

Deferring Suspending and Cancelling International Student's Enrolment Procedure

1. PURPOSE

The purpose of this procedure is to aid 'Deferring Suspending and Cancelling Student's Enrolment Policy' and assist JMC Academy staff to identify and implement correct processes to guide and support international students who may wish to defer, suspend or cancel their enrolment.

2. SCOPE

This procedure applies to all international students enrolled in or seeking a place in a qualification/course provided by JMC Academy.

3. DEFINITIONS

Deferral

Deferment of an enrolment means temporary postponement in the commencement of a course. Deferral may be initiated by a student or JMC Academy.

Suspension

Suspension of an enrolment means placing student's enrolment temporarily on hold. Suspension may be initiated by JMC Academy or by the student.

Cancellation

Cancellation of an enrolment is permanent cessation of student's enrolment that may occur upon student's request (withdrawal) or may be initiated by JMC Academy (termination).

A student whose enrolment has been cancelled is no longer a JMC Academy student and therefore cannot attend classes, submit assessment tasks or attend JMC Academy events as a JMC Academy student. A student who has had their enrolment cancelled will receive a transcript of all units studied up to the date of cancellation, including results attained.

DoHA - Department of Home Affairs

For definitions not listed here please refer to *JMC Academy Glossary*.

4. PROCEDURE

4.1 STUDENT INITIATED DEFERRAL

International students may apply for deferral of a course for a maximum of one (1) trimester using the *Application for Deferral of the Commencement of a Course Form* and submitting it directly to International Services Administration or Campus Administration. The application for deferral must be submitted before course commencement date.

International students may defer commencement of a course only in the following limited circumstances:

- On the grounds of compassionate or compelling circumstances (at the discretion of JMC Academy),
- Student visa delay.

The *Application for Deferral of the Commencement of a Course* is to be determined by the Director of International Services in consultation with Head of Department and Campus Manager, who will approve or reject the application typically within 2-3 business days from the application submission date.

In considering an application for deferral the International Services Division 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 needed to ensure that the student completes the course on time or whether an extension of duration is needed,
- The purpose and period of the deferral,
- The reliability of the evidence presented with the application,
- The frequency that the student has previously sought deferral,
- The timing of the request and whether it coincides with proposed reporting for breach of visa conditions.

If the deferral is approved and it affects the end date on the Confirmation of Enrolment (CoE) document, student will receive a new Confirmation of Enrolment (CoE) letter and have a new agreement written to reflect the applicable changes.

International students whose request for deferral was not approved will be required to attend their scheduled classes and complete their assessment tasks. Student will be notified accordingly and may enter an appeal process within twenty (20) working days from the receipt of the notification letter.

4.2 STUDENT INITIATED SUSPENSION

International students may apply for temporary suspension of their studies for a maximum period of one (1) trimester using the *Application for Temporary Suspension of a Course Form* and submitting it directly to International Services Administration or Campus Administration.

International students may defer commencement of a course only in the following limited circumstances:

- On the grounds of compassionate or compelling circumstances (at the discretion of JMC Academy),
- Student visa delay.

The *Application for Temporary Suspension of a Course* is to be determined by the Director of International Services with consultation with Head of Department and Campus Manager, who will approve or reject the application typically within 2-3 business days from the application submission date.

In considering an application for temporary suspension of the course, the International Services Division 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 needed 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 reliability of the evidence presented with the application,
- The frequency that the student has previously sought previous suspensions,

- The timing of the request and whether it coincides with proposed reporting for breach of visa conditions.

If the temporary suspension of the course is approved and it affects the end date on the Confirmation of Enrolment (CoE) document, student will receive a new Confirmation of Enrolment (CoE) letter and have a new agreement written to reflect the applicable changes.

International students whose request for suspension was not approved will be required to attend their scheduled classes and complete their assessment tasks. Student will be notified accordingly and may enter an appeal within twenty (20) working days from the receipt of the notification letter.

4.3 STUDENT INITIATED CANCELLATION

International students who wish to cancel enrolment in their course may do so at any time. International students must complete the *Application for Withdrawal Form* and submit it directly to International Services Administration or Campus Administration.

Where there is a request for a refund of fees the request will then be passed on to the Finance Department for consideration and final approval according to the JMC Academy International Student Fee Refund Policy.

Once the cancellation is processed the student will receive a letter from the International Services Division confirming the cancellation.

An international student who wishes to transfer to another education provider must have completed at least six (6) months study in the principal course at JMC Academy. Director of International Services may, in limited circumstances, approve the release of an international student prior to completing six (6) months of study in their principal course in order to transfer to another institution.

4.4 JMC ACADEMY INITIATED DEFERRAL

Where JMC Academy initiates the **deferral** of an international student's enrolment due to course cancellation, it will:

- Immediately advise the student of course cancellation,
- Advise student of next course intake, and if the student agrees to the deferral and wishes to continue their studies at JMC Academy,
- Amend Confirmation of Enrolment (CoE) document.

4.5 JMC ACADEMY INITIATED SUSPENSION

Where JMC Academy initiates the suspension of an international student due to student's (academic or non-academic) misconduct:

- The Director of International Services, or their delegate, meets with the student regarding their behaviour and informs the student of their suspension from the course. (Note: it is the student's obligation to attend this meeting),
- The student is also advised of any potential impact on their visa due to the suspension, their prospects for success in their studies, and opportunities for appeal,
- The Director of International Services, or their delegate, informs the student of the length of their suspension and the remediation opportunities available,
- A formal letter is posted to the student confirming the conditions of the suspension.

