



## Deferment, Suspension or Cancellation of study during enrolment policy and procedure (National Code Standard 13)

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### 1. Policy

- 1.1 Melbourne Institute of Vocational Studies (MIVS) only defers, suspends or cancels an international student's enrolment in limited exceptional circumstances as identified in this policy and procedure.
- 1.2 MIVS provides information to international students on the grounds and process for deferring, suspending and cancelling enrolment pre and post enrolment.
- 1.3 MIVS informs international students of the impact of deferring, suspending or cancelling their enrolment and their student visa.
- 1.4 If due to exceptional circumstances identified in item 1.5 of this policy and procedure MIVS amends an international student's enrolment it will do so via PRISMS and record the reasons for the amendment.
- 1.5 MIVS defers, suspends or cancels a student's enrolment in the following exceptional circumstances:

Compassionate or compelling circumstances that are generally beyond the control of the student, and which have an impact upon their 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
- major political upheaval or natural disaster in the home country requiring emergency travel when this has impacted on the student's studies; or
- a traumatic experience which could include:
  - involvement in, or witnessing of a serious accident
  - witnessing or being the victim of a serious crime.
  - where the Institute was unable to offer a pre-requisite unit
  - inability to begin studying on the course commencement date due to delay in receiving a student visa
- If an approved deferral of commencement of studies or the suspension of study has been approved in compliance with the Institute Deferment, suspension or cancellation of enrolment policy and procedure

The above circumstances are only some of examples of what may be considered compassionate or compelling circumstances. The CEO will use his professional judgment to assess each case on its individual merits.

When determining whether compassionate or compelling circumstances exist, the Institute considers documentary evidence provided to support the claim, and stores copies of these documents in the student's file.



Students may also have their enrolment suspended or cancelled by the Institute due to non-payment of fees, not achieving satisfactory course progress, academic misconduct, misbehaviour or for breaching the Institute Code of Conduct.

- 1.6 Students have the right to appeal a decision by the Institute to defer, suspend or cancel their studies within 20 days of receiving notification of the Institute's intention.
- 1.7 The Institute does not notify DoE of a change to the enrolment status until the external complaints and appeals process is completed (if accessed). Cancellation of enrolment for misbehaviour may lead to enrolments being cancelled after the outcome of the internal appeals process.
- 1.8 The Institute does not notify DoE of a change to the enrolment status until the external complaints and appeals process is completed (if accessed). Cancellation of enrolment for misbehaviour may lead to enrolments being cancelled after the outcome of the internal appeals process.
- 1.9 Reasons for deferment, suspension or cancelation of their course are recorded in the student's file.
- 1.10 Students must submit verifiable documentary evidence when applying to defer, suspend or cancel their enrolment.
- 1.11 The CEO is responsible for the implementation of this policy and procedure.
- 1.12 This policy will be implemented in compliance with the requirements of the National Code of Practice 2007 Standard 13.

## Procedure

### 2. Student initiated deferral

- 2.1 A student wishing to defer their enrolment must do so prior to the commencement of the course. Students must complete an application form to defer, suspend or cancel an enrolment and submit it to the Institute.
- 2.2 Application forms are available from the Institute reception MIVS or by request from [info@MIVS.com.au](mailto:info@MIVS.com.au). Documentary evidence in support of the application must also be submitted.
- 2.3 Deferrals will only be granted if they meet one of the criteria listed in item 1.5 of this policy and supported by verifiable documentary evidence.
- 2.4 All applications to defer, suspend or cancel an enrolment are stored in the students' file and DoE shall be notified via PRISMS of the decision to defer the enrolment as a result of the student's request.



- 2.5 Students will be forwarded notification of the Institute's decision within 7 working days of receipt of an application. Reasons for the decision are included in the letter and the students are informed of their right to access the Institute complaints and appeals process within 20 working days if the application is declined.

