

Deferral, Leave of Absence (LOA) and Withdrawal Policy

POLICY PURPOSE

Students can face circumstances that force them to postpone or withdraw from their studies. The purpose of this policy is to ensure that UTS College Staff and Affiliates properly assess a student's eligibility for deferring, leave of absence or withdrawing their course and outlines the conditions for UTS College to initiate any deferral, suspension or withdrawal of a student's enrolment, according to the requirements of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 ("National Code"), the Education Services for Overseas Students Act 2000 ("ESOS Act") and Higher Education Standards Framework 2021.

SCOPE

The policy applies to students undertaking any UTS College program or UTS Foundation Studies program, and to UTS College Staff and Affiliates involved in enrolment and/or students' academic progress.

This policy applies to all UTS College students (in both Sydney and at transnational campuses) and covers:

- Deferral, leave of absence or withdrawal of enrolment initiated by the student.
- Deferral, leave of absence or withdrawal of enrolment initiated by UTS College.

The provisions of this policy about Australian student visas are not relevant to students studying at transnational campuses.

DEFINITIONS are set out at the end of this policy.

POLICY PRINCIPLES

Principle
A. Deferral, leave of absence and withdrawal initiated by UTS College
1. UTS College may defer a student's commencement of a course when the course is not offered.
2. UTS College may suspend or withdraw a student's enrolment when: • Student demonstrates serious misconduct as outlined in the <i>Academic Integrity Policy</i> or <i>Non-academic Misconduct Policy</i>. • There is evidence of consistent unsatisfactory course progress or continuous absence from class as stated in the <i>Attendance Policy</i> (English and UTS Foundation Studies students), or the <i>Academic Course Progress Policy</i> and <i>ELT Course Progress Policy</i> • Outstanding fees are not paid. • It is due to reasons other than compassionate or compelling circumstances • Fraudulent documents are given to UTS College.

3. UTS College has discretion to action deferral, leave of absence, or withdrawal of enrolment if the safety and wellbeing of students are at risk.
Factors that are considered when undertaking this discretion include but are not limited to:
 - The wellbeing of the student
 - The wellbeing of other students, staff and others
 - Reports from medical professionals such as doctors and psychiatrists
 - Reports from police and legal practitioners including reports of criminal activity or the potential for criminal activity.
 - Requests from parents or legal guardians if the student is under the age of 18.
4. The decision, to defer, suspend or withdraw a student's enrolment, must be made by UTS College in writing. UTS College must inform the student of the reason for withdrawing their course. The student will be informed of the right to appeal the decision within 20 working days, following the UTS College *Student Complaints and Appeals Policy* and Procedure.
5. If the student chooses to access the *Student Complaints and Appeals Policy* and Procedure, UTS College will maintain the student's enrolment until the process is completed unless there is a safety risk for other students, staff and public.

B. Deferral, leave of absence and withdrawal initiated by Student

1. Students must submit a formal written application to UTS College to request changing their study plan by completing the relevant application forms available from UTS College Website with supporting documentation.
 - For deferral,
 - An "Enrolment Deferral" form for both academic and English students.
 - For leave of absence,
 - A "Leave of Absence Application form" for academic students.
 - A "Leave Request" form or "Special Leave Request" form – for English students.
 - For withdrawal,
 - A 'withdrawal application' form for domestic/international academic students
2. Foreign government scholarship holders will need written approval from the government department responsible for managing the scholarship to apply for deferral, LOA or withdrawal.
3. International students must provide sufficient documentary evidence to support the deferral application. All the evidence must be written in English or translated in English by a NATTI accredited translator or appropriate alternatives.
4. Domestic students are eligible to apply for deferral and one LOA in all circumstances. International students' deferral or LOA application can only be considered on compassionate and compelling ground as set out in paragraph 4.e.

