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Purpose

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

This policy and procedure ensure Ei's compliance with Standard 9 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018.

Policy

Deferral and suspension of studies

1. Deferral and suspension of studies will only be granted in compassionate or compelling circumstances as mentioned below. The circumstances listed are examples of what may be considered compassionate or compelling circumstances, and each case will be assessed on its individual merits.

Compassionate or compelling circumstances are generally beyond the student's control and affect 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 Everest Institute of Education (Ei) 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

2. When determining whether compassionate or compelling circumstances exist, Everest Institute of Education (Ei) considers documentary evidence provided to support the claim, and stores copies of these documents in the student's file.
3. A retrospective deferment or suspension may be justified if the student was unable to contact Everest Institute of Education (Ei) because of a circumstance such as being involved in a car accident.
4. Where a student-initiated deferral or suspension of enrolment is granted, Everest Institute of Education (Ei) will suspend enrolment for an agreed period of time, to a maximum of 6 months. If the deferral is required for longer than 6 months, the student's application will be reassessed. If the suspension period has expired and the student does not return, the student's enrolment will be cancelled.

Cancellation of studies

5. 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 Everest Institute of Education (Ei) Course Transfer Policy and Procedure.
6. Everest Institute of Education (Ei) may also initiate suspension or cancellation of a student's enrolment on the grounds of misbehaviour of the student or non-payment of fees.
7. Cancellation of the student's enrolment due to unsatisfactory course progress or attendance will be handled as per Everest Institute of Education (Ei) Course Progress and Attendance Monitoring Policy and Procedures.

Visa status (International students only)

8. 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, Everest Institute of Education (Ei) will notify DET via PRISMS of the change in enrolment status.
9. Where a student accesses the Complaints and Appeals process, Everest Institute of Education (Ei) 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.
10. Students are referred to the Department of Home Affairs website (Department of Home Affairs or Helpline (131 881) for information and their local office for advice on how the potential change to enrolment status may impact their visa.
11. 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.
12. Regardless of whether the suspension of enrolment is the result of a student request for suspension or a suspension imposed by Everest Institute of Education (Ei), the period of suspension of enrolment (as entered in PRISMS) will not be included in attendance monitoring calculations.
13. Where Everest Institute of Education (Ei) 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 Ei'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), 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.
14. Students may choose to access an external appeal process as per Everest Institute of Education (Ei)'s *Complaints and Appeals Policy and Procedure*. In the case of an external appeal, Ei 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.
15. In relation to suspension, Everest Institute of Education (Ei) will continue to provide learning opportunities to students during the appeals process and students to continue to attend class so as not to deny them learning opportunities or disadvantage their subsequent studies should the appeals process find in their favour. The only exclusion to this will be in the case of a student who has breached the student's code of conduct and is a risk to his/herself or to the safety of others.
16. Everest Institute of Education (Ei) provides information about its Deferral, Suspension and Cancellation Policy and Procedure on their website, in the Student Handbook and at orientation.
17. Students may access all relevant forms for deferral or suspension through the Everest Institute of Education (Ei) via email or by direct request.

18. Appropriate records of the assessment of the student's application for deferment, suspension or cancellation will be kept in 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.

Procedure

1. Student-initiated deferral of enrolment

| Procedure | Responsibility |
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| <p>A. Process the application from the student</p> <ul style="list-style-type: none"> Provide a deferral form on request to students. Assist students in completing the form as required. | Administration Department |
| <p>B. Assess request for deferral and respond to the student</p> <ul style="list-style-type: none"> Consider reasons for the request for deferral and approve cases that fall within compassionate and compelling circumstances as defined in this policy. Notify DET through PRISMS that the student will be deferring their enrolment. Where the deferral is approved, the end date of the CoE is affected, the student is informed about the changes and is requested to make a final decision. After the student decides to proceed with the deferment, a new CoE is created through PRISMS and sent to the student to reflect the new commencement date. Forward notification of decision within 10 working days of receipt of an application. Where the request for deferral is approved and does not affect the end date of the CoE (i.e. it is a short period of deferment), although a new CoE will not be required, a notice of deferral will be recorded in PRISMS. Where the request for deferral is refused, the student will be informed of the decision including the reason for refusal, as well as their right to appeal the decision within 20 working days. The refusal of the request for deferral will be entered into PRISMS, and the CoE will be cancelled. Students will be required to contact the Department of Home Affairs to obtain relevant and current information that may affect their student visa. A refund of fees paid will be made as per Ei's Fees and Refunds Policy and Procedure | General Manager Administration Department |

