



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

Purpose & Scope

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.

This policy applies to:

- International students studying at Institute of Intellect Blending (IIB)
- International students enrolled with IIB seeking to defer, cancel, withdraw or suspend their enrolment
- IIB Marketing, Admissions, Student Services and Academic staff.

This policy satisfies the requirements of:

- Standard 9 of the National Code of Practice for Providers of Education and Training 2018
- Education Services for Overseas Students (ESOS) Act 2000.

Policy

IIB programs have defined academic structures. Students are expected to undertake their academic program/s continuously without interruption.

Unforeseen circumstances may necessitate temporary interruption to a student's enrolment. To accommodate any such occurrence, a student may apply to defer the commencement of their enrolment or to temporarily suspend their enrolment for a period of up to a maximum of six (6) months.

Deferral, cancellation, withdrawal or suspension of studies can be student initiated. Suspension and cancellation of enrolment can be provider initiated. IIB is required to report when a student's enrolment is deferred, suspended, or cancelled via PRISMS. International students on a student visa deferring, cancelling, withdrawing or suspending their enrolment are advised to contact the Department of Home Affairs to discuss their circumstances.

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

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.

It is the student's responsibility to ensure their visa is amended to reflect any changes to their COE.



Student Initiated Deferral, Suspending or Cancelling Enrolment Procedures

1. Student initiated deferral of enrolment

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 *Amendment of Enrolment 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.

Deferral of studies will affect students' CoE/s. Any subsequent Coe/s will also be affected by deferral.

IIB is not responsible for any effect of deferral on students' visa. It is students' responsibility to seek advice and to take required action

2. Student initiated suspension of enrolment

If a student has already commenced the course, but want to give a break for more than 4 weeks because of compassionate reasons, he/she must apply to suspend his/her studies. Students who would like to suspend their studies must first speak to the Student Services Manager (SSM)/appointed staff SSM. An *Amendment of Enrolment Form* must be completed which will need to be approved by the SSM. 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 *Amendment of Enrolment 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.

The SSM or nominated delegate has authority to make a determination on the application. While their application is being considered, students must continue to attend all scheduled classes of their course until they have been notified of the outcome of their application.

IIB will notify the Department of Home Affairs via PRISMS of such suspension of studies. This may affect the student visa. The student is advised to contact the Department of Home Affairs to determine whether a new student visa is required.

Any student who has been granted a temporary suspension and chooses not to return after the expected date of return, IIB will consider the student as having abandoned the course (cancelled) and will notify the Department of Home Affairs via PRISMS within 14 days after the event date of such cessation of studies. This may affect the student visa.

Suspensions can be approved for a maximum of 3 month-period at one time.

Approved suspension and further action

Suspension requests will be assessed individually considering the grounds for suspension, students' current academic progress and delivery sequence of the units of study.

When a suspension request is approved, following must be considered:

- Suspension of studies will result in change of the current CoE and any subsequent CoEs accordingly.



- Changes in the CoE will be made based on students' current academic progress and sequence of the units in qualification.
- Students may be granted with a break during future studies because of units of study already completed.
- Changes in the CoE and course durations might affect students' visa. IIB is not responsible for any effect on students' visa which might be caused by suspension. It is students' responsibility to seek relevant advice and to take required action.
- CoE variation fees (\$50 per CoE) will be charged.

3. Student initiated cancellation of enrolment

A student who wishes to cancel their enrolment before course commencement must inform IIB in writing by using the *Amendment of Enrolment Form* (available from the Student Services desk) or by email. However, any decision to cancel enrolment will have an impact on their tuition fees and payments in line with the stated IIB enrolment and refund policies. Supporting documentation must accompany the application. The SSM or nominated delegate has the authority to make a determination on the application and approved by CEO.

Refer to *Student Fees, Charges and Refund Policy and Procedures* for details.

IIB will notify the Department of Home Affairs via PRISMS within 14 days after the event date of such cessation of studies. This may affect the student visa.

There is no obligation on IIB's part to reinstate any student's enrolment after a student has cancelled and subsequently changed their mind.