### **3. Student initiated suspension**

- 3.1 The Institute is only able to temporarily suspend the enrolment of the student on the grounds of compassionate or compelling circumstances as outlined in item 1.5 of this policy.
- 3.2 Application forms are available from the Institute reception or by request from [info@MIVS.com.au](mailto:info@MIVS.com.au). Documentary evidence in support of the application must also be submitted.
- 3.3 A student wishing to suspend an enrolment must complete an application to defer, suspend or cancel an enrolment and submit it to the Institute reception. Documentary evidence in support of the application must also be submitted.
- 3.4 Suspensions will only be granted if they meet one of the criteria listed in item 1.5 of this policy and supported by documentary evidence.
- 3.5 All applications to defer, suspend or cancel an enrolment will be kept in the students' file and DoE is notified via PRISMS of the decision to suspend the enrolment as a result of the student's request.
- 3.6 Students receive notification in writing of the Institute's decision within 7 working days of receipt of an application. Reasons for the decision are included in the letter and the students are informed of their right to access the Institute complaints and appeals process within 20 working days.
- 3.7 Where a suspension of enrolment is granted, the Institute will suspend an enrolment for an agreed period of time - to a maximum of 12 months. If the suspension is required for longer than 12 months the student shall have to re-apply once the initial suspension period has expired.
- 3.8 If a student's enrolment is suspended for a period of 28 days or longer, the student must return home (unless special circumstances exist). Please refer all questions about whether students may remain in Australia during a period of suspension of enrolment to DIAC. DIAC helpline 131 881.
- 3.9 Student initiated suspension of studies cannot be granted retrospectively or if time off studies was taken by the student without authorization.

### **4. Student initiated cancellation**

- 4.1 The Institute is only able to cancel a student's enrolment on the grounds of compassionate or compelling circumstances as outlined in item 1.5 of this policy.
- 4.2 Application forms are available from the Institute reception or by request from [info@MIVS.com.au](mailto:info@MIVS.com.au).



- 4.3 A student wishing to cancel their enrolment must complete an application to defer, suspend or cancel an enrolment and submit it to the Institute reception or by request from the admissions team. Documentary evidence in support of the application must also be submitted.
- 4.4 Cancellations are only granted if they meet one of the criteria listed in 1.5 and supported by documentary evidence.
- 4.5 All applications to defer, suspend or cancel an enrolment will be kept in the students' file and DoE shall be notified via PRISMS of the decision to cancel the enrolment as a result of the student's request.
- 4.6 Students receive notification of the Institutes decision within 7 working days of receipt of an application. Reasons for the decision are included in the letter and the students are informed of their right to access the Institute complaints and appeals process within 20 working days.
- 4.7 Students who have an application to cancel their studies granted may be entitled to a refund as per the refund arrangements in the student written agreement. Applications for refunds must also be submitted with the application to cancel the enrolment.
- 4.8 Refunds will be processed in accordance with the Institute refund terms and conditions found in the Written agreement.

## 5. Institute initiated deferral

- 5.1 The institute may defer an enrolment where the course is not being offered due to compelling circumstances causing the Institute to cancel the course at a given date.
- 5.2 The Institute will notify the student in writing of its intention to deferral commencement of studies. Students will be given as much notice as practically possible in such circumstances.
- 5.3 All documentation relating to deferring an enrolment will be kept in the students' file and DoE shall be notified via PRISMS of the decision to defer the enrolment.

## 6. Institute initiated suspension

- 6.1 The Institute may suspend a student's enrolment on the grounds of misbehaviour. This misbehaviour may include but is not limited to:
  - Academic misconduct (refer to the Institute academic misconduct policy for further details)
  - Breaching the Institute Code of Conduct
  - Bullying other students or staff



- Displaying threatening behaviour to other students
  - Acting in a manner that adversely impacts the general well being of other staff and students
  - Acting in a manner that adversely impacts the learning and/ or assessment of other students
  - Damaging Institute equipment, facilities or materials
  - Damaging other students or staff belongings
  - Theft from staff, students or the Institute
  - Fails to abide by the terms of the written agreement between the student and the Institute
  - Fails to comply with Institute policies and procedures
  - Undertakes illegal activities in or around Institute premises
- 6.2 If students take unauthorised leave they will be recorded as absent and may have their enrolment suspended or cancelled. This action will be reported to DoE via PRISMS and may lead to the student's visa being cancelled.
- 6.3 Where the Institute has found evidence of Academic or General Misconduct the CEO shall be informed and considers all evidence before implementing a decision.
- 6.4 The student is given an opportunity to present their evidence and supporting documentation to the CEO before any decision is taken.
- 6.5 The CEO takes into account the type/ level of misconduct and supporting evidence along with previous behaviour. The CEO refers to the student file and Institute staff for information.
- 6.6 In dealing with cases of misconduct the Institute ensures that students are treated fairly, with dignity and with due regard to their privacy.
- 6.7 The student is informed in person and in writing of the Institute's decision along with reasons for the decision.
- 6.8 If the Institute decides to suspend a student's enrolment for a period in excess of 28 days the student must return home for this period unless exceptional circumstances can be evidenced that prevent this being possible.
- 6.9 Students receive notification of the Institute's decision within 7 days of an event taking place that leads to the implementation of this policy. Reasons for the decision are included in the letter and the students are informed of their right to access the Institute complaints and appeals process within 20 working days.
- 6.10 All documentation relating to suspending an enrolment will be kept in the students' file and DoE shall be notified via PRISMS of the decision to suspend the enrolment.
- 6.11 No suspension action is taken until 22 working days after notifying the student of the Institute's intention has elapsed, or the outcome of any appeal is known or the student withdraws from the appeal process.
- 6.12 The Institute may decide to suspend a student's enrolment before the 22 days has elapsed or before the conclusion of the appeal process is known or if there are extenuating circumstances. E.g. serious