5. Compassionate or compelling circumstances: • Serious illness where a medical certificate states that the student is unable to attend classes, • Bereavement of close family members such as parents or grandparents (a death certificate must be provided), • Serious illness, accident or close family incident which requires the student to return home, or • Major political disorder or natural disaster in their home country requiring emergency travel which has impacted on the student's studies (a copy of a plane ticket must be provided), • Pregnancy, • A traumatic experience which could include: • Involvement in or witnessing of a serious accident. • Witnessing or being the victim of a serious crime (these cases should be supported by police or psychologists' reports), or • Inability to begin studying on the course commencement date due to delay in receiving a student visa. • Inability to renew the student visa within Australia due to restriction 8534 on the student's visa. • where the registered provider was unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.
6. If a student requests deferral, take leave or withdraw on medical ground, they must present a certificate issued by medical practitioners stating that they are fit to study 2 weeks prior to their return of study.
7. If there are changes in fees in the new semester after the deferral or LOA, students must pay for the difference in fees. International students will not be entitled for a refund due to deferral or LOA even if later they decide to withdraw.
8. Where UTS College is responsible for the accommodation and welfare arrangements of the student (where the student is under 18 years of age and UTS College has issued a CAAW) UTS College will continue to be responsible for the student's accommodation and welfare during the deferral/LOA period.
9. The decision, to approve or reject the deferral or LOA request, will be made by UTS College in writing within 7 business days of receiving the request.
10. UTS College informs international students in writing that deferment, leave of absence or cancellation of enrolment: - May affect their student visa, and recommends that they seek advice from the Department of Home Affairs - May mean the student has to return overseas as international students have to abide by student visa conditions of study gap.
11. If the student's packaged course start date is affected due to the deferral or LOA, the student will be withdrawn from the admitted packaged course and will be issued an offer with new course start date. Students need to accept the offer to be admitted to the new course.

12. For international students, UTS College must inform the Department of Home Affairs through PRISMS, the name and contact details of the student, the day the deferral, LOA or withdrawal starts and the last day of the student's studies.
13. Students who are approved for deferral or LOA must re-enrol when the approved leave period is finished. If they fail to re-enrol, they will be withdrawn from their course.
i. Deferral initiated by students
1. Deferral is applicable to commencing students who start studying a course for the first time.
2. Deferral application for an academic course must be submitted before Census date of the first semester. Applications submitted after Census date of the first semester will be processed as Leave of Absence and will incur both financial and academic penalties.
3. Deferral application for English Language course must be submitted before week 1 Friday of the first block of the program. Application submitted after week 1 Friday will incur financial and academic penalty.
4. The maximum deferral period is 12 months. If a student wishes to defer their studies for more than 12 months, the student must re-apply to be admitted when they are ready to commit to study.
ii. Leave of Absence (LOA) for Academic Enrolment initiated by students
1. LOA is applicable to students who complete at least one semester of an academic course or commencing students who wish to defer after census date of the first semester of a course.
2. LOA application must be submitted before Census date of a semester. Applications submitted after census date of a semester will incur both financial and academic penalties.
3. The maximum LOA period is one semester. Under exceptional circumstances, students can be approved for LOA for two semesters. If students wish to apply for LOA for more than one semester without compassionate and compelling reasons, students need to submit a withdrawal application instead and must re-apply for admission when they are ready to commit to study.
iii. Leave of Absence (LOA) for English Language Programs initiated by students
1. English language program students are eligible to apply for LOA only after completion of 20 weeks of continuous study. Students who have not completed 20 weeks of study but wish to apply for leave due to compassionate and compelling reasons could apply for special leave.
2. LOA for English Language program students comprises 10 weeks' leave. Special circumstances requesting more than 10 weeks' leave are subject to approval.
3. English Language program students must take the LOA within one block and for the whole 10 weeks. A partial break or leave across blocks is not permitted

4. An LOA request will only be considered if:
 - The student's attendance has been over 80% overall AND during the current block,
 - The student is on track to reach the required level of English for their further studies in their academic courses, and
 - A break is deemed to be in the best interests of the student.

iv. Withdrawal initiated by students

- a. Student can apply to withdraw at different stage of their study. Academic and financial penalties may apply depending on the submission time of the withdrawal application:
 - Financial penalties apply to international students withdraw before or after census date and domestic students if they apply after census date
 - Academic penalties apply to all students if they withdraw after census date.
- b. English Language Program students can request to terminate their English course early if they meet English entry requirements for their academic courses.
 - If the English course withdrawal request is submitted before Week 1 Friday, the unused English fees will be transferred to the academic course as credits.
 - If the request is submitted after week 1 Friday, tuition fees will be charged for the block.

v. Re-admission after withdrawal

Students who have been withdrawn may re-apply for admission by submitting a new application with relevant supporting documents.