2. Student-initiated suspension of enrolment

| Procedure | Responsibility |
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| <p>C. Process student request for suspension of studies</p> <ul style="list-style-type: none"> Provide students with the Application for Deferral or Suspension Form for the request for suspension of studies. Provide assistance to students in completing an <i>Application for Deferral or Suspension Form</i> as required. Students wishing to suspend their enrolment must apply in writing to Ei a minimum of ten (10) working days prior to the requested suspension date. | General Manager Administration Department |

| Procedure | Responsibility |
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| Note, however, that suspension may be granted retrospectively where the student was unable to contact the organisation to inform them of the suspension in their studies, e.g. they were involved in a car accident. | |
| <p>D. Assess request for suspension of studies</p> <ul style="list-style-type: none"> Consider reasons for the request for suspension. Approve cases that fall within compassionate and compelling circumstances as defined in this policy. Notify DET via PRISMS of suspension of enrolment. Where the suspension is approved and does not affect the end date of the CoE (i.e. it is a short period of suspension), although a new CoE will not be required, a notice of suspension will be recorded in PRISMS and sent on to the Department of Home Affairs. Where the request for suspension is approved and affects the CoE, create a new CoE through PRISMS and send to the student, along with a new written agreement for signing to reflect the new CoE. If it is unclear when the student will return, wait until the student has advised of the intended date of return before creating a new CoE. If the student does not return after a break, it is considered that the student has 'inactively' advised Ei that they will not be continuing their studies. DET is notified via PRISMS, and the student's enrolment status is recorded on PRISMS as cancelled. Inform student where the request for suspension is refused, including the reason for refusal and of their rights to access the Complaints and Appeals process. All decisions on suspension are to be advised to students within 10 working days of receipt of an application. | <p>General Manager</p> <p>Administration Department</p> |

3. Student-initiated cancellation of enrolment (withdrawal)

| Procedure | Responsibility |
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| <p>E. Assess the student's request for suspension of studies</p> <ul style="list-style-type: none"> Provide the student with the <i>Application for Withdrawal Form</i>. Application for Withdrawal forms can be accessed from the Ei website or from a Staff Member. Provide assistance to students as required to complete an <i>Application for Withdrawal Form</i>. Organise a meeting with the student to discuss the reasons for the withdrawal. | <p>General Manager</p> <p>Administration Department</p> |
| <p>F. Process application for withdrawal</p> <ul style="list-style-type: none"> Complete course variation report in PRISMS. This will result in the CoE's status changing to cancelled. Include reason for cancellation of enrolment, date enrolment was cancelled and any other relevant information. | <p>General Manager</p> <p>Administration Department</p> |

| Procedure | Responsibility |
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| <ul style="list-style-type: none"> Process applicable refunds in accordance with Ei's <i>Fees and Refunds Policy and Procedure</i>. Ensure that students' financial records are adjusted to take into account the cancellation of enrolment as relevant. Inform all relevant personnel that the student's enrolment has been cancelled. Advise the student in writing that their enrolment has been cancelled and that the Department of Home Affairs has been informed, and they will be advised of their change in visa arrangements. Record cancellation of enrolment on aXcelerate. Include all documentation in the student's file. | |

4. Provider-initiated suspension or cancellation of enrolment

| Procedure | Responsibility |
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| <p>G. Suspend student</p> <ul style="list-style-type: none"> Inform students in writing that they are temporarily suspended because of misbehaviour and that they will need to continue to attend classes except where behaviour is considered to be such that the student needs to complete work outside of the class. Notify DET within 14 days of the suspension via a course variation in PRISMS of the suspension as per the instructions in the PRISMS user guide. Investigate student misbehaviour that led to the suspension decision. | <p>General Manager</p> <p>Administration Department</p> |
| <p>H. Decide on action and implement the decision</p> <ul style="list-style-type: none"> Arrive at an appropriate decision, e.g. issue a warning, charge for any damage caused, request a formal apology or suspend or cancel studies. Where the decision is to cancel the student's enrolment, provide the student with a <i>Notice of Intention to Cancel Enrolment Letter</i> informing them of their right to access the <i>Complaints and Appeals Policy and Procedure</i>. Where the student accesses the Complaints and Appeals process, and the decision following the internal appeals process is to cancel the student's enrolment, DET should be informed via PRISMS. | <p>General Manager</p> <p>Administration Department</p> |

Document Control

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