

Deferral, Suspension or Cancellation of Enrolment Policy

Purpose

This policy establishes the principles and processes by which Macleay College will assess applications from international students for the deferral (delayed commencement), suspension (leave of absence) or cancellation (withdrawal) of their enrolment to ensure compliance with the rules of Macleay, the TEQSA Threshold Standards 2012, the *Education Services for Overseas Students (ESOS) Act 2000* and Standard 13 of the National Code 2007.

Scope

This policy applies to all students who seek to defer, suspend or cancel their enrolment in course of study at Macleay College. This policy also applies to college staff who assess and process such voluntary student initiated requests, or must implement a decision by Macleay to suspend or cancel a student's enrolment due to misconduct, including the non-payment of tuition fees.

Related Policies

This policy should be read in conjunction with the following college policies:

- Misconduct Policy
- International Student Transfer between Registered Providers Policy
- Tuition Fee Refund Policy for Domestic Students
- Tuition Fee Refund Policy for International Students
- Grievance & Appeals Policy

All college policies referenced in this document can be found at the Enrolment Resources section of the college website and myHandbook section of Moodle via <http://mymacleay.edu.au/>.

Definition of Key Terms

"Compassionate or Compelling Circumstances" means situations generally beyond the control of a student which has an impact on their course progression or wellbeing, such as serious illness or injury, bereavement, exceptional personal hardship or compulsory overseas military service

"Deferment" means postponement of the commencement date of study which allows the student's place in a Macleay College course to be held for a nominated period of time, usually a period of twelve months

"Cancellation" means withdrawal from the enrolled course of study at Macleay College which may be voluntarily activated by the student or forced by Macleay College as a result of misconduct

"Misconduct" means any behaviour which is contrary to a policy of the college or to generally accepted social or academic standards, for example but not limited to, harassment or plagiarism

"Suspension, Involuntary" means a forced finite break from studies which is activated by Macleay College as a result of misconduct

"Suspension, Voluntary" means to take a leave of absence from studies which is activated by the student, usually for a period of up to twelve months

Policy

The college has policies and procedures which guide the application by students for the deferment, cancellation or voluntary suspension of their course of study at Macleay College, and how applications are assessed and processed. The Department of Immigration & Border Protection (DIBP) also have rules under which they will agree to vary an international student's visa for the purpose of deferring course commencement or suspending enrolment for a leave of absence. The DIBP imposed conditions are very limited and Macleay must abide by these rules when assessing an international student's application for leave in accordance with Standard 13 of the *National Code 2007*, and are also guided by Standards 7, 9 and 10.

The deferral, suspension and cancellation of the enrolment of an international student may impact the visa as issued by DIBP. An international student who is considering deferring, suspending or cancelling their enrolment at Macleay College should seek further information from DIBP on the implications of such a decision on their student visa via their website www.immi.gov.au or telephone 131 881. Macleay College will report the deferment, suspension or cancellation of enrolment to the Department of Education via PRISMS in accordance with Standard 13.3 of the *National Code 2007*.

A. Deferral or Delayed Commencement of Study

Activated by Student on Request (Application) prior to Census Date

If a student is unable to commence their course of study at Macleay College in the trimester for which they applied for, or they commence their studies as enrolled but decide they wish to delay commencement before Census Date, they may apply to defer their study to a new agreed commencement date. The maximum period for which deferment will be granted is twelve months, unless there are compelling circumstances to extend this timeframe. International students should be aware that deferring their study at Macleay College may affect their student visa conditions.

Where a student wishes to defer their course of study, the student must lodge an 'Application to Defer the Commencement of Study' form with the Office of the Registrar outlining the reasons for the request. An 'Application to Defer the Commencement of Study' form which can be downloaded from the Enrolment Resources section of the college website and the myHandbook section Moodle via <http://mymacleay.edu.au/>. Applications for deferment should be submitted as soon as a student is aware they are unable to commence study but at least ten working days prior to the commencing trimester Census Date. Applications for deferment received after Census Date will not be accepted and students will be directed to submit an 'Application to Suspend Enrolment for a Leave of Absence' form to suspend their studies. Macleay College will report the deferral of enrolment of an international student to the Department of Education via PRISMS in accordance with Standard 13.3 of the *National Code 2007* which may affect their student visa conditions.

Macleay College will only consider an application complete and eligible for assessment when all sections have been completed and the form signed ('completed application').

