

# Deferment, Suspension, or Cancellation Student's Enrolment Policy

## POLICY

MINT International College (MIC) has specifically designed this Policy to address MIC's requirements relating to Standard 9 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

### Overview to this Policy

An overseas student's enrolment can be deferred, suspended or cancelled. This may be initiated either by the overseas student for compassionate and compelling circumstances, or by MINT for a breach of:

- their visa conditions, or
- failure to pay fees, misbehaviour, or
- other conditions that are listed in this policy.

MIC accepts that it must manage the enrolment of their overseas students and maintain up-to-date enrolment information in the Provider Registration and International Student Management System (PRISMS) database.

Accordingly, MIC will:

- document the 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 their 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.

### Key Requirements - Deferral, suspension or cancellation

MIC will maintain a record of any decisions to defer or suspend an overseas student's enrolment.

If MIC defers or suspends an overseas student's enrolment, MIC will notify the Department of Education and Training through PRISMS that it has taken this action; the Department of Home Affairs will also be notified of a student whose course has been deferred, suspended or cancelled through PRISMS.

- An international student's visa would not be cancelled if the deferral were for compassionate or compelling reasons.
- If MIC defers or suspends a student's studies for compassionate or compelling reasons, MIC will ensure the student visa holder has a valid CoE in PRISMS with a start date that reflects the student's intended date of return to studies. There is no maximum period for a deferral under compassionate or compelling reasons, but the deferral must be assessed in accordance with MIC's Policy and procedures.

On the other hand, an international student's visa may be cancelled if the deferral or suspension:

- is due to the conduct of the student
- is for reasons other than compassionate or compelling circumstances
- the compassionate or compelling circumstances which warranted the deferral or suspension of studies cease to exist
- is based on fraudulent evidence or documents given to the registered provider.

### **Effect on Confirmation of Enrolment (CoE):**

Mint International College will tell overseas students that deferring, suspending or cancelling their enrolment on any grounds may affect their student visa.

Under this standard of the National Code, there are three possible outcomes for an overseas student's CoE:

1. MIC will notify the Department of Education and Training through PRISMS that it is deferring or suspending an overseas student's enrolment for a period without affecting the end date of the CoE. There will be no change to the CoE on PRISMS – the overseas student will still be listed as studying. However, the notice of deferment or suspension will be recorded in PRISMS.
2. MIC will notify the Department of Education and Training through PRISMS that they are deferring or suspending an overseas student's enrolment for a period, which will affect the end date of the CoE. PRISMS will cancel the original CoE and immediately offer MIC the opportunity to create a new CoE with a more appropriate end date. If MIC does not know when the overseas student will return, it can choose not to create a new CoE at that point, but to wait until the overseas student has notified MIC of the intended date of return before creating a new CoE.
3. MIC will notify the Department of Education and Training through PRISMS that it wishes to permanently cancel (terminate) the overseas student's enrolment. Once this process is complete, the overseas student's CoE status will be listed as 'cancelled'.

### **Student-initiated deferrals, suspensions or cancellations of their enrolment:**

Under this Standard MIC recognises that it is able to defer or suspend the enrolment of an overseas student if there are compassionate or compelling circumstances. Where this is the case, MIC will assess the deferral of commencement of study or suspension of study for the overseas student in accordance with MIC's documented procedures for assessing and approving changes to enrolment.

With regards to 'Compassionate or compelling' circumstances, MIC accepts that they are generally those beyond the control of the overseas student and which have an impact upon the overseas 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 overseas 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 overseas student's studies;

- a traumatic experience, which could include:
  - involvement in, or witnessing of a serious accident; or
  - witnessing or being the victim of a serious crime, and this has impacted on the
  - overseas student (these cases should be supported by police or psychologists' reports)
- where MIC is 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.

These are only some examples of what MIC consider compassionate or compelling circumstances; and as such, MIC will assess each student's submitted evidence on a case-by-case basis utilising their professional judgement to assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, MIC will consider all documentary evidence provided to them to support the claim and will keep copies of these documents in the overseas student's file.

**Provider-initiated deferrals, suspensions or cancellations of enrolment:**

MIC accepts that it may suspend or cancel an overseas student's enrolment based on, but not limited to:

- misbehaviour by the overseas student; an/or
- the overseas student's failure to pay the required amount to undertake or continue the course as stated in the written agreement; and/or
- a breach of course progress by the overseas student.

Where this is the case, MIC will give the overseas student a notice of intention to report and 20 working days to access the MIC's internal complaints and appeals process. This applies even if an overseas student's misbehaviour is grounds for immediate expulsion, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk (as outlined below).

Generally, MIC will proceed with the deferral, suspension, or cancellation after the internal complaints handling and appeals process has been completed – for example, in cases of misbehaviour and non-payment. The only time a registered provider needs to wait for both the internal and external complaints handling and appeals processes to be completed is for course progress breaches.

MIC recognises that an overseas student does not have to be given the opportunity to appeal a provider-initiated deferral, suspension or cancellation of enrolment when the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk. The registered provider must keep evidence to support this.

This may include, but is not limited to when the overseas student:

- has medical concerns, severe depression or psychological issues which lead MIC to fear for the overseas student's wellbeing;
- has engaged or threatens to engage in behaviour that is reasonably believed to endanger the overseas student or others; or
- is at risk of committing a criminal offence.