

# Deferral, Suspension and Cancellation Policy and Procedure

## 1 Background

Menzies Institute of Technology (hereinafter known as the 'Institute') ensures that students and Institute initiated deferrals, suspension and cancellations are processed fairly and taken into consideration of the student's enrolment situation. In addition, it is to ensure compliance with Standard 8 and 9 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018.

## 2 Purpose

The purpose of this policy is to outline the circumstances in which a student can defer, suspend or cancel their enrolment with the Institute and where the Institute can initiate the suspension or cancellation of the student's enrolment.

## 3 Audience

This policy applies to all Student Services, Marketing and Admissions and Compliance staff members.

## 4 Definitions

**CoE** means Confirmation of Enrolment

**DET** means Department of Education and Training

**DHA** means Department of Home Affairs

**Cancellation** means to cancel your studies either prior or after commencement.

**Deferral** means to postpone commencement of studies

**Suspension** means a temporary postponement of studies

**Studies** means your enrolment with the Institute based on your confirmation of enrolment. It has same meaning as enrolment.

**PRISMS** means Provider Registration and International Student Management System (PRISMS)

## 5 Policy

### 5.1. Deferral and suspension of studies

- Requests from students for deferral and suspension of studies will only be granted in compassionate or compelling circumstances which are generally those beyond the control of the student and which have an impact upon the student's course progress or wellbeing. These could include, but are not limited to:
  - serious illness or injury, where a medical certificate states that the student was unable to attend classes
  - bereavement of close family members such as parents or grandparents (Where possible a death certificate should be provided)
  - major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies
  - a traumatic experience that has impacted on the student which could include involvement in, or witnessing of a serious accident or witnessing or being the victim of a serious crime. Such cases supported by police or psychologists' reports
  - where the Institute is unable to offer a pre-requisite unit
  - inability to begin studying on the course commencement date due to delay in receiving a student visa (for international students)

These circumstances are an example of what may be considered compassionate or compelling circumstances, however each case will be assessed on its individual merits.

- When determining whether compassionate or compelling circumstances exist, the Institute considers documentary evidence provided to support the claim. Verification and authentication processes must be followed to clarify that the circumstances are genuine.
- A retrospective deferment or suspension may be justified if the student was unable to contact the Institute because of a circumstance such as being involved in a car accident. Verification and authentication processes must be followed to clarify that the circumstances are genuine.
- Where a student initiated deferral or suspension of enrolment is granted, the Institute will suspend an enrolment for an agreed period of time - to a maximum of 6 months. If the deferral is required for longer than 6 months, the student's application will be re-assessed

on its individual merits. Verification and authentication processes must be followed to clarify that the circumstances are genuine.

- If the suspension period has expired and the student does not return, the student's enrolment will be cancelled.

## **5.2. Provider initiated suspension or cancellation**

- The Institute may suspend or cancel a student's enrolment including, but not limited to, on the basis of:
  - misbehaviour by the student (including plagiarism, collusion and cheating) as outlined in *MITP23 Plagiarism, Collusion and Cheating Policy and Procedure*.
  - the student's failure to pay an amount he or she was required to pay the registered provider to undertake or continue the course as stated in the Letter of Offer and Student Agreement (LOO)
  - a breach of course progress or attendance requirements by the student, which will occur in accordance with Standard 8 (Overseas student visa requirements) and as specified in the Institute's *MITP01 Vocational Attendance Recording, Monitoring and Reporting Policy and Procedure* and *MITP02 Vocational Course Progress Recording, Monitoring and Reporting Policy and Procedure*.
- Standards of behaviour required are outlined in the International Student Handbook and breach of Student of Code of Conduct as outlined in *MITP04 Student Code of Conduct*.
- Where the Institute suspends or cancels a student's enrolment, before imposing a suspension or cancellation the Institute will inform the student in writing of that intention and the reasons for doing so and advise the overseas student of their right to appeal through the provider's internal complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days and as outlined in *MITP07 Complaints and Appeals Policy and Procedure*.
- Under no circumstances will the suspension or cancellation of the overseas student's enrolment under Standard 9.3 cannot take effect until the internal appeals process is completed, unless the student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

## **5.3. Student initiated cancellation of studies**

- Students may initiate cancellation of their studies at any time during their course.
- *For International Students:* Students who wish to withdraw within six months of their course to transfer to another provider will be processed as per *MITP09 Course Transfer Policy and Procedure*.

