

# Deferral, Suspension and Cancellation Policy and Procedure

## 1.0 PURPOSE

Student enrolment can be deferred, suspended or cancelled in limited circumstances by The JMC Academy or by the student. When deferral, suspension or cancellation of enrolment is initiated by the Academy, students have the right to appeal the decision.

## 2.0 SCOPE

This policy and procedure applies to all students enrolled in or seeking a place in a qualification/course provided by the JMC Academy

## 3.0 RELEVANT STANDARD FROM ESOS NATIONAL CODE

### ESOS National Code Standard 13

Registered providers may only enable students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through formal agreement in certain limited circumstances

## 4.0 DEFINITIONS

- 2.1 Lecturing Staff – refers to lecturers
- 2.2 DEEWR – refers to the Department of Education, Employment and Workplace Relations
- 2.3 DIAC – refers to the Department of Immigration and Citizenship
- 2.4 Deferral – postponement of commencement of course.
- 2.5 Suspension - temporary postponement of enrolment during course.
- 2.6 Cancellation – cessation of enrolment in course.

## 5.0 COMPLIANCE EVIDENCE

For a provider to show it is complying with Standard 13, it may need some of the following as evidence:

- documented procedures for assessing, approving and recording a deferment of the commencement of study or suspension of study;
- documentary evidence on students' files of the assessment of applications for deferment or suspension of enrolment;
- a copy of the information given to students prior to enrolment which states the grounds on which students' enrolment may be deferred, suspended or cancelled;
- a copy of the provider's documented complaints and appeals processes (see Standard 8) and an indication of how students would access such a document (for example, show a link to the website);

- evidence that the provider has informed affected students that deferring, suspending or cancelling their enrolment may affect their student visas (providers may find it easiest to demonstrate this through a letter or form given to students applying for a deferment or suspension); and
- evidence of appropriate notification (through PRISMS) of changes to enrolment status.

## **6.0 PROCEDURE**

### **Guidelines for International Students**

Deferral, Suspension or Cancellation may be initiated by either the student or by the Academy.

#### **6.1 Deferral, Suspension or Cancellation initiated by the Academy**

6.1.1 The Academy may defer commencement of a course when a course is not offered.

6.1.2 The Academy may suspend a student enrolment in the following instances:

- Student misbehaviour as outlined in Student code of Conduct
- Intervention strategy for unsatisfactory course progress.

6.1.3 The Academy may cancel a student enrolment in the following instances:

- When a student demonstrates serious misconduct as outlined Student code of Conduct
- Erratic course progress, for example, unsatisfactory course progress in non-consecutive semesters or continuous absence from scheduled course hours
- Non payment of outstanding fees.
- Failure to return to study after a scheduled student break

6.1.4 In cases where suspension or cancellation of the student's enrolment is initiated by the Academy, or the student's request for cancellation or suspension is refused by the institute, students will be notified and given 20 working days to access the Academy's internal complaints and appeals process (Student Complaints and Appeals Procedure).

Note: Cancellation for failure to return to study after a scheduled student break is not considered to be initiated by the Academy.

The change in enrolment status will not be reported to DEEWR until the internal appeals process is completed.

Once the deferral, suspension or cancellation is processed, the Academy will notify DEEWR via PRISMS.

#### **6.2 Student Initiated Deferral, Suspension or Cancellation**

6.2.1 International students may defer commencement of a course or suspend or cancel their enrolment during their course in the following limited circumstances:

- On the grounds of compassionate or compelling circumstances (at the discretion of the Academy).
- Unavailability of a course
- Student visa delay.

6.2.2 Students may request a deferral of the commencement of their course by completing a Deferral/Change of Preference Form and submitting it to an Admissions Officer prior to the course commencing. Once the deferral is processed the student will receive a Confirmation of Enrolment letter and have a new enrolment agreement written to reflect the new commencement.

6.2.3 Students who wish to suspend their enrolment must obtain written approval from the PEO

- A Course Suspension Form is to be completed and submitted to the Student Coordinator who will then pass it on to the PEO
- To obtain approval, students must submit the form a minimum of 14 days before the requested suspension date.
- Once the suspension is approved the student will receive a letter from the PEO, granting the suspension.

6.2.4 In considering an application for suspension the PEO will take into account a number of factors including

- The impact on the student's duration of study and whether intervention or other strategies are need to ensure that the student completes the course on time or whether an extension of duration is needed
- The purpose and period of the suspension
- The veracity of the evidence presented with the application.
- The frequency that the student has previously sought suspension
- The timing of the request-whether it coincides with proposed reporting for breach of visa conditions

6.2.5 Students who wish to cancel enrolment in their course may do so at any time

- Students must complete a Course Withdrawal/Cancellation Form and submit it to the Campus Manager.
- The form will then be passed on to the Finance Department for consideration.

- The form is then passed on to the PEO for final approval
- Once the cancellation is processed the student will receive a letter from the PEO approving the cancellation.

#### 6.2.6 Approval of cancellation will not be granted if

- the application coincides with likely reporting for breach of visa conditions,
- if the student has any outstanding tuition fees
- within the first six months of the study in the principal course unless there is clear evidence that the student intends to return home.

Once the deferral, suspension or cancellation is processed, the Academy will notify DEEWR via PRISMS.

### 6.3 Additional Guidelines

6.3.1 If an international student's enrolment is temporarily suspended for a period of 28 days or longer, the student must return home (unless special circumstances exist).

6.3.2 International students can temporarily suspend enrolment for a maximum period of six months.

6.3.3 Deferral, suspension or cancellation of enrolment may affect the student's visa.

6.3.4 If an international student's enrolment is suspended for more than six months, the student's visa may be cancelled by DIAC.

6.3.5 Upon deferral, suspension or cancellation the course the fees, which are scheduled in the student's contract, remain due on the scheduled dates.

### 7.0 APPENDICES

Nil

### 8.0 RESPONSIBILITIES

The Campus Manager, International Services Manager and PEO have responsibility for this policy and procedure.

### 9.0 PROCEDURE OWNER

The owner of this procedure is the Head of International Services.