ⓘ International students should note that, in accordance with Standard 13.2 of the *National Code 2007*, Macleay College will only grant approval for a delayed commencement of studies (deferment) on the grounds of compassionate or compelling circumstances. As such, documentary evidence must be provided to support the compassionate or compelling circumstances as outlined in the completed application. Examples of acceptable documentary evidence include, but not limited to:

- a) Medical certificate from a registered medical practitioner
- b) Statement of support from a counsellor or psychologist
- c) Certified personal statement of exceptional hardship
- d) Activation orders for compulsory overseas military service

Macleay College will assess and respond to all completed applications within ten working days. A longer time may be required during peak admission and enrolment times but the process will not exceed fifteen working days.

Where an 'Application to Defer the Commencement of Study' is successful, Macleay College will issue an *Acceptance of Deferral Letter* to notify the decision in writing. It is the responsibility of the student to sign and return the letter acknowledging their acceptance of the new commencement date and any subsequent changes to their enrolment. Macleay College will hold the student's place in their course of study but it is the student's responsibility to observe the enrolment process in line with the dates as stipulated in the *Acceptance of Deferral Letter* (including providing a copy of the new visa for international students). For international students, Macleay College will report the deferral to the Department of Education via PRISMS on receipt of their signed acceptance which may affect the student's visa conditions.

Where an 'Application to Defer the Commencement of Study' is denied, Macleay College will issue a *Refusal of Deferral Letter* outlining the reasons for refusal and their right to appeal within twenty working days. Students wishing to appeal the decision should refer to the college **Grievance & Appeals Policy**.

A copy of all applications, decisions and outcomes will be kept on the student file.

Where course credit will change the expected completion date and therefore shorten the expected duration of the course of study for an international student, Macleay College will:

- a) adjust the course duration in the Confirmation of Enrolment (CoE) when course credit is granted at the time of admission ie. prior to the issue of the student visa
- b) report the change in course duration in PRISMS in accordance with Standard 9 of the *National Code 2007* when course credit is granted after admission and the original CoE

B. Leave of Absence or the Voluntary Suspension of Study

Activated by Student on Request (Application) after Census Date

If a student who has commenced their course of study at Macleay College wishes to take a leave of absence from their studies after Census Date, they may apply to voluntarily suspend their enrolment for a period up to twelve months. International students should be aware that suspending their enrolment at Macleay College and taking a leave of absence may affect their student visa. Macleay College will report the suspension of enrolment to the Department of Education via PRISMS in accordance with Standard 13.3 of the *National Code 2007* which may affect their student visa conditions.

Where a student wishes to take a leave of absence from their course of study at Macleay College, the student must lodge an 'Application to Suspend Enrolment for a Leave of Absence' form with the Office of the Registrar outlining the reasons for the request. An 'Application to Suspend Enrolment for a Leave of Absence' form can be downloaded from the Enrolment Resources section of the college website and the myHandbook section of Moodle via <http://mymacleay.edu.au/>.

Applications for leave should be submitted as soon practical and at least ten days prior to the commencement date of the next trimester. Where the decision to take a leave of absence is made after the trimester commencement date, application should be made prior to Census Date to avoid any academic and/or monetary penalty. For example, in accordance with the college **Tuition Fee Refund Policies**, applications for leave received after Census Date will not be entitled to the refund of tuition fees.

Macleay College will only consider an application complete and eligible for assessment when all sections have been completed and the form signed ('completed application').

① International students should note that, in accordance with Standard 13.2 of the *National Code 2007*, Macleay College will only grant approval for a leave of absence (voluntary suspension of study) on the grounds of compassionate or compelling circumstances. As such, documentary evidence must be provided to support the compassionate or compelling circumstances as outlined in the completed application. Examples of acceptable documentary evidence include, but not limited to:

- a) Medical certificate from a registered medical practitioner
- b) Statement of support from a counsellor or psychologist
- c) Certified personal statement of exceptional hardship
- d) Activation orders for compulsory overseas military service

Macleay College will assess and respond to all completed applications within ten working days. A longer time may be required during peak admission and enrolment times but the process will not exceed fifteen working days.

Where an 'Application to Suspend Enrolment for a Leave of Absence' is successful, Macleay College will issue an *Approval of Leave Letter* and hold the student's place in their course of study but it is the student's responsibility to observe the re-enrolment process in line with the dates as stipulated in the *Approval of Leave Letter*. For international students, Macleay College will update the CoE via PRISMS in accordance with the agreed return date and expected completion date. International students must provide a copy of the new visa to the Office of the Registrar before enrolment will be finalised for their return to study at Macleay College at the agreed date.