A student who has cancelled their enrolment may reapply at a later date, following normal admissions processes and subject to any relevant Department of Home Affairs restrictions that may apply.

4. Student initiated withdrawal of enrolment

A student who wishes to withdraw from their course after course commencement must submit their request on the *Application to Withdraw Form* available from Student Services or by email.

The SSM or nominated delegate has authority to make a determination on the application and approved by the CEO. While their application is being considered, students must continue to attend all scheduled classes of their course until they have been notified of the outcome of their application.

For withdrawal requests to be approved, students must not have any outstanding payments as of the date of effective date of withdrawal request. Withdrawal applications are subject to processing fee of \$200. This fee is charged to process the application regardless of rejection or approval the request.

Withdrawal requests might be granted under following circumstances:

- Student's visa status has changed
- Student is returning home country for good
- There are compassionate and compelling circumstances

Withdrawal requests by students who have not yet completed six (6) months of their principal course will be assessed against IIB's *Transfer Between Registered Providers Policy and Procedure*.

IIB will notify the Department of Home Affairs via PRISMS within 14 days after the event date of such



cessation of studies. This may affect the student visa.

There is no obligation on IIB's part to reinstate any student's enrolment after they have withdrawn and subsequently changed their mind.

A student who has withdrawn from their enrolment may reapply at a later date, following normal admissions processes and are subject to any relevant Department of Home Affairs restrictions that may apply.

5. Cancellation based on non-commencement

In line with Section 19 (c) of the ESOS Act 2000, CRICOS providers must report any student who does not commence his/her course on the agreed date.

IIB's procedures for reporting students based on non-commencement are outlined as follows:

- All students starting a new course at IIB must attend orientation session which is scheduled one week prior to the commencement date for VET students, and on the first day of the enrolment for ELICOS students.
- If a student fails to start his/her course on the date agreed on Offer Letter by either not attending orientation session or any other reasons, they will be sent a reminder letter to their nominated email address on the next day reminding them that they must attend orientation to commence their course as soon as practical.
- If those students do not commence their course within 7 days (for ELICOS) or 14 days (for VET) after the agreed start date, they will be reported to the DHA through PRISMS because of non-commencement of studies.
- IIB is not responsible for any effect of cancellation of CoE on students' visa.

6. Leave of Absence

Under compassionate and compelling circumstances, students might request for leave of absence for a maximum of 4 weeks. Leave of absence does not require change of CoE and is subject to following conditions:

- Student must request leave of absence, and the request is made in writing with *Application for Leave of Absence Form* available at Reception.
- Students must have compassionate and compelling reasons supported by relevant evidence.
- Students might be granted a maximum 4 weeks of leave of absence. Requests requiring longer periods of absence must be submitted as suspension request.
- All cases will be assessed individually. Students might be granted a period less than 4 weeks of absence despite their request if their course progress is to be affected adversely.
- As a result of approved leave of absence, students might fall behind in their course progress. Therefore, students might be required to attend extra classes to keep up with their course progress.
- In cases where students cannot keep up with the course progress after approved leave of absence, they might be required to extend their CoEs to complete the course.
- If IIB concludes that student's course progress will be affected in a way that cannot be compensated within the period of current CoE, students might be required to apply for suspension regardless of duration which will affect their CoE. In those cases, students might be subject to extra fees, such as CoE variation fee, tuition fee etc.
- If their leave of absence is approved, students' attendance during leave period will not be



included in the calculation of attendance for study period affected.

