



Deferring, Suspending or Cancelling the Overseas Student's Enrolment Policy

Purpose

This policy outlines the requirements and procedures when **Institute of Intellect Blending (IIB)** wishes to suspend and cancel a student's enrolment and the requirements and procedures when a student requests a deferment or suspension.

Policy

IIB will ensure this policy is available to both staff and students by including it in the Staff Policy and Procedure Folder available on all staff computers and the Student Handbook.

IIB will maintain a record of any decisions made regarding deferring, suspending or cancelling an overseas student's enrolment.

IIB has a process for assessing, approving and recording a deferment of the commencement of study or suspension of study request by an overseas student.

Student request for deferment of the commencement of study or suspension of study

Deferments

Students who are unable to arrive and start their course on time as agreed, or no later than seven (7) days after the agreed start date, will have to apply to **IIB** to defer their studies.

If a student wants to start their course more than seven (7) days after the agreed date, they must contact **IIB** and request an *application to defer or suspend form* by email.

They would need to fill out this form and return it to the College. In order for the application to be approved, the student would need to demonstrate compassionate or compelling circumstances in the form of a letter, and other supporting documentation if necessary, as to why they want to delay starting their studies.

Suspensions

Students who would like to suspend their studies must first speak to the Academic Manager/Director of Studies (AM/DOS). An *application to defer or suspend form* must be completed which will need to be approved by the AM/DOS. Prior to applying to suspend their program, students must ensure that they have paid any outstanding College fees.

They would need to fill out the application to defer or suspend form and return it to the College. In order for the application to be approved, the student would need to demonstrate compassionate or compelling circumstances in the form of a letter, and other supporting documentation if necessary, as to why they want to delay their studies.

Procedure for recording deferments or suspensions

- Student requests deferment or suspension of course studies



- Request made in writing using “*Application to defer or suspend form*” and evidenced with a medical certificate or letter outlining the exceptional circumstances for which they are seeking a deferment or suspension
- Request to be assessed by the AM/DOS, using “*Review form*”
- If circumstances are deemed exceptional a deferment or suspension will be granted
- Student will be granted a deferment or suspension for up to 12 months before an enrolment will be cancelled
- Requests involving circumstances not deemed exceptional will not be granted
- College reports student to Secretary of DET via PRISMS
- Student sent “*Letter to student from the College*” outlining decision and reasons why
- The “*Application to defer or suspend form*”, the “*Review form*” and the “*Letter to student from the College*” will be placed in the student file, along with any other supporting documentation.

Compassionate or compelling circumstances

Compassionate or compelling circumstances are generally those beyond the control of the student and they have an impact on the student’s capacity and/or ability to progress through a course. These could include:

- 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 their emergency travel and this has impacted on their studies
- a traumatic experience which could include but is not limited to:
 - involvement in or witnessing of an accident or
 - a crime committed against the student or
 - the student has been a witness to a crime

and this has impacted on the student (these cases should be supported by police or psychologists’ reports).

Please note that the above are only some of examples of what may be considered compassionate or compelling circumstances. **IIB will use its professional judgment to assess each case on its individual merits.** When determining whether compassionate or compelling circumstances exist, **IIB** will consider documentary evidence provided to support the claim. **IIB** will keep copies of these documents, together with a record of why the decision was made, in the student’s file.

IIB suspending or cancelling a student’s enrolment

IIB may suspend or cancel a student’s enrolment including, but not limited to, on the basis of:

- misbehaviour by the student
- 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 written



- agreement
- a breach of course progress or attendance requirements by the overseas student, which must occur in accordance with Standard 8 (Overseas student visa requirements).

Please refer to the table below.

Student Misbehaviour
<p><u>General misconduct</u></p> <p>Students are expected to respect other students, staff and property so that learning and teaching can take place freely, safely and without impediment due to the misconduct of others.</p> <p>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 Institute of Intellect Blending, or otherwise acts in an improper manner.</p> <p>IIB will report all criminal acts committed by its students to the relevant authorities.</p> <p>The following examples indicate the kinds of behaviour which constitute student misconduct.</p> <p>They are for illustrative purposes and are not intended to be exhaustive. Student misconduct may occur when a student:</p> <ul style="list-style-type: none">a) contravenes any rules or acts;b) prejudices the good name or reputation of IIB;c) prejudices the good order and governance of IIB or interferes with the freedom of other people to pursue their studies, carry out their functions or participate in the life of the College;d) fails to comply with conditions agreed to in the contract;e) wilfully disobeys or disregards any lawful order or direction;f) refuses to identify him or herself when lawfully asked to do so by a staff member of IIB;g) fails to comply with any penalty imposed for breach of discipline;h) 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 as a student of IIB;i) obstructs any member of staff in the performance of their duties;j) acts dishonestly in relation to admission to IIB;k) knowingly makes any false or misleading representation about things that concern the student as a student of IIB or breaches any of IIB's rules;l) alters any documents or records;m) harasses or intimidates another student, a member of staff, a visitor to IIB, 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;n) breaches any confidence of IIB;



- o) 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 **IIB** 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;
- p) steals, destroys or damages a facility or property of **IIB** or for which the College is responsible; or
- q) is guilty of any improper conduct.
- r) fails to attend and participate in classes regularly.

