



Deferment, Suspension and Cancellation Policy and Procedure

Policy

A student's enrolment at ICV may be deferred, temporarily suspended or cancelled, whether initiated by the student or the College. This policy provides a basis for all international students' eligibility for deferral, suspension or cancellation of enrolment with the intent to comply with the requirements of the National Code 2018 and made available to all current and intending overseas students via the website, prospectus and the student handbook.

Definitions.

Deferment: to delay the commencement of a course.

Suspension: to temporarily put studies on hold

Cancellation: termination of enrolment in a course.

Compassionate or compelling circumstances are generally those beyond the control of the student and they have an impact on the student's capacity and/or ability to progress through a course.

Procedures

A. DEFERMENT SUSPENSION OR CANCELLATION OF ENROLMENT BY AN OVERSEAS STUDENT

Students who wish to defer, temporarily suspend or cancel their enrolment must complete an application for deferment, suspension or cancellation and must include supporting documentation. Supporting documents may include medical certificates, death certificates, police reports, psychologists' reports or any other relevant documents. Supporting documents must be original documents or certified copies of original documents. A fee of \$400 is applicable where the course variation has not been determined (intervention/compassionate/compelling circumstances)

An application to defer or suspend an enrolment may be approved due to compassionate and compelling circumstances. These may include but 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 their emergency travel and this has impacted on their studies
- inability to begin studying on the course commencement date due to delay in receiving a student visa
- A traumatic experience which could include but is not limited to:
 - involvement in or witnessing of an accident
 - a crime committed against the student
 - the student has been a witness to a crime
 - and this has impacted on the student (these cases should be supported by police or psychologist's reports).
- where ICV was unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.



Students seeking to cancel/discontinue their enrolment prior to completing 6 months of their principle course must refer to Transfer Between Registered Providers Policy and Procedure.

An application for deferment or suspension must be submitted, where practicable, 10 working days before the date of the requested deferment or suspension. A student may defer or suspend their enrolment for a period of two months at a time. An extension of time, would require an additional application to be submitted or formal notification by the overseas student with further evidence.

Assessing a student application for deferment or suspension or cancellation of enrolment

The RTO Manager will use their professional judgment to assess each application for deferment, suspension or cancellation of enrolment on its individual merits. When determining whether compassionate or compelling circumstances exist, ICV will consider documentary evidence provided to support the overseas students claim, and maintain documents in the student's file. Documents provided by the student in support of the application will be reviewed and a request for an interview with the student to identify if additional support may be required. Minutes of all these discussions will be maintained.

Notification of overseas student application for deferment, suspension or cancellation

Students will be notified of the outcome of their application to defer, suspend or cancel their enrolment within 10 working days of receipt of the application. The student will be notified of the outcome of the application for deferment by use of the course variation outcome letter. The notification will also inform the overseas student of the need to seek advice from Immigration on the potential impact on his or her student visa

Any approved deferral, suspension or cancellation, ICV will report the change to the overseas student's enrolment under section 19 of the ESOS Act within 31 days of the event occurring.

Register of applications to defer, suspend or cancel enrolment

Details of applications for deferment, suspension or cancellation of enrolment are recorded in the "Register of applications to defer, suspend or cancel enrolment". This register is maintained by the Student Support Officer.

The register will contain the student name and number, the course in which the student is enrolled, the reasons for the application, information relating to the supporting documentation provided by the student and the application outcome.

B. DEFERMENTS, SUSPENSIONS OR CANCELLATIONS INITIATED BY ICV

In certain circumstances, ICV may initiate the deferment, suspension or cancellation of a student's enrolment.

Deferment

ICV may defer the commencement of a course if the course is not offered at the proposed date, location, or as per CEO discretion. Should this occur, students enrolled in the course will be offered a refund. (Refer to the refund policy – Provider default).

Alternatively, affected students, may accept the deferred commencement date or be offered enrolment in an alternative course offered by ICV at no additional cost to the student. Should they choose a placement in another course, ICV will provide a letter of offer and an enrolment agreement, where the student will then be required to sign and return the acceptance of the placement/deferred commencement date.

In cases where offshore students have not obtained a visa grant by the CoE commencement date, ICV may defer the commencement date to a later date.



Suspension or cancellation of an overseas student's enrolment

ICV may suspend or cancel a student's enrolment due to;

- misbehaviour by the student
 - has been in breach of the ICV Student Code of Conduct
 - behaving in a way such as to constitute serious misconduct
- the student's failure to pay an amount he or she was required to pay ICV to undertake or continue the course as stated in the written agreement
- a breach of course progress or attendance requirements by the overseas student, which must occur in accordance with Standard 8 (Overseas student visa requirements)
- plagiarising, colluding or cheating in assessments
- if a student has not commenced their studies as per the CoE commencement date and has not notified ICV in writing, ICV will cancel the enrolment on non-commencement of studies and report the change to the overseas student's enrolment under section 19 of the ESOS Act within 31 days of the event occurring
- CEO discretion surrounding extenuating circumstances

Where ICV initiates a suspension or cancellation of the overseas student's enrolment, before imposing this, ICV will;

- inform the overseas student of its intention and the reasons for doing so, in writing,
- advise the overseas student of their right to appeal through the ICV's internal complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.

Appealing against ICV's intention to suspend or cancel enrolment

A notice of intention to defer, suspend or cancel enrolment will clearly identify the reasons and provide the student receiving the notice with 20 working days to access ICV's internal complaints and appeals process. The 20 working days begins from a date specified in the letter which allows for reasonable time for delivery of the letter. Notices of intention to defer, suspend or cancel an overseas student enrolment will be sent by registered mail to the address on the student's file and by email to the email address on the student's file.

If the overseas student submits an application to appeal against a deferment, suspension or cancellation, ICV will maintain the student's enrolment until the internal appeals process is completed, unless there are extenuating circumstances. In this case, ICV reserves the right to not provide learning opportunities throughout the 20 working days provided to a student to make an appeal and throughout the appeals process should it be deemed appropriate. The CEO is responsible for making this determination

Extenuating circumstances are those where the student's health or wellbeing, or the wellbeing of others, is likely to be at risk. These may include,

The student:

- is missing
- has medical concerns, severe depression or psychological issues which lead ICV to fear for the student's wellbeing
- has engaged, or threatens to engage in behaviour that is reasonably believed to endanger the student, other students or staff
- is at risk of committing a criminal offence

Evidence of the extenuating circumstances will be maintained in the student file.



Issuing the notice of suspension or cancellation

If no appeal is received on completion of the 20 working days, or an appeal is lodged and the outcome supports ICV's intention to suspend or cancel the student's enrolment, or an appeal lodged has been withdrawn, , or if there is an appeal and the appeal is not upheld, ICV will issue the notice of deferment, suspension or cancellation which will indicate that the deferment, suspension or cancellation is to be initiated. Students will be notified that the deferment, suspension or cancellation has been initiated. The notification will also inform the overseas student of the need to seek advice from Immigration on the potential impact on his or her student visa. ICV will report the change to the overseas student's enrolment under section 19 of the ESOS Act as soon as practicable

Filing documents

All documentation relating to the deferment suspension or cancellation of an overseas student's enrolment will be filed in the student's file;

- the application for deferment or suspension of enrolment
- if the application was approved, a copy of the application for deferment or suspension approval form
- if the application was rejected, a copy of the application for deferment or suspension rejection form
- copies of all documents tendered in support of the application.
- any appeals and related outcomes