7. Procedure for recording deferments, suspensions, cancellation or withdrawals

- Student requests deferment or suspension of course studies, or withdrawal from studies.
- Withdrawal applications are subject to processing fee of \$200. This fee is charged to process the application regardless of rejection or approval the request.
- Request is made in writing using *Amendment of Enrolment Form* and evidenced with proof of payment of processing fee, a medical certificate or letter outlining the exceptional circumstances for which they are seeking a deferment or suspension.
- Request is to be assessed by the SSM and approved by CEO.
- International students may only defer the commencement of their studies or suspend their studies on the grounds of compassionate and compelling circumstances. Supporting documentation must accompany the application.
- If circumstances are deemed exceptional, a deferment or suspension will be granted.
- Student might be granted a deferment or suspension of their course start date up to four (4) times within twelve (12) months of their original start date, before an enrolment is cancelled. CoE variation fees will be charged (\$50 per CoE).
- Requests involving circumstances not deemed exceptional will not be granted.
- College reports changes on students' CoE to DET via PRISMS.
- If request is approved, student is sent a letter from the College outlining the decision and changes required to be made on the enrolment and CoE.
- If request is not approved, student is sent a letter from the College outlining the decision and reasons why request is rejected.
- The *Amendment of Enrolment Form* and *Application to Withdraw Form*, and the outcome letter sent to student will be placed in the student file, along with any other supporting documentation.

8. Procedures for applying leave of absence

- Student applies for leave of absence using *Application for Leave of Absence Form* with supporting evidence to student services
- Student Services Manager (SSM) assesses the request based on the evidence provided. While assessing the request, SSM considers the following:
 - Reasons presented
 - Evidence provided
 - Requested duration
 - Student's course schedule
- If request is approved, student is informed of the outcome through email.
- If request is rejected, student is informed of the outcome and reasons through email. If student is not satisfied with the outcome, he/she can apply for appeal through complaints and appeals procedure.



9. Charges and refunds

All fees, charges and refunds are subject to IIB's *Student Fees, Charges and Refund Policy & Procedure* available on IIB website.

10. 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, 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 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.

11. Processing times of requests

IIB will aim to finalise all requests with 10 working days after the date of submission of the request. If processing of requests will take more than 10 working days, the student will be informed of the delay in the process.

Provider Initiated Deferral, Suspending or Cancelling Enrolment Procedures

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).



1. General misconduct

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.

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.

IIB will report all criminal acts committed by its students to the relevant authorities.

The following examples indicate the kinds of behaviour which constitute student misconduct.

They are for illustrative purposes and are not intended to be exhaustive. Student misconduct may occur when a student:

- a) contravenes any rules or acts set by IIB;
- 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 within IIB;
- 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

- a) Penalties imposed will take into account the nature and the extent of the misconduct.
- b) 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 SSM may impose one or both of the following:

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

The SSM 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.

2. 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.

Student's responsibilities:

a) During Tests

- Students must not help or receive assistance from other students
- Students must not request the loan of or lend materials or devices to other students
- Students must not bring any materials into the test room other than those specified for

b) Other assessment tasks

- 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
- Students must not use another person's concepts, results or conclusions and pass them off as their own
- 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.
- Students must not ask another person to produce an assessable item for them.

Institute of Intellect Blending's responsibilities:

Procedural fairness

- Students must be treated fairly, with dignity and with due regard to their privacy
- 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.

- Past misconduct is not evidence that a student has behaved in the same manner again.
- 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.

Penalties

- Penalties imposed will take into account the nature and the extent of the misconduct.
- Penalties imposed will take into account the students' stage in the program.
- Penalties imposed will take into account the conventions of the field of study.
- A student's second offence is penalised more severely than their first offence and a third offence will result in exclusion from IIB.
- The following penalties may be imposed: a warning, a reduction in grades, receiving zero for an assessment event, failing the course, exclusion from IIB.

3. 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.

Refer to the *Student Fees, Charges and Refund Policy and Procedure* for more details.

4. A breach of course progress or attendance requirements

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

Notification and Appeal

1. 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.

2. 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 SSM, to be approved by CEO 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.

The student **must continue to attend classes and maintain the enrolment** while the complaints and appeals process is ongoing.

3. 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.

Related Documents

- Amendment of Enrolment Form
- Application for Leave of Absence Form
- Oversea Student Transfers Policy and Procedure
- Student Fees, Charges and Refund Policy and Procedure
- Monitoring Overseas Student Academic Progress Policy & Procedure
- Monitoring Overseas Student Attendance Policy & Procedure
- Complaint and Appeals Policy & Procedure



Reference

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

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)

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 to 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.