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 **IIB**.

If the student admits to the alleged misconduct, the DOS may impose one or both of the following:

- a charge for the cost of damage to facilities and equipment
- temporary exclusion from **IIB**.

The DOS may then impose the penalty of permanent exclusion from **IIB** in the case of physical or verbal abuse of students or staff of **IIB**, repeated or severe misconduct, or in the case of criminal acts.

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 students' work, or in any way mislead a teacher about their knowledge, ability, or the amount of original work they have done.

a) Student's responsibilities:

1 During Tests

- a) Students must not help or receive assistance from other students
- b) Students must not request the loan of or lend materials or devices to other students
- c) Students must not bring any materials into the test room other than those specified for that test
- d) Students must not use computer software or other devices during a test other than those specified.

A student may be excluded from a test for any of the following reasons:

- unauthorised absence from class.
- failure to meet course requirements, for example non-submission of assignments or failure to attend class or sit for previous tests
- academic misconduct
- general misconduct



2 Other 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) Institute of Intellect Blending'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 proviso 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. A student's second offence is penalised more severely than their first offence and a third offence will result in exclusion from **IIB**.
3. The following penalties may be imposed: a warning, a reduction in grades, receiving zero for an assessment event, failing the course, exclusion from **IIB**.

Financial Misconduct

Any student who fails to maintain up-to-date payments for their course will be seen as breaching their financial obligations. Any student who falls more than one month behind in their payments will be notified that if they do not make payment within 7 days of all outstanding amounts, they will have their enrolment cancelled on the grounds of financial misconduct.

A breach of course progress or attendance requirements

IIB will refer to the *Monitoring Overseas Student Progress Policy* or the *Monitoring Overseas Student Attendance Policy*, depending on the circumstances.



Before initiating a suspension or cancellation

Before initiating a suspension or cancellation of an overseas student's enrolment **IIB** will:

- thoroughly investigate the matter, using the *review form*.
- inform the overseas student of that intention and the reasons for doing so, in writing (*letter to student*)
- 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.

Notification and appeal

1. Students must be notified in writing of penalties as a consequence of any misconduct. The misconduct will be outlined in detail.
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

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

Appeals must be lodged in writing with the DOS within 20 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.

When there is a deferral, suspension or cancellation action taken

When there is a deferral, suspension or cancellation action taken **IIB** will:

- inform the overseas student of the need to seek advice from Immigration on the potential impact on his or her student visa
- report the change to the overseas student's enrolment under section 19 of the ESOS Act.

Please Note:

The suspension or cancellation of the overseas student's enrolment under National Code Standard 9.3 cannot take effect until the internal appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk.



Reference

1. RTO Standards 2015 - Standard 13 Deferment, suspension or cancellation of study during enrolment

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.

- 13.1 The registered provider must have in place documented procedures for assessing, approving and recording a deferment of the commencement of study or suspension of study for the student, including keeping documentary evidence on the student's file of the assessment of the application.
- 13.2 The registered provider can only defer or temporarily suspend the enrolment of the student on the grounds of:
 - a. compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student is unable to attend classes), or
 - b. misbehaviour by the student.
- 13.3 The registered provider must:
 - a. inform the student that deferring, suspending or cancelling his or her enrolment may affect his or her student visa, and
 - b. notify the Secretary of DET via PRISMS as required under section 19 of the ESOS Act where the student's enrolment is deferred, temporarily suspended or cancelled.
- 13.4 The registered provider must inform the student of its intention to suspend or cancel the student's enrolment where the suspension or cancellation is not initiated by the student and notify the student that he or she has 20 working days to access the registered provider's internal complaints and appeals process as per Standard 8.1. If the student accesses the registered provider's internal complaints and appeals process, the suspension or cancellation of the student's enrolment under this standard cannot take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply.

2. National Code - Standard 9 Deferring, suspending or cancelling the overseas student's enrolment

(National Code of Practice for Providers of Education and Training to Overseas Students 2018)

Standard 9

Deferring, suspending or cancelling the overseas student's enrolment

- 9.1 A registered provider must have and implement a documented process for assessing, approving and recording a deferment of the commencement of study or



- suspension of study requested by an overseas student, including maintaining a record of any decisions.
- 9.2 A registered provider may defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances.
- 9.3 A registered provider may suspend or cancel a student's enrolment including, but not limited to, on the basis of:
- 9.3.1 misbehaviour by the student
 - 9.3.2 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 written agreement
 - 9.3.3 a breach of course progress or attendance requirements by the overseas student, which must occur in accordance with Standard 8 (Overseas student visa requirements).
- 9.4 If the registered provider initiates a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation the registered provider must:
- 9.4.1 inform the overseas student of that intention and the reasons for doing so, in writing
 - 9.4.2 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.
- 9.5 When there is any deferral, suspension or cancellation action taken under this standard, the registered provider must:
- 9.5.1 inform the overseas student of the need to seek advice from Immigration on the potential impact on his or her student visa
 - 9.5.2 report the change to the overseas student's enrolment under section 19 of the ESOS Act.
- 9.6 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 overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk.