



**New England College** is the trading name of **New England Institute of Technology Pty Ltd**

RTO No: 31943 | CRICOS No: 03113M | ABN: 40 135 331 494

## **Deferral, Suspension and Cancellation Policy and Procedure**

**Version:** 2

**Date:** November 2022

**Status:** Published



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### Document Control

#### Version History

Version	Date	Description
V1.0	01.12.2020	Policy defined and created under new management
V2.0	04.11.2022	Review and minor updates including address

**Review Process:** This policy shall be reviewed annually in compliance with education industry standards including the Standards for Registered Training Organisations (SRTOs) 2015, the ESOS Act 2000 and the National Code of Practice for Providers of Education to Overseas Students 2018 and the ELICOS Standards 2018.



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## Purpose

The purpose of this policy is to ensure New England College students are managed responsibly and in accordance with the requirements of the ESOS Framework including the ESOS Act 2000 and Standard 9 of the National Code 2018.

This policy specifies the manner in which New England College will handle the deferral, suspension and cancellation of international student enrolments.

## Scope

The scope of this policy includes all overseas students studying qualifications offered by New England College.

## Definitions

**Deferral:** Postponement of the commencement of a course.

**Suspension:** Temporary postponement of enrolment during a course.

**Cancellation:** Cessation of enrolment in a course.

## Overview

A student's enrolment can be deferred, cancelled or suspended in the following circumstances:

- Provider default
- Student initiated deferral, suspension or cancellation
- Suspension or cancellation by New England College.

It is important to note that:

- New England College notifies the Department of Home Affairs of a student whose course has been deferred, suspended or cancelled through PRISMS.
- Deferring, suspending or cancelling an enrolment on any grounds may have an impact on the student's visa.
- If the student is approved to defer their admission, or take a leave of absence, New England College will hold the fees paid for six (6) months, as at the date advised in writing, without levying a penalty. If the student subsequently withdraws or exceeds this agreed holding period, all fees paid will be automatically surrendered to and become the absolute property of New England College.
- New England College will not transfer fees to another college or to a currently enrolled student, unless arranged at the time of enrolment.



## Provider Default

In the unlikely event that New England College is unable to deliver the enrolled course in full, the student will be offered a refund in accordance with the New England College Refund Policy. The refund will be paid within two (2) weeks of the day on which the course ceased being provided. Alternatively, the student may be offered enrolment in an approved course offered by the College, at no extra cost. The student has the right to choose a refund of course fees, or to accept a place in another course. If the student chooses placement in another course, New England College will require the student to sign a document indicating that they accept the placement.

## Student Initiated Deferral, Suspension and Cancellation

New England College can defer or suspend the enrolment of an overseas student if there are compassionate or compelling circumstances.

Compassionate or compelling circumstances are generally those beyond the control of the student and which have an impact on the student's course progress or wellbeing. Examples of compassionate and compelling circumstances include:

- Serious illness or injury, supported by a medical certificate which states the student is, or will be, 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 which has impacted the student's studies
- A traumatic experience, which could include:
  - Involvement in, or witnessing a serious accident
  - Witnessing or being the victim of a serious crime, and this has impacted the student (these cases should be supported by police or psychologist reports)
- Where the provider was unable to offer a prerequisite 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 must submit a 'Request to Defer, Suspend or Cancel Enrolment' form to New England College requesting to defer or temporarily suspend their studies, together with documentary evidence verifying their application (for example, a medical certificate or police report).

New England College will assess the application and make a decision within seven (7) business days.

If an international student's application for deferral or suspension is approved, New England College will notify the Department of Immigration Border Protection (DIBP) through PRISMS. The student's application and all supporting documents will be retained on file.



### Deferral prior to commencement

Students who wish to defer their course commencement date must notify New England College in writing prior to the course commencement date. Students wishing to request a deferral prior to commencement must submit a 'Request to Defer, Suspend or Cancel Enrolment' form to New England College requesting to defer their studies, together with documentary evidence verifying their application.

Courses can be deferred for a maximum of six (6) calendar months from the original commencement date. Where a course deferral is granted, any monies paid to accept the original course will be transferred as a deposit for the deferred course.-

If approved, students will receive a revised Letter of Offer (LoO) and Confirmation of Enrolment (CoE).

### Suspending enrolment

Students wishing to request a suspension of their enrolment must submit a 'Request to Defer, Suspend or Cancel Enrolment' form to New England College requesting to suspend their studies, together with documentary evidence supporting their application. All applications should be submitted at least ten (10) business days prior to the requested suspension date. Approval will only be granted on the grounds of compassionate or compelling circumstances as specified in this policy.

### Cancelling enrolment

Students wishing to cancel their enrolment must submit a 'Request to Defer, Suspend or Cancel Enrolment' form to New England College requesting to cancel their enrollment, together with documentary evidence supporting their application.

If the student has not completed the first six (6) months of their principal course they must provide a valid letter of offer for an alternate registered provider in order to comply with Standard 7 of the National Code 2018.



## Provider Initiated Suspension and Cancellation

New England College has the right to suspend or cancel a student's enrolment in the following circumstances:

- The student provides fraudulent evidence or documents to New England College
- The compassionate or compelling circumstances which warranted the deferral or suspension cease to exist
- The deferral or suspension is found to be for reasons other than compassionate or compelling circumstances
- The student does not maintain satisfactory course progress as specified by the New England College Course Progress Policy.
- The student does not maintain satisfactory course attendance as specified by the New England College Attendance Policy.
- The student fails to pay fees due with respect to delivery of the course, as specified in the New England College Fee Payment Policy.
- If the student behaves in a way that contravenes the New England Code of Conduct having already been given two formal warnings for such contraventions, including:
  - Disobeying college rules as specified in the code of conduct
  - Engaging in academic misconduct, including plagiarism and cheating
  - Not abiding by the use of IT systems (email, internet) rules as stipulated by the college
  - Engaging in any form of harassment (racial, sexual, verbal or otherwise) or bullying towards another student or member of staff
  - Misusing or willfully damaging college facilities, equipment or property.
- If the student behaves in a way that could potentially bring New England College into disrepute.

Where suspension or cancellation is initiated by New England College, students will receive a Notice of Intention to Suspend or Cancel Enrolment. This notice will set out:

- The reasons why the college is intending to suspend or cancel the student's enrolment
- The potential impact that suspending or cancelling the enrolment may have on the student's visa
- Notifying the student of their right to access the complaints and appeals process.



## Complaints and Appeals

If a student feels that the decision made by New England College is incorrect or unfair, the student has the right to access the New England College Complaints and Appeals Process.

The student will have twenty (20) days to access the complaint and appeals process, during which time New England College will maintain the student's enrolment.

The review process commences within 10 working days of the formal lodgment of the complaint or appeal and supporting information. All reasonable measures are taken to finalize the process as soon as practicable.

New England College will notify the Department of Home Affairs (DoHA) of the suspension or cancellation of enrolment via PRISMS in the following circumstances:

- Completion of the twenty (20) days since the Notice of Intention to Suspend or Cancel Enrolment if the student chooses not to access the complaints and appeals process
- At any time during the complaints and appeals process that the student chooses to withdraw their complaint/appeal
- At the end of the appeals process, if the appeal is not upheld.

A full copy of the New England College Complaints and Appeals Policy and Procedure can be found in the Student Contract/Written Agreement and at [www.nec.edu.au](http://www.nec.edu.au).