## **5.4. For International Students - Visa status**

- When there is any deferral, suspension or cancellation action taken under this standard, the Institute will inform the student of the need to seek advice from DHA on the potential impact on their student visa (if applicable), as well as the report the change to the overseas student's enrolment under section 19 of the ESOS Act i.e. notification via PRISMS.
- Students are referred to the DHA web site at <https://www.homeaffairs.gov.au/> or Helpline (131 881) for information and their local DHA office for advice on how the potential change to enrolment status may impact upon his or her visa.

### **5.5. Complaints and appeals**

- Where a student accesses the Complaints and Appeals outlined in *MITP07 Complaints and Appeals Policy and Procedure*, the Institute will not notify DET via PRISMS (for international students) or cancel the enrolment (for domestic students) until the internal appeals process is complete unless the student's health or wellbeing, or the wellbeing of others, is likely to be at risk. Where the student chooses to access an external appeals process, DET will still be notified via PRISMS (for international students) or cancel the enrolment (for domestic students).

### **5.6. Records**

- All records relating to deferrals, suspensions and cancellations will be kept in accordance to *MITP31 Student Records Management Policy and Procedure*. This will include all decisions made.

### **5.7. Publication**

- This policy is provided to students in the *Student Handbook*, which is provided to students prior to or upon commencement of a course, and also via the Institute's website at <https://www.menzies.vic.edu.au/current-students/policies>

## 6 Procedures

### 6.1 Student initiated deferral of enrolment

Procedure	Responsibility
<p><b>Process application from student</b></p> <ul style="list-style-type: none"> <li>• Provide <i>Application for Deferral Form</i> on request to students.</li> <li>• Assist students to complete form as required.</li> </ul>	<p>Student support Officer</p>
<p><b>Assess request for deferral and respond to student</b></p> <ul style="list-style-type: none"> <li>• Consider reasons for request for deferral and approve cases that fall within compassionate and compelling circumstances as defined in this policy.</li> <li>• Notify DET through PRISMS (<i>for international students inform PRISMS, for domestic students inform student directly</i>) that the student will be deferring their enrolment</li> <li>• Where the deferral is approved, the student and the end date of the CoE is affected, a new CoE is created through PRISMS (<i>for international students inform PRISMS, for domestic students inform student directly</i>) and sent to the student along with a new written agreement to reflect the new commencement date</li> <li>• Forward notification of decision within 10 working days of receipt of an application.</li> <li>• Student will be required to sign and return new written agreement.</li> <li>• Where the request for deferral is approved and does not affect the end date of the CoE (i.e. it is a short period of deferment), although a new CoE will not be required, a notice of deferral will be recorded in PRISMS (<i>for international students inform PRISMS, for domestic students inform student directly</i>)</li> <li>• Where the request for deferral is refused, the student will be informed of the decision including the reason for refusal, as well as their right to appeal the decision within 20 working days as per <i>MITP07 Complaints and Appeals Policy and Procedure</i>. The refusal of the request for deferral will be entered into PRISMS (<i>for international students inform PRISMS, for domestic students inform student directly</i>) and the CoE cancelled regardless of whether an appeal has been submitted or not. If there was a successful appeal in favour for the student, then the CoE will be issued. Until that time, the enrolment remains cancelled. DHA (<i>for international students</i>) will contact the student regarding the status of their visa</li> <li>• Any refund of fees paid if applicable will be according to <i>MITP10 Refund Policy and Procedure</i>.</li> </ul>	<p>Student support Officer and compliance manager</p>