risk being posed to the student, other students and/ or Institute staff by maintaining the student's enrolment.

## 7. Institute initiated cancellation

- 7.1 If a student fails to commence their course on the agreed date and does not respond to the Institute's attempts to contact them the Institute cancels their enrolment.
- 7.2 If after considering all the evidence the Institute believes any misconduct (including academic misconduct) severe enough to warrant the cancellation of the student's enrolment it will notify the student in writing of its intention. The reasons for the decision will also be provided.
- 7.3 If a student does not achieve satisfactory course progress in two successive study periods the Institute will inform them of the intention to report them to DoE and cancel their enrolment.
- 7.4 If a student does not pay any fees related to their study at MIVS they will be notified in writing of the Institute's intention to cancel their enrolment due to non-payment of fees. If the student after the Institute's attempts still does not pay the required fees by the nominated date, the Institute will report them to DoE for non-payment of fees and initiate the cancellation of their enrolment.
- 7.5 If possible the student will also be informed in person via a meeting of the Institute's intention to cancel their enrolment.
- 7.6 Students receive notification of the Institute's decision within 7 days of an event taking place that leads to the implementation of this policy. Reasons for the decision are included in the letter and the students are informed of their right to access the Institute complaints and appeals process within 20 working days.
- 7.7 All documentation relating to cancelling an enrolment is stored in the students' file and DoE notified via PRISMS of the decision to cancel the enrolment.
- 7.8 No cancellation action is taken until 22 working days after notifying the student of the Institute's intention has elapsed, or the outcome of any appeal is known or the student withdraws from the appeal process.
- 7.9 The Institute may decide to cancel a student's enrolment before the 22 days has elapsed or before the conclusion of the appeal process is known or if there are extenuating circumstances. E.g. serious risk being posed to the student, other students and/ or Institute staff by maintaining the student's enrolment.

## 8. Appealing Institute decisions

- 8.1 On receiving notification from the Institute of its decision in relation to their request to defer, suspend or cancel their enrolment, the student can appeal the Institute decision via the Collage's Complaints and appeals policy and procedure.



- 8.2 On receiving notification from the Institute of the decision to initiate the deferment, suspension or cancelation of their enrolment, the student can appeal the Institute decision via the Collage's Complaints and appeals policy and procedure.
- 8.3 Appeals must be lodged in writing on the Complaints and appeals form accompanied by verifiable supporting documentation/ evidence.
- 8.4 Complaints and appeals forms are found in the Student information handbook, available from the Institute reception at or on request from [admission@mivs.edu.au](mailto:admission@mivs.edu.au)
- 8.5 Complaints and appeals forms are to be submitted to the Training Manager MIVS Flinders Lane campus or to [admission@mivs.edu.au](mailto:admission@mivs.edu.au) .
- 8.6 Full details of the Complaints and appeals policy can be found in the Student handbook, available from the reception MIVS or on request from [admission@mivs.edu.au](mailto:admission@mivs.edu.au)
- 8.7 Students have 20 working days to lodge an appeal against a MIVS decision.
- 8.8 Students must attend all scheduled classes during the complaints and appeals process.

## 9. Suspending/ cancelling enrolments

- 9.1 The Institute waits until 22 working days after notifying the student of the Institute's intention has elapsed, or the outcome of any appeal is known or the student withdraws from the appeal process before suspending or cancelling an enrolment.
- 9.2 Enrolments are suspended/ cancelled via PRISMS with reasons noted and all documentary evidence placed in the students file.
- 9.3 Students are notified of the impact of suspending and/ or cancelling their enrolment on their student visa at all stages during the process in person and in formal communication from the Institute.
- 9.4 All documentation relating to cancelling an enrolment is stored in the students' file.

## Revision history

Revision Date	Comment	Revised by
27/11/15	Policy and procedures created	CEO