1. Deferment, Suspension or Cancellation of Enrolment by IIPD

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**Statutory and regulatory compliance**

- Education for Overseas Students Act 2000
- National Code 2007 Standards 2, 13

**Related Policies**

- Deferment or Suspension of Enrolment by a Student
- Cancellation and Refund
- Learner Support and Welfare Services
- Reviewing and Improving Learner Support and Welfare Services
- Monitoring Course Progress
- Attendance
- Completion with Expected Duration
- Compassionate or Compelling Circumstances
- Complaints and Appeals
- Applications, Offers and Enrolments
- Information Provided to Applicants Prior to Enrolment
- Records Management
- Fees and Charges
- Refunds
- Plagiarism, Collusion and Cheating
- Critical incidents
- Transfer between Registered Providers
- Applications, Offers and Enrolments
- Information Provided to Applicants Prior to Enrolment
- Enrolment Offer and Acceptance Agreement
- Scheduling and Timetabling
- Welfare of Younger Learners

**Related Documents**

- Notice of intention to defer, suspend or cancel enrolment
- Notice of deferment, suspension or cancellation of enrolment
- Register of deferments, suspensions and cancellations of enrolment

**Policy**
Deferment, Suspension or Cancellation of Enrolment by IIPD

Under certain limited circumstances, a student’s enrolment may be deferred, suspended or cancelled by IIPD.

Deferment means to delay the commencement of a course.

Suspension means the temporary postponement of enrolment during a course.

Cancellation means termination of enrolment in a course.

Procedures

Deferments, suspensions or cancellations by IIPD

Under certain circumstances, IIPD may initiate the deferment, suspension or cancellation of a student’s enrolment.

Deferment

IIPD may defer the commencement of a course if the course is not offered. Should this occur, learners enrolled in the course will be offered a refund of all the course money they have paid to date. The refund will be paid within two (2) weeks of the day on which the course ceased being provided. Alternatively, such learners may be offered enrolment in an alternative course by IIPD at no extra cost to the student. Learners have the right to choose whether they would prefer a full refund of course fees, or to accept a place in another course. If they choose placement in another course, IIPD will ask them to sign a document to indicate that they accept the placement.

If IIPD is unable to provide a refund or place a student in an alternative course, the Tuition Protection Scheme will provide assistance to the student in obtaining a place in a suitable alternative course.

Suspension

IIPD may temporarily suspend a student’s enrolment if the student’s behaviour is assessed as unacceptable for an educational setting. The IIPD Management Committee is responsible for making this assessment. This is referred to as suspension of enrolment due to misbehaviour.

Grounds for suspending a student for misbehaviour

IIPD may suspend the enrolment of a student due to misbehaviour if the student:

- has been in breach of the IIPD Student Code of Conduct
- is assessed by the CEO as providing a threat to the well-being of other learners or staff
- has been assessed as behaving in a way such as to constitute serious misconduct

Applicants are advised of each of these grounds for suspension due to misbehaviour prior to signing the Enrolment Offer and Acceptance Agreement.

Outcomes for the student’s Confirmation of Enrolment

There are three possible outcomes for the CoE of a student whose enrolment has been deferred or suspended by IIPD.

Deferment or suspension without affecting the end date of the CoE

In this case, IIPD notifies DOE through PRISMS that it is deferring or suspending a student’s enrolment for a period without affecting the end date of the CoE. In this case, there is no change to the CoE or the student’s enrolment status on PRISMS. The student’s CoE status will still be listed as “studying”. The notice of deferment or suspension will, however, be recorded in PRISMS and sent to DIBP. This information will be kept by DIBP for future reference.

Deferment or suspension which affects the end date of the CoE

In this case, IIPD notifies DOE through PRISMS that it is deferring or suspending a student’s enrolment for a period which will affect the end date of the CoE. In such situations, PRISMS will cancel the original CoE and immediately offer IIPD the opportunity to create a new CoE with a more appropriate end date. If IIPD does not know then the student will return, the PEO will choose to not create a new
CoE at this point, but to wait to issue the new CoE until the student has provided notification of the intended data of return.

