



VCEPP321 DEFERRAL, SUSPENSION AND CANCELLATION POLICY AND PROCEDURE

PURPOSE
To provide a documented process for assessing, approving and recording a deferment of the commencement of study or the suspension of study for the overseas student, including keeping documentary evidence on the student's file of the assessment of the application.

SCOPE
This policy applies to North Melbourne Grammar College and all overseas students and enrolling overseas students. North Melbourne Grammar College 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, as defined below.

DEFINITIONS	
Cancellation	The cessation of an enrolment on a course.
Compassionate or Compelling circumstances	Is defined as circumstances 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: <ol style="list-style-type: none"> a. Serious illness or injury, where a medical certificate states that the student was unable to attend classes, b. Bereavement of close family members such as parents or grandparents (Where possible a death certificate should be provided), c. Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies, d. A traumatic experience which could include: <ul style="list-style-type: none"> • Involvement in, or witnessing of a serious accident; or • Witnessing or being the victim of a serious crime, and these experiences have impacted on the student (cases should be supported by police or psychologist's reports) e. Inability to begin studying on the course commencement date due to delay in receiving a Student VISA
Deferral	To delay the commencement of a course.
DHA	Department of Home Affairs
DSC	Application to Defer, Suspend or Cancel Form
NMGC of College	North Melbourne Grammar College
Suspension	To temporarily delay the enrolment once the course has commenced.
Withdrawal	A student that wishes to withdraw from a commenced course
Student Misconduct	<p>Also misbehaviour, is defined as students who display unacceptable behaviour in accordance with the Student Handbook and Code of Conduct.</p> <p>To ensure all students receive equal opportunity to gain the maximum benefit from their training, any person(s) displaying the following dysfunctional or disruptive behaviour may be asked to leave the session and/or the course.</p> <p>Examples of unacceptable behaviour include but are not limited to the following:</p> <ul style="list-style-type: none"> • Continuous interruptions of the trainer.



	<ul style="list-style-type: none"> • Smoking in non-smoking areas. • Being disrespectful to other participants. • Harassment by using offensive language. • Sexual harassment. • Acting in an unsafe manner that places themselves and others at risk. • Refusing to participate when required, in group activities. • Continued absence or late arrival at required times.
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POLICY PRINCIPLES AND STATEMENT

ESOS National Code Standard 9: Deferring, Suspending or cancelling the overseas student’s enrolment.

- Have a documented process for assessing, approving and recording a deferment, suspension or cancellation of study
- Notify the overseas student in writing of the intention to suspend or cancel their enrolment
- Tell the overseas student to seek advice from the Department of Home Affairs on the potential impact on their visa if enrolment has been deferred, suspended or cancelled
- Not let a suspension or cancellation take effect until the overseas student has been given a chance to complete an internal appeals process, unless their health or wellbeing, or the wellbeing of others, is likely to be at risk.

PROCEDURE

	Action
1. ACCEPTABLE REASONS FOR SUSPENSION OR CANCELLATION	<p>In accordance with the National Code 2018, North Melbourne Grammar College can defer or temporarily suspend a student’s enrolment on the grounds of:</p> <ul style="list-style-type: none"> * Compassionate or compelling circumstances, <p>In addition, North Melbourne Grammar College can suspend or cancel a student’s enrolment including, but not limited to, the following factors:</p> <ul style="list-style-type: none"> * Student misconduct * Failure to comply with the Offer of Terms as outlined in the Letter of Offer and Acceptance (Written Agreement) for Course Progress or attendance, and any formal warning issued by North Melbourne Grammar College against these processes, which are in accordance with Standard 8 (Overseas student visa requirements) * The non-payment of fees in accordance with the Offer of Terms as outlined in the Letter of Offer and Acceptance (Written Agreement) and Payment Schedule * The suspension or cancellation of the overseas student enrolment for these reasons may not take effect until the internal appeals process is completed, unless the health or wellbeing of the overseas student or the wellbeing of others, is likely to be at risk
2. DEFERRAL	<p>Applications for deferral of the commencement of the course must be made by completing an Application to Defer, Suspend or Cancel Form (DSC) with any additional evidence and submitting it to NMGC Administration Staff prior to the course commencing.</p> <ul style="list-style-type: none"> * The DSCW Form can be submitted via Email, Mail or in Person. * Email address: info@nmgc.edu.au <p>Once North Melbourne Grammar College has processed the deferral request, the student will receive a written correspondence of the outcome.</p>



