



## Contents

Purpose.....	1
Definitions.....	1
Policy .....	2
Document Control .....	4

## Purpose

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

This ensures compliance with Standard 9 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

## Definitions

**CoE** means Confirmation of Enrolment

**Compassionate or compelling circumstances** 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 IBMNSW 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

**DET** means Department of Education and Training

**DHA** means Department of Home Affairs

**Deferral** means to postpone commencement of studies.

**Suspension** is a temporary postponement of studies.

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



## **Policy**

### **Deferral and suspension of studies**

#### **Domestic Students**

Domestic students may apply for deferral of the commencement of a course for a maximum period of twelve (12) months using Application for Deferral Form and submitting it to Campus Administration. Application for deferral must be submitted before census date.

An Application for Deferral of the Commencement of a Course is to be determined by the responsible CEO and Student Services Manager who will approve or reject the application typically within 2-3 business days from the application submission date.

IBMNSW reserves the right to defer commencement of a course when a course is not offered during the given study period.

On the other side, Domestic students may apply for temporary suspension of their studies for a maximum period of twelve (12) months using Application for Deferral or Leave of Absence – Domestic Students of a Course Form and submitting it to Campus Administration.

Suspension occurring:

- After census date will incur financial liabilities unless special circumstances are present and approved by IBMNSW
- After week 8 of any study period will also result in academic penalty, unless special circumstances are present and approved by IBMNSW.

Failure to come back from a scheduled break will result in cancellation of student's enrolment.

IBMNSW may suspend a student's enrolment if the student has been involved in serious academic or non-academic misconduct. The student's enrolment, in such circumstances, is placed on hold pending the conclusion of an investigation or/and formal complaint/appeal process.

The final outcome of this process will result in either restoring full enrolment, with or without conditions applied or permanent cancellation of an enrolment.

#### **International Students**

1. IBMNSW must maintain a record of any decisions to defer or suspend an overseas student's enrolment. IBMNSW that defer or suspend an overseas student's enrolment must notify the Department of Education and Training through PRISMS.
2. Deferral and suspension of studies will only be granted in compassionate or compelling circumstances as included in the definitions above. The circumstances listed are example of what may be considered compassionate or compelling circumstances and each case will be assessed on its individual merits.
3. When determining whether compassionate or compelling circumstances exist, IBMNSW considers documentary evidence provided to support the claim, and stores copies of these documents in the student's file.
4. A retrospective deferment or suspension may be justified if the student was unable to contact IBMNSW because of a circumstance such as being involved in a car accident.
5. Where a student-initiated deferral or suspension of enrolment is granted, IBMNSW will suspend an enrolment for an agreed period - to a maximum of 12 months. If the deferral is required for longer than 12 months, the student's application will be re-assessed. If the suspension period has expired and the student does not return, the student's enrolment will be cancelled.
6. If student defer their course are not eligible for refund.

#### **Cancellation of studies**

Cancellation of student's enrolment may occur upon student's request (withdrawal) or upon IBMNSW's initiative (termination).



Students applying for withdrawal from unit of study/course based on special circumstances may be eligible for tuition fee refund/re-credit, if granted.

IBMNSW may decide to terminate student's enrolment in the following instances:

- Failure to return to study after a scheduled student break period. IBMNSW considers this to be a cancellation of an enrolment initiated by the student. Reasonable steps will be taken by the IBMNSW to locate/ contact the student to confirm reasons for failure to return.
- When a student is proven to demonstrate serious and significant academic and/or non-academic misconduct,
- When the student is making un-satisfactory academic progression and IBMNSW has implemented and followed diligent support and intervention strategy process,
- Ongoing non-payment of outstanding fees,
- When a student is not participating in any course work required (cancellation may also occur on the unit level).

### **Domestic Students**

Cancellation of enrolment occurring:

- After census date will incur financial liabilities unless special circumstances are present and approved by IBMNSW,
- After week 8 any study period will also result in academic penalty, unless special circumstances are present and approved by IBMNSW.

### **International Students**

1. Students may initiate cancellation of their studies at any time during their course. Students who wish to withdraw within six months of their course to transfer to another provider will be processed as per IBMNSW Course Transfer Policy and Procedure.
2. Student may initiate cancellation of their studies, where student advises IBMNSW that he/she no longer the holder of a student visa.
3. IBMNSW may also initiate suspension or cancellation of a student's enrolment on the grounds of misconduct, misbehaviour of the student, fraudulent evidence or documents or non-payment of fees. Information in the International Student Handbook describes the behaviour expected by students, as well as information on plagiarism, collusion and cheating.
4. Cancellation of the student's enrolment due to unsatisfactory course progress or attendance will be handled as per IBMNSW Course Progress Policy and Procedures.

### **Re-admission after exclusion**

Any student who has been excluded from a course may apply for re-admission to that course or any other course offered by IBMNSW, case by case basis. Student's case will be reviewed and determined by the Director of Academic Affairs in consultation with CEO and Student Services Manager.

### **Visa status**

1. Deferment, suspension or cancellation of a student's visa may affect the student's visa. When a student's enrolment is deferred, suspended or cancelled, IBMNSW will notify DET via PRISMS of the change in enrolment status.
2. Where a student accesses the Complaints and Appeals process, IBMNSW will not notify DET via PRISMS until the internal appeals process is complete. Where the student chooses to access an external appeals process, DET will still be notified via PRISMS.
3. Students are referred to the Department of Home Affairs website (<https://www.homeaffairs.gov.au/about/contact>) for information and their local office for advice on how the potential change to enrolment status may impact upon his or her visa.



4. Once the DET has been notified of a suspension or cancellation of a student's enrolment, the student has 28 days in which to leave Australia or show the Department of Home Affairs a new CoE or provide the Department of Home Affairs with evidence that he or she has accessed an external appeals process.
5. Regardless of whether the suspension of enrolment is the result of a student request for suspension or a suspension imposed by IBMNSW, the period of suspension of enrolment (as entered in PRISMS) will not be included in attendance monitoring calculations.
6. Where IBMNSW initiates the suspension or cancellation of a student's enrolment, the student will be notified of this intention and will be informed that they have 20 working days to access IBMNSW's *Complaints and Appeals Policy and Procedure*, unless extenuating circumstances relating to the welfare of the student apply. Such circumstances may include where the student refuses to maintain approved care arrangements (only for students under 18 years of age – not applicable), is missing; has medical concerns, severe depression or psychological issues which lead the provider to fear for the student's wellbeing; has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others; or is at risk of committing a criminal offence.
7. Students may choose to access an external appeal process as per IBMNSW's *Complaints and Appeals Policy and Procedure*. In the case of an external appeal, IBMNSW is not required to wait for the outcome of the external appeal before notifying the Department of Home Affairs of the change to the student's enrolment status.
8. In relation to suspension, IBMNSW will continue to provide learning opportunities to students during the appeals process. However, where it is considered that a student should not attend classes during the appeals process, students will be provided with work that can be completed outside of the classroom environment.
9. IBMNSW provides information about its Deferral, Suspension and Cancellation Policy and Procedure on the above in the International Student Handbook and at orientation.
10. Student may access all relevant forms for deferral or suspension through IBMNSW website or by direct request.
11. Standards of behaviour required are outlined in the International Student Handbook.
12. Appropriate records of the assessment of the student's application for deferment, suspension or cancellation will be kept on the student's file. Where a student is suspended, or their enrolment cancelled due to misbehaviour, documentary evidence of this decision will also be kept.

## Document Control

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