Where JMC Academy initiates the suspension of an international student due to non-payment of fees:

- The Director of International Services, or their delegate, meets with the student regarding non-payment of fees and informs the student of their suspension from the course. (Note: it is the student's obligation to attend this meeting),
- The student is also advised of any potential impact on their visa due to the suspension, their prospects for success in their studies, and opportunities for appeal,
- The Director of International Services, or their delegate, informs the student of the length of their suspension and the remediation opportunities available,
- A formal letter is posted to the student confirming the conditions of the suspension.

The Director of International Services may initiate a student suspension as part of the management of a critical incident involving the student, particularly in the cases of serious illness or accidents where the student is unable or incapable of reasonably communicating with the Academy.

4.6 JMC ACADEMY INITIATED CANCELLATION

Where JMC Academy initiates the **cancellation** of an international student's enrolment due to serious misconduct and/or unsatisfactory course progress and/or non-payment of outstanding fees and/or failure to return to study after a scheduled student break:

- The Director of International Services, or their delegate, meets with the student and informs the student of their cancellation from the course. (Note: it is the student's obligation to attend this meeting),
- The student is also advised of any potential impact on their visa due to the enrolment cancellation, their prospects for success in their studies, and opportunities for appeal,
- A formal intention to report the enrolment letter is posted to the student outlining the reasons of cancellation and possible avenues to appeal.

Where the cancellation of a student's enrolment is due to unsatisfactory course progress, JMC Academy will ensure that all Support and Intervention Strategy applicable processes have run their course prior to sending the formal intention to report the enrolment letter.

4.7 NOTIFICATIONS

JMC Academy will always advise a student in writing on the outcome of their application, and when their enrolment status has been changed by either JMC Academy's initiative or upon the student's request.

JMC Academy is required to notify the Department of Education and Department of Home Affairs (DoHA), through Provider Registration and International Student Management System (PRISMS) of the deferment, suspension or/and cancellation of international student's enrolment.

JMC Academy will report an international student's enrolment status change to Department of Education and Department of Home Affairs (DoHA), only when all possible internal and external appeal processes have been exhausted.

Once the Department of Education and Department of Home Affairs (DoHA), is notified of the cancellation of the student's enrolment, the student will have 28 days to enrol in an alternative course or to return to their home country.

5. COMPLAINTS and APPEALS

An international student may lodge an appeal within twenty (20) working days of receipt of JMC Academy's written intention to:

- Terminate their enrolment,
- Refuse deferral initiated by student,
- Suspend their enrolment,
- Refuse suspension initiated by student.

The appeal must be submitted in writing to International Services Administration or Campus Administration using the *Application to lodge an Appeal Form*. Appeals submitted after that date will not be considered unless consideration under special circumstances has been approved by JMC Academy. It is at the discretion of JMC Academy to admit late appeal applications.

In situation where student is not satisfied with the outcome of the internal appeal process, they have the right to access external appeal process/mediation within ten (10) working days from the date they received the written notification of the internal appeal decision.

Where a student does not initiate an external appeal/mediation process, and the period of time to do so has passed, the decision of the termination of student's enrolment will be reinforced and implemented.

JMC Academy reserves the right to cancel and subsequently report the suspended student's enrolment prior to completion of the complaint/appeals process, in cases where welfare of the student or those with whom the student may come into contact, might be of concern.

International students have the right to appeal any decision of deferral/suspension/cancellation of an enrolment with exception of the situation when a student failed to return from the scheduled break and remained uncontactable. JMC Academy considers this as cancellation of an enrolment initiated by the student.

Students may access the Student Complaints and Appeals Policy and its associated procedures to appeal against any decisions made under this procedure.

6. POSITIONS RESPONSIBLE FOR IMPLEMENTING PROCEDURE

- JMC Academic Staff
- Administration Team
- Campus Manager
- Director of International Services
- Director of Finance and Operation
- Heads of Departments

7. RELATED DOCUMENTS

- Deferring Suspending and Cancelling Student's Enrolment Policy
- Diversity, Equity and Inclusion Policy
- Support and Intervention Strategy Policy
- Support and Intervention Strategy Procedure
- Academic Progression Policy
- Withdrawal Policy

- Assessment Management Procedure
- Student Complaints and Appeals Policy
- Student Complaints and Appeals Procedure
- International Students Appeal Against Intention to Report Procedure
- International Student Refund Policy
- Academic Integrity Policy
- Managing Academic Misconduct (Students) Procedure
- Transfer between Registered Providers Policy
- JMC Academy Glossary

8. RELATED LEGISLATION

This Procedure supports JMC Academy's compliance with the following legislation:

- Education Services for Overseas Students (ESOS) Act 2000 (Cth),
- National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018
 - ESOS National Code 2018, Part B, Standard 9

9. PROCEDURE REVIEW DATE

11th October, 2021

10. VERSION CONTROL TABLE

Title	<i>Deferring Suspending and Cancelling International Student's Enrolment Procedure</i>			
Maintained By	International Division			
Approving Authority	Governing Council			
Approved Date	11/10/2018			
Version Number	Modified By	Modifications Made	Date Modified	Status
H 05.08.1	A. Bennet	Original version	07/03/2017	Superseded
H 05.08.1.V2	P. Gainey		10/12/2013	Superseded
2.0	S. Stanford	Updated to new format, refined responsibilities and roles, ensured accuracy and currency in consultation with P. Gainey, Director of International Student Services.	01/12/2017	Superseded
2.1	G. Jedlinska	Reformatted, Related Documents amended, Related Legislation added	07/09/2018	Superseded
2.2	M. Hafda	Edited section 5, Complaints and Appeals, to reference its new policy and procedures	8/10/2018	Approved by the Governing Council on 11/10/2018 Current