International Students Deferral Suspension Cancellation of Enrolment Procedure

Section 1 - Purpose

(1) The purpose of this procedure is to outline Melbourne Polytechnic's terms and conditions relating to international student deferrals, suspensions, leave of absences and cancellations, with adherence to the requirements of the Education Services for Overseas Students (ESOS) Framework, including the Education Services for Overseas Students Act 2000 (Cth), National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code).

Section 2 - Scope

(2) This procedure applies to new and continuing international students at Melbourne Polytechnic who hold an Australian student visa and all Melbourne Polytechnic staff with responsibilities for international students.

Section 3 - Procedure

(3) Melbourne Polytechnic is required to have in place documented procedures for assessing, approving and recording a deferment of the commencement of study or suspension of study for an international student, including keeping documentary evidence on their file of the assessment of the application.

Deferral of Course Enrolment

(4) Melbourne Polytechnic can only defer or temporarily suspend the enrolment of a student on the grounds of:

a. compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student is unable to attend classes), such as:
    i. cases of serious Illness, disability or injury providing a medical certificate is submitted stating the reasons a student was unable to attend classes;
    ii. bereavement of a close family member, such as a parent or grandparent where a death certificate is provided;
    iii. natural disaster or major political upheaval in student's home country requiring emergency travel which impacts a student's studies;
    iv. any experience which has left a student feeling traumatised, for example, being a victim or witnessing a serious crime or other exceptional personal experience which impacts a student's studies (supported by police and/or psychologist report); or
    v. any other exceptional circumstances assessed and approved by the International Office where external supporting documentation is provided;
    vi. misbehaviour or misconduct by the student as outlined in the Student Code of Conduct Guidelines and found to be a breach of the Student Discipline Policy; or
    vii. where Melbourne Polytechnic is unable to offer a pre