## 6.2 Student – initiated suspension of enrolment

Procedure	Responsibility
<p><b>Process student request for suspension of studies</b></p> <ul style="list-style-type: none"> <li>• Provide student the <i>Application for Leave of Absence Form</i> for request for suspension of studies.</li> <li>• Provide assistance to students in completing an <i>Application for Leave of Absence Form</i> as required.</li> <li>• Students wishing to suspend their enrolment must apply in writing to the Institute a minimum ten (10) working days prior to the requested suspension date. Note, however, that suspension may be granted retrospectively where the student was unable to contact the organisation to inform them of the suspension in their studies e.g. they were involved in a car accident.</li> </ul>	<p>Student support Officer</p>
<p><b>Assess request for suspension of studies</b></p> <ul style="list-style-type: none"> <li>• Consider reasons for request for suspension.</li> <li>• Approve cases that fall within compassionate and compelling circumstances as defined in this policy.</li> <li>• Notify DET via PRISMS (<i>for international students inform PRISMS, for domestic students inform student directly</i>) of suspension of enrolment. Where the suspension is approved and does not affect the end date of the CoE (i.e. it is a short period of suspension), although a new CoE will not be required, a notice of suspension will be recorded in PRISMS (<i>for international students inform PRISMS, for domestic students inform student directly</i>) and sent onto to DHA (<i>for international students</i>)</li> <li>• Where the request for suspension is approved and affects the CoE, create a new CoE through PRISMS (<i>for international students inform PRISMS, for domestic students inform student directly</i>) and send to the student, along with a new written agreement for signing to reflect the new CoE</li> <li>• If it is unclear when the student will return, wait until the student has advised of the intended date of return before creating a new CoE.</li> <li>• If the student does not return after a break, it is considered that the student has ‘inactively’ advised the Institute that they will not be continuing their studies. DET is notified via PRISMS (<i>for international students inform PRISMS, for domestic students inform student directly</i>) and student’s enrolment status is recorded on PRISMS (<i>for international students inform PRISMS, for domestic students inform student directly</i>) as cancelled.</li> <li>• Inform student where the request for suspension is refused, including the reason for refusal and of their rights to access the Complaints and Appeals process as per <i>MITP07 Complaints and Appeals Policy and Procedure</i>.</li> </ul>	<p>Student support Officer and compliance manager</p>

Procedure	Responsibility
<ul style="list-style-type: none"> <li>All decisions on suspension are to be advised to students within 10 working days of receipt of an application.</li> </ul>	

### 6.3 Student-initiated cancellation of enrolment (withdrawal)

Procedure	Responsibility
<p><b>Assess student request for cancellation of studies</b></p> <ul style="list-style-type: none"> <li>Provide student with the <i>Application for Withdrawal Form</i>. Application for Withdrawal forms can be accessed from:           <ul style="list-style-type: none"> <li>Institute website: <a href="https://www.menzies.vic.edu.au/current-students/forms">https://www.menzies.vic.edu.au/current-students/forms</a></li> <li>Institute main office in person: Student Support Officer</li> </ul> </li> <li>Provide assistance to students as required to complete an <i>Application for Withdrawal Form</i>.</li> <li>Organise meeting with student to discuss reasons for the withdrawal.</li> </ul>	Student support officer
<p><b>Process application for withdrawal</b></p> <ul style="list-style-type: none"> <li>Complete course variation report in PRISMS (<i>for international students inform PRISMS, for domestic students inform student directly</i>). This will result in the status of the CoE changing to cancelled.</li> <li>Include reason for cancellation of enrolment, date enrolment was cancelled and any other relevant information.</li> <li>Process applicable refunds in accordance with the Institute's <i>MITP10 Refund Policy and Procedure</i></li> <li>Ensure that student's financial records are adjusted to take account of the cancellation of enrolment as relevant.</li> <li>Inform all relevant personnel that the student's enrolment has been cancelled and follow through the student file closing process and recording of outcome as per <i>Change of Student Registration Checklist</i> and in accordance to <i>MITP31 Student Data Records Management Policy and Procedure</i> for filing of student's file after cancellation.</li> <li>Advise student in writing that their enrolment has been cancelled and that DHA has been informed and they will be advised of their change in visa arrangements.</li> </ul>	Student support Officer and compliance manager