- a. If the student's evidence of English proficiency has expired, they will be required to provide UTS College with new evidence to meet the English requirement.
- b. If application for admission is approved:
 - Students who re-apply within 24 months of being withdrawn:
 - i. will be admitted to a new academic program attempt;
 - ii. will receive credit for subjects they have passed*;
 - iii. will have all fail grades carried towards their new program attempt and included in GPA calculation.
 - Students who re-apply after 24 months of being withdrawn
 - i. will be admitted to a new academic program attempt;
 - ii. will have to enrol in all subjects under the new program attempt (including subjects they have already passed)#.

* only applicable if subjects are "common" between the old and new academic program attempt

does not apply to Foundation Studies programs

- c. Domestic students who were counselled to withdraw cannot return to study the same program.
- d. FEE-HELP students who do not have sufficient HELP balance are required to pay the tuition fees upfront when the balance is used up.

DEFINITIONS

Academic Enrolment	Enrolment to UTS College Diploma course, Postgraduate Certificate or UTS Foundation Studies program
Academic penalty	Enrol subjects are marked fail if a student request to defer or withdraw after census date of a semester.
Affiliates	Insearch Limited Board members, honorary appointees, contractors, labour hire personnel, volunteers, agency staff and any other person appointed or engaged by UTS College to perform work or functions for UTS College.
Business Day	Any day apart from a weekend or public holiday
Census Date	The date for student enrolled in an academic program determined by UTS College to be the last date to withdraw from an enrolled unit without academic penalty.
Channel Partner	An organisation involved in a contractual relationship with UTS College in recruiting students to study at UTS College. Otherwise known as Partner or Agent
CoE/ Confirmation of Enrolment	A document issued through the Australian Government's PRISMS system, by authorised UTS College Staff and Affiliates.
Cultural Mission	The department of a foreign government embassy or high commission located in Australia whose responsibility is to manage study plans of sponsored students from that country.
Deferral	Delay of commencement of a course
Financial penalty	Tuition fees are charged for the enrolled subjects if a student request to defer or withdraw
Leave of Absence	An approved period of time during which students do not participate in study.
PRISMS	Provider Registration and International Student Management System.
Staff	People employed to work on an ongoing, fixed term, sessional or casual basis under the terms and conditions of an employment agreement (contract) issued by UTS College.
Study Period	A discrete period of study within a course (namely block or semester).
UTS College	Insearch Limited, its representative offices and its controlled entities.
Withdrawal	The cancellation a of student's enrolment

SUPPORTING DOCUMENTS

- Enrolment Policy
- International Student Transfer Request Assessment Policy
- Student Complaints and Appeals Policy
- Academic Course Progress Policy
- ELT Course Progress Policy
- *Attendance Policy* (English and UTS Foundation Studies students)
- Student Complaints and Appeals (non-academic) Procedure
- Academic Misconduct Policy
- Non-academic Misconduct Policy
- Refund Policy
- Education Services for Overseas Students Act 2000
- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- Higher Education Standards Framework 2021

ADMIN USE ONLY

APPROVAL		
Policy Title	Deferral, Leave of Absence (LOA) and Withdrawal Policy	
Policy ID	PO/EDUC/19/23	
Policy Category	Academic	
Policy Audience	Staff, Students, Affiliates and Third Parties	
Policy Owner	Dean	
Approval Authority	Academic Board	
Endorsed by	ASC	Date: 19 October 2023
Approved by	Academic Board	Date: 2 November 2023
Next Review Date	1 November 2028	

VERSION HISTORY

No.	Author	Description of change/purpose	Date
1.0	Student Support Manager	New policy – replaced <i>Deferring or Cancelling Student Enrolment Policy</i>	10 October 2023