	<p>* An updated Confirmation of Enrolment letter and Enrolment Agreement will be provided to reflect the timetable</p> <p>* NMGC will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act.</p>
<p>3. SUSPENSION</p>	<p>Applications for Suspension of enrolment must be made by completing a DSC Form with any additional evidence and submitting it to North Melbourne Grammar College Student Support Officer.</p> <ul style="list-style-type: none"> ● Applications must be received at least 10 working days prior to the requested Suspension date. ● Applications received less than 10 working days prior to the requested Suspension date will not be processed. ● In the event of an emergency situation requiring Suspension, the submission timeline of 10 working days may be waived by the North Melbourne Grammar College. <p>Once North Melbourne Grammar College has processed the Suspension request, the student will receive a written correspondence of the outcome.</p> <ul style="list-style-type: none"> ● NMGC will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act.
<p>4. CANCELLATION</p>	<p>Applications for cancellation of enrolment must be made by completing a DSC Form with any additional evidence and submitting it to NMGC Student Welfare Officer.</p> <ul style="list-style-type: none"> ● The DSC Form can be submitted via Email, Mail or in Person ● The Student Welfare Officer will then check all information is attached and send the cancellation request to the Principal for review against Policy & Procedures. ● The Principal will then pass the cancellation request to Administration Staff for processing. <p>Once NMGC has processed the Cancellation request, the student will receive a written correspondence of the outcome from Administration Staff</p> <ul style="list-style-type: none"> ● If the request is granted, the student will receive a Letter of Release. Once the Cancellation has been processed, North Melbourne Grammar College will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act. ● If the request is denied, then the student may appeal the outcome in accordance with the Complaints and Appeals Policy.
<p>5. WITHDRAWAL</p>	<p>Applications for Withdrawal from a course must be made by completing an Application to Defer, Suspend or Cancel Form (DSC) Form with any additional evidence and submitting it to NMGC Student Welfare Officer.</p> <ul style="list-style-type: none"> ● Any withdrawal must be done formally with evidence of why the student is withdrawing ● NMGC has the right to refuse a withdrawal where a student has not completed six (6) months of their primary course ● NMGC has the right to refuse a withdrawal on the grounds that the student has outstanding fees or if the student is in the debt recovery process as 'unresolved' ● Any refund application will be processed in accordance with the refund policy ● Certification of any description will only be processed after all outstanding fees are paid ● Certification will be issued within 30 calendar days of these conditions being met ● All documentation will be recorded in the student file ● In this instance the reasons must be documented and recorded to justify this decision ● Should the student wish to withdraw and return to their home country, the student must advise Australian Department of Home Affairs to cancel their student visa



<p>6. PRIOR TO SUSPENSION OR CANCELLATION</p>	<p>In any given situation that leads to a deferment, suspension or cancellation of studies, instigated by NMGC, prior to imposing a suspension/cancellation:</p> <ul style="list-style-type: none"> • Formal written notification will be provided to the student of the intent and reasons for suspension/cancellation • Inform the parent(s)/legal custodian(s) of the student if the student is younger than 18 years of age • The student will be informed of their right to appeal this decision, as well as the timeframe and process for doing so • The student shall have 20 working days to access North Melbourne Grammar College's Internal Complaints and Appeals process in accordance with Standard 10 (Complaints and appeals)
<p>7. COMPLAINTS AND APPEALS PROCESS</p>	<p>The deferment, temporary suspension or cancellation of studies cannot take effect until the Internal Complaints and Appeals process has been completed, unless extenuating circumstances relating to the welfare of the students apply.</p> <ul style="list-style-type: none"> • In the case of students under the age of 18, a copy of the formal notification will be forwarded to the Parent or Legal Guardian and a resolution formulated • At the completion of the complaints and appeals process, should the deferment, temporary suspension or cancellation of studies be upheld by the complaints and appeals hearing, NMGC will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act.
<p>8. DEFERRAL, SUSPENSION OR CANCELLATION ADVISING AND REPORTING OBLIGATIONS</p>	<p>In the instance of deferral, suspension or cancellation action going ahead NMGC will inform the overseas student regarding the need to immediately contact Immigration for advice on the potential impact to the student's visa.</p> <p>NMGC will report the change to the overseas student enrolment as per section 19 of the ESOS Act.</p>
<p>9. GUIDELINES AND IMPLICATIONS OF SUSPENSION OR CANCELLATION</p>	<p>Should a student enrolment be temporarily suspended for a period of 28 days or longer, the student must return home, unless special circumstances exist.</p> <p>Students are to be made aware that:</p> <ul style="list-style-type: none"> • Students can only temporarily suspend enrolment for a maximum period of six months, • Deferral, Suspension or Cancellation of enrolment may affect the student's VISA, • If the enrolment is suspended for a period greater than six months, the student's visa may be cancelled by Australian Department of Home Affairs

RELATED DOCUMENTS
<p>VCEPP308 Student Complaint and Grievance Policy and Procedure VCEPP326 Formalisation of Enrolment Policy and Procedure VCEDOC30001 NMGC Enrolment Handbook VCEFOR30801 Student Complaints Appeals and Grievances Form VCEFOR31031 Application to Defer, Suspend or Cancel Form</p>



LEGISLATIVE CONTEXT

- Education Services for Overseas Students (ESOS) Act 2000
- The National Code of Practice for Providers of Education and Training to Overseas Students 2018, known as 'the National Code 2018'
- Education Services for Overseas Students Regulations 2001

RESPONSIBILITIES

Role within NMGC	Area of responsibility
Principal	Approval Authority
Principal	Development/Review
Compliance Manager	Monitoring and Evaluation
Compliance Manager	Compliance
Principal	Implementation

All documentation relating to deferment, temporary suspension or cancellation of studies will be held in the student's file and managed by Student Welfare Officers and Administration Staff.

In addition, any discussions with the student and relevant staff members relating to the deferment, temporary suspension or cancellation of studies will be recorded and placed as minutes in the student's file as well as being noted in the Student Management System.

Authorised by	NMGC Committee of Management
Effective date	August 2018
Version	V1.0
Review date	August 2020 The policy review should be scheduled 2 years from the approval date