### 6.4 Provider-initiated suspension or cancellation of enrolment (reporting)



Procedure	Responsibility
<p><b>Suspend student</b></p> <ul style="list-style-type: none"> <li>Inform student in writing that they are temporarily suspended because of misbehaviour and that they will need to continue to attend classes except where behaviour is considered to be such that the student needs to complete work outside of the class. The suspension will be based on outcome from <i>MITP04 Student Code of Conduct</i> and <i>MITP23 Plagiarism, Collusion and Cheating Policy and Procedure</i>.</li> <li>Notify DET via PRISMS (<i>for international students inform PRISMS, for domestic students inform student directly</i>) within 14 days of the suspension via a course variation in PRISMS of the suspension as per the instructions in the PRISMS user guide.</li> </ul>	<p>Student support Officer and compliance manager</p>
<p><b>Decide on action and implement decision</b></p> <ul style="list-style-type: none"> <li>Arrive at an appropriate decision e.g. issue a warning, charge for any damage caused, request a formal apology or suspend or cancel studies.</li> <li>Where the decision is to cancel the student's enrolment, provide the student with a <i>Notice of Intention to Report Enrolment Letter</i> informing them of their right to access the <i>MITP07 Complaints and Appeals Policy and Procedure</i>.</li> <li>Where the student accesses the Complaints and Appeals process and the decision following the internal appeals process is to cancel the student's enrolment, DET should be informed via PRISMS (<i>for international students inform PRISMS, for domestic students inform student directly</i>)</li> </ul>	<p>Student support Officer and compliance manager</p>

## 7 Review

This policy will be subjected to a review and updated every three years from the approval date. Exceptions to frequency of review can be made if necessary. Any person who wishes to enter a complaint concerning this policy may do so in accordance with the appropriate policies.

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<b>Document Number:</b>	MITP08
<b>Version:</b>	Version 13
<b>Relevant Standards:</b>	National Code 2018 Standard 8.13, 8.14, 8.15, 8.16.3, 9
<b>Related Policies/Documents:</b>	<i>MITP23 Plagiarism, Collusion and Cheating Policy and Procedure</i> <i>MITP01 Vocational Attendance Recording, Monitoring and Reporting Policy and Procedure</i>



	<p><i>MITP02 Vocational Course Progress Recording, Monitoring and Reporting Policy and Procedure</i></p> <p><i>MITP04 Student Code of Conduct</i></p> <p><i>MITP07 Complaints and Appeals Policy and Procedure.</i></p> <p><i>MITP09 Course Transfer Policy and Procedure</i></p> <p><i>MITP31 Student Records Management Policy and Procedure</i></p> <p><i>MITP10 Refund Policy and Procedure</i></p> <p><i>MFHxx Student Handbook</i></p> <p><i>MFSxx Application for Deferral Form – Domestic Student</i></p> <p><i>MFSxx Application for Deferral Form – International Student</i></p> <p><i>MFSxx Application for Leave of Absence Form – Domestic Student</i></p> <p><i>MFSxx Application for Leave of Absence Form – International Student</i></p> <p><i>MFS06 Application for Withdrawal Form – Domestic Student</i></p> <p><i>MFS06 Application for Withdrawal Form – International Student</i></p> <p><i>MFA04B Change of Student Registration Checklist – Domestic Student</i></p> <p><i>MFA04B Change of Student Registration Checklist – International Student</i></p> <p><i>MFLxx Notice of Intention to Report Enrolment Letter (Overdue payment, attendance, code of conduct)</i></p>	
<b>Responsibility:</b>	Student Services Coordinator, Admissions Coordinator	
<b>Approved By:</b>	PEO	
<b>Date Approved:</b>	23/04/2019	
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<b>Version Control and Change History:</b>		
<b>Version Number</b>	<b>Approval Date</b>	<b>Amendment</b>
1	5/2/2008	Creation of policy
2	14/1/2009	Amended responsibilities of staffing
3	29/6/2010	Review and update next review date
4	9/6/2011	Amended definitions
5	1/6/2012	Review and update next review date
6	9/7/2012	Amended clause 3.1 and 3.2 for domestic student reporting
7	1/6/2014	Update of clause 3.2.4
8	26/6/2015	Added clause 3.2.5
9	1/9/2016	Reviewed and updated the next review date
10	1/9/2017	Reviewed and updated the next review date
11	1/2/2018	Reviewed, updated Clause 2.0, Clause 3, inserted Clause 3.1.5 and updated the next review date
12	18/04/2018	Updated policy and procedures
13	23/04/2019	Updated fields to denote international and domestic student requirements e.g. PRISMS is for international students, for domestic students to inform them directly
14	05/08/2019	Review and update the policy