Where an 'Application to Suspend Enrolment for a Leave of Absence' is denied, the student will be notified in writing of the reasons for the refusal and their right to appeal within twenty working days as per Standard 8.1 of the *National Code 2007*. Students wishing to make an appeal should refer to the college **Grievance & Appeals Policies**. A student's enrolment will be maintained for the duration of the internal appeals process. Where an appeal is made by an international student, Macleay College will not report any changes to the Department of Education via PRISMS during this time.

A copy of all applications, decisions and outcomes, including the new student visa where applicable, will be kept on the student file.

C. Involuntary Suspension of Enrolment for Misconduct

Activated by Macleay College

Where a student has displayed or participated in behavior contrary to the **Misconduct Policy** or other college policy or to generally acceptable social or academic standards, Macleay College may activate a suspension of study for misconduct.

Where Macleay College intends to suspend the enrolment of a student as a result of misconduct, the student will be issued with a *Notice of Intention to Suspend Enrolment* notifying the intention to suspend, the reasons for the decision and the student's right to appeal within twenty working days. Macleay College will hold the student's place in their course of study for the period of suspension. It is the student's responsibility to observe the re-enrolment process in line with the dates as stipulated in the *Notice of Intention to Suspend Enrolment*.

Macleay College will report the suspension of enrolment of an international student to the Department of Education via PRISMS in accordance with Standard 13.3 of the *National Code 2007*. Students must provide a copy of the new visa to the Office of the Registrar for the student records before they are re-enrolled for their return to study at the date agreed.

Students wishing to make an appeal against suspension for academic misconduct should refer to the college **Grievance & Appeals Policies**. A student's enrolment will be maintained for the duration of the internal appeals process. Where an appeal is made by an international student, Macleay College will not report any changes to the Department of Education via PRISMS during this time.

A copy of all decisions and outcomes, including an international student's new visa where applicable, will be kept on the student file.

D. Cancellation of Enrolment for Misconduct

Activated by Macleay College

Where a student has displayed or participated in behavior contrary to the **Misconduct Policy** or other college policy or to generally acceptable social or academic standards, Macleay College may activate the cancellation of their enrolment at the college. Macleay College may cancel a student's enrolment on the grounds of misconduct which may include one or more, but not limited to, the following circumstances:

- a) Plagiarism, cheating or collusion
- b) Harassment or bullying of students, staff or others persons
- c) Causing or threatening the safety or health of students, staff or other persons
- d) Non-payment of tuition fees
- e) Unsatisfactory course progress (international students as per Standard 10 of the National Code 2007)

Where Macleay College intends to cancel the enrolment of a student as a result of misconduct, the student will be issued with a *Notice of Intention to Cancel Enrolment* notifying the intention to cancel, the reasons for the decision and the student's right to appeal within twenty working days. Macleay College will report the cancellation of enrolment of an international student to the Department of Education via PRISMS in accordance with Standard 13.3 of the *National Code 2007*.

Students wishing to make an appeal against the cancellation of their enrolment for academic misconduct should refer to the college **Grievance & Appeals Policies**. A student's enrolment will be maintained for the duration of the internal appeals process. Where an appeal is made by an international student, Macleay College will not report any changes to the Department of Education via PRISMS during this time.

A copy of all decisions and outcomes will be kept on the student file.

E. Cancellation or Withdrawal from a Course

Activated by Student on Request (Application)

If a student is unable to continue their course of study at Macleay College they may apply to withdraw or cancel their enrolment.

When a student wishes to withdraw from their course of study at Macleay College, the student must lodge an 'Application to Withdraw or Cancel Enrolment' form with the Office of the Registrar outlining the reasons for the request. An 'Application to Withdraw or Cancel Enrolment' form can be downloaded from the Enrolment Resources section of the college website and the myHandbook section Moodle via <http://mymacleay.edu.au/>.

Applications to withdraw or cancel enrolment should be submitted prior to Census Date to avoid any academic and/or monetary penalty. For example, in accordance with the college tuition fee refund policies, applications to withdraw received after Census Date will not be entitled to the refund of fees. Students wishing withdraw or cancel their enrolment should refer to the **Tuition Fee Refund Policy for Domestic Students** or **Tuition Fee Refund Policy for International Students** (as appropriate).

An international student applying to cancel their enrolment to transfer to a course at another registered provider, and has not completed six months of their principal course of study at Macleay College, should refer to the **International Student Transfer between Registered Providers Policy** which outlines the imposed conditions by which Macleay College must abide in accordance with Standard 7 of the *National Code 2007*.