Advice to contact DIBP

Learners whose enrolment is to be suspended by IIPD are advised to refer to the DIBP website (www.immi.gov.au) or helpline (131 881) for information, and the local DIBP office for advice, on how the potential change to enrolment status may impact upon his or her visa.

Cancellation

IIPD may cancel the enrolment of a student if the student:

- is in breach of a condition of ongoing enrolment, including:
  - the requirement to attend at least 80% of all scheduled classes every study period
  - the requirement to not plagiarise, collude or cheat
  - the requirement to pay agreed tuition fees by the dates agreed in the Enrolment Offer and Acceptance Agreement
  - has been in breach of the IIPD Student Code of Conduct
  - is assessed by the CEO as providing a threat to the well-being of other learners or staff
  - has being assessed as behaving in a way such as to constitute serious misconduct
  - fails to meet the requirements of the course progress policy
  - fails to pay tuition fees

Applicants are advised of each of these grounds for deferment, suspension or cancellation prior to signing the Enrolment Offer and Acceptance Agreement.

Notice of intention to defer, suspend or cancel enrolment

Where a deferment, suspension or cancellation is initiated by IIPD, the student will receive a notice of intention to defer, suspend or cancel enrolment.

Appealing against IIPD’s intention to suspend or cancel enrolment

A notice of intention to defer, suspend or cancel enrolment will clearly identify that the student receiving the notice will be given 20 working days to access IIPD’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 enrolment are sent by registered mail to the address on the student’s file and by email to the email address on the student’s file.

Contacting the student within the 20 working days available to appeal

If no appeal is received, then the Student Services Manager is responsible for contacting the student on the 19th working day following the date specified in the letter in order to provide the student with a final opportunity to lodge an internal appeal. Contact will be made by telephone and email.

For more information, please refer to the IIPD Complaints and Appeals Policy.

Maintaining enrolment in the case of an appeal

If an appeal against a deferment, suspension or cancellation by IIPD is lodged by the student, IIPD will maintain the student’s enrolment until the internal appeals process is complete, unless there are extenuating circumstances relating to the student’s welfare.

Extenuating circumstances relating to the student’s welfare
Extenuating circumstances relating to the welfare of the student may include, but are not limited to, the following. The student:

- is missing
- has medical concerns, severe depression or psychological issues which lead IIPD 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
- is at risk of committing a criminal offence

The Student Services Manager is responsible for ensuring that claims by IIPD of extenuating circumstances relating to the welfare of the student are supported by appropriate evidence. All such documentary evidence is filed in the student’s file.

Reserving the right to not provide learning opportunities

IIPD reserves the right to not provide learning opportunities during 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.

The suspension or cancellation will be notified to DOE on completion of the 20 working days if there is no appeal, or at the completion of the appeals process if there is an appeal and the appeal is not upheld, or if there is an appeal and the appeal is withdrawn.

Opportunity for external appeal

A student may choose to appeal against a decision with the Overseas Students Ombudsman, but IIPD is not required to wait for the outcome of an external appeal before notifying DOE of the change to the student’s enrolment status. Learners will be provided with counselling and advice about external appeal opportunities. This counselling and advice will be free of any additional fee for the student.

A student wishing to access an external appeals process must contact DIBP and provide evidence of having accessed an external appeals process within 28 days of IIPD notifying DOE of the cancellation of enrolment. DIBP will then consider the student’s individual circumstances and whether to cancel or maintain the student’s visa.

Notice of suspension or cancellation

If there is no appeal against a decision by IIPD to suspend or cancel a student’s enrolment, or an appeal is lodged and the outcome supports IIPD’s intention to suspend or cancel the student’s enrolment, or an appeal lodged and then withdrawn, IIPD will issue a notice of deferment, suspension or cancellation. The notice of deferment, suspension or cancellation will indicate that the deferment, suspension or cancellation is to be initiated.

The Student Services Manager is responsible for ensuring that the notice of intention to defer, suspend or cancel enrolment is attached to the notice of deferment, suspension or cancellation of enrolment and provided to the CEO. The CEO will then authorise the necessary changes to the student’s enrolment details in the student database and PRISMS.

Filing documents

All documentation about the deferment or temporary suspension, cancellation by IIPD of a student’s enrolment are filed in the student’s file.