records, prejudices the good name of the College, or otherwise acts in an improper manner.

The College will report all criminal acts committed by its students to the relevant authorities.

The following examples indicate the kinds of behaviour which constitute Student misconduct. They are for illustrative purposes and are not intended to be exhaustive. Student misconduct occurs when a student

1. contravenes any rules or acts;
2. prejudices the good name or reputation of the College;
3. 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 the College;
4. fails to comply with conditions agreed in the contract;
5. wilfully disobeys or disregards any lawful order or direction;
6. refuses to identify him or herself when lawfully asked to do so by an officer of the College;
7. fails to comply with any penalty imposed for breach of discipline;
8. misbehaves in a class, meeting or other activity under the control or supervision of the College, or on College premises or other premises to which the Student has access to as a student of the College;
9. obstructs any member of staff in the performance of their duties;
10. acts dishonestly in relation to admission to the College;
11. knowingly makes any false or misleading representation about things that concern the Student as a Student of the College or breaches any of the College’s rules;
12. alters any documents or records;
13. harasses or intimidates another Student, a member of staff, a visitor to the College, or any other person while the Student is engaged in study or other activity as a College student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;

14. breaches any confidence of the College;

15. 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 a College student, in a manner which is illegal or which is or will be detrimental to the rights or property of others;
Penalties for general misconduct

1. Penalties imposed will take into account the nature and the extent of the misconduct
2. A Student's second offence is penalised more severely than their first offence and a third offence will result in exclusion from the College.

If the Student admits to the alleged misconduct, the Campus Officer may impose one or both of the following:
- A charge for the cost of damage to facilities and equipment
- Temporary exclusion from the College.

The CEO/Campus Officer may 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.

Notification and appeal

1. Students will be notified in writing of penalties as a consequence of general misconduct. If a student's enrolment is being cancelled or suspended ANC must also inform the student of its intention to suspend or cancel the student’s enrolment and also that he or she has 20 working days to access ANC’s internal complaints and appeals. If the student accesses ANC’s internal complaints and appeals process, the suspension or cancellation of the student's enrolment cannot take place until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply.

2. 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 will be lodged in writing with the Campus Officer 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.