Macleay College will only consider an application complete and eligible for assessment when all sections have been completed and the form signed ('completed application').

① International students should note that, in accordance with Standard 13.2 of the *National Code 2007*, Macleay College will only grant approval to withdraw (cancel enrolment) on the grounds of compassionate or compelling circumstances. As such, documentary evidence must be provided to support the compassionate or compelling circumstances as outlined in the completed application. Examples of acceptable documentary evidence include, but not limited to:

- a) Medical certificate from a registered medical practitioner
- b) Statement of support from a counsellor or psychologist
- c) Certified personal statement of exceptional hardship
- d) Activation orders for compulsory overseas military service

Macleay College will assess and respond to all completed applications within ten working days. A longer time may be required during peak admission and enrolment times but the process will not exceed fifteen working days.

Where an 'Application to Withdraw or Cancel Enrolment' is successful, Macleay College will issue an *Approval of Withdrawal Letter* to notify the decision in writing. It is the responsibility of the student to sign and return the letter acknowledging their acceptance of the withdrawal and the subsequent cancellation of their enrolment. For international students, Macleay College will report the cancellation of enrolment to the Department of Education via PRISMS on receipt of their signed acceptance which may cancel their student visa.

Where an 'Application to Defer the Commencement of Study' is denied, Macleay College will issue a *Refusal of Deferment Letter* outlining the reasons for refusal and their right to appeal within twenty working days. Students wishing to appeal the decision should refer to the college **Grievance & Appeals Policies**.

Where an 'Application to Withdraw or Cancel Enrolment' is denied, the student will be notified in writing of the reasons for refusal and their right to appeal within twenty working days. Students wishing to make an appeal should refer to the college **Grievance & Appeals Policies**. Where an appeal is made by an international student, Macleay College will not report any changes to the Department of Education via PRISMS during this time.

A copy of all applications, decisions and outcomes will be kept on the student file.

Procedures

1. Submit an application to the Office of the Registrar

Responsible: Student

Students wishing to make application to defer, suspend or withdraw by cancelling their enrolment should by complete the appropriate form and attach the documentary evidence as outlined in the **Deferral, Suspension or Cancellation of Enrolment Policy**. The respective application form and attachments should be submitted to the Office of the Registrar.

2. Review and consideration of the completed application against assessment criteria [Macleay College]

a) Confirm application for completeness

Responsible: Office of the Registrar

The application form as submitted is checked for completeness by the Office of the Registrar. All applications are required to be completed, signed and it is the responsibility of the student to attach the appropriate documentary evidence in support of their application which, for international students, may include, but not be limited to:

- Medical certificate from a registered medical practitioner
- Statement of support from a counsellor or psychologist
- Certified personal statement of exceptional hardship
- Activation orders for compulsory overseas military service

All attachments should be copies of originals as certified by a Justice of the Peace (and translated into English if necessary). Where original documentation is presented with the application, the Office of the Registrar will take copies of the documentation and witness them as being true copies of originals presented. The original documentation will be returned to the student (or applicant).

Application forms will not be accepted without the appropriate supporting documentation.

b) Assessment of the Completed Application

Responsible: Office of the Registrar and/or Head of Faculty

After the check for completeness, the Office of the Registrar undertakes a review of the Completed Application against the assessment criteria as outlined in the ***Deferral, Suspension or Cancellation of Enrolment Policy*** and makes a decision to grant or deny the application for course credit. The Office of the Registrar may choose to refer the application to the Head of Program where they require faculty input to make the appropriate decision.

3. Advise assessment decision in writing

Responsible: Office of the Registrar

The Office of the Registrar will advise the student (or applicant) in writing of the college decision to grant or deny the request to defer, suspend or cancel enrolment within ten working days of the receipt of the completed application. A longer time may be required during peak admission and enrolment times but will not exceed fifteen working days.

Where an application is successful, Macleay College will send the student the respective *Approval Letter* notifying the decision, and that the deferment, suspension or cancellation of their enrolment may affect an international student's visa and they should seek further information from the DIBP before accepting the decision of Macleay College to grant their request. The student must sign and return a copy of this letter authorising the change to their enrolment and any subsequent conditions on their return to study if applicable before the student management system is updated accordingly.

Where an application is denied, the student will be notified in writing of the reasons for refusal and their right to appeal within twenty working days. A student's enrolment will be maintained for the duration of the internal appeals process. Where the appellant is an international student, Macleay College will not report any changes to the Department of Education via PRISMS during this time.

4. Respond to the notification of decision

Responsible: Student (or the Applicant)

a) The student accepts the college decision

If the student (or applicant) accepts the college decision outlined in their notification letter following their application to voluntarily defer, suspend or cancel their enrolment, they must formally accept the decision and acknowledge their understanding of any implications, by signing and returning a copy of the letter to the Office of the Registrar. For any student activated requests to defer, suspend or cancel their enrolment, no changes will be made without receipt of the student's acknowledgement in writing.

On receipt of the signed acknowledgement, the Office of the Registrar will update the student management system and, if necessary, report the change to the Department of Education via PRISMS within five working days in accordance with Standard 13.3 of the *National Code 2007*.

b) The student appeals the college decision

Students who make an appeal the college decision outlined in their notification letter to defer, suspend or cancel their enrolment must do so within twenty working days from the deemed receipt of the notification letter. The appeal must be submitted in writing using the 'Application for an Appeal or Grievance' form which can be downloaded from the Student Resources page of the college website. Students should refer to the college **Grievance & Appeals Policies** on how to lodge an appeal, and the **Misconduct Policy** for the eligible grounds for appeal and details on how the case will be heard by the Misconduct Appeals Committee. Where a student has admitted to committing or participating in an act of misconduct, an appeal can be made only on the ground of excessive penalty.

Where the student elects to appeal, their enrolment and access to college services will be maintained for the duration of the appeals process. Where the appellant is an international student, Macleay College will not report any changes in PRISMS during this time. However if the appeal is unsuccessful, enrolment will be cancelled and access to all college services withdrawn at the end of the appeal process. Macleay College will then report the changes to enrolment for international students to the Department of Education via PRISMS within five working days of end of the appeal process in accordance with Standard 13.3 of the *National Code 2007*.

If successful in appeal, Steps 4a and 5 in the procedure to this policy will be implemented.

c) The student elects not to appeal the college decision

Students who elect not to appeal the college decision outlined in their notification letter to defer, suspend or cancel their enrolment, will have their enrolment changed accordingly and access to all college services withdrawn at the conclusion of the twenty working day appeal period. Macleay College will report the change to an international student's enrolment to the Department of Education via PRISMS within five working days of the end of the appeal period in accordance with Standard 13.3 of the *National Code 2007*.

5. Enrolment is updated in the Student Management System

a) Where the student voluntarily defers, suspends or cancels their enrolment

Where the student voluntarily applied to defer, suspend or cancel their enrolment, on receipt of the signed acknowledgement letter accepting the change to their enrolment, the Office of the Registrar will update the student management system to adjust enrolment accordingly and withdraw the student from all college services including access to the following:

- campus access
- the myMacleay Student Portal
- the college email account
- library and library services
- other college hardware and software including WiFi access

No changes will be made to enrolment without receipt of the student's acknowledgement in writing by the Office of the Registrar. Until this time, the student is remains enrolled in their course of study and bound by the college policies, the TEQSA Threshold Standards 2012, the *Education Services for Overseas Students (ESOS) Act 2000* and *National Code 2007* which governs their enrolment at Macleay College and visa to study and reside in Australia.

Within five working days of receipt of the signed letter, the Office of the Registrar will report the change for an international student's enrolment to the Department of Education via PRISMS in accordance with Standard 13.3 of the *National Code 2007*.

b) Where the college activates the suspension or cancellation of enrolment

Where Macleay College activates the suspension or cancellation of enrolment for misconduct, at the end of the twenty-day appeal period or the appeal process as applicable, the Office of the Registrar will update the student management system to adjust enrolment accordingly and withdraw the student from all college services including access to the following:

- campus access
- the myMacleay Student Portal
- the college email account
- library and library services
- other college hardware and software including WiFi access

Within five working days of the appropriate appeal period as outlined above, the Office of the Registrar will report the change to an international student's enrolment to the Department of Education via PRISMS in accordance with Standard 13.3 of the *National Code 2007*.

6. Re-enrolment for deferred or suspended students

Students who deferred or suspended their enrolment for a leave of absence will be sent a letter outlining the process for re-enrolment and any imposed conditions for their return to study at Macleay College at the agreed commencement date (following deferment) or return date (following a leave of absence or college activated suspension). Students will be asked to contact the college to begin the re-enrolment at least twenty days prior to the agreed commencement date or return date.

International students will be required to provide a copy of their new student visa before re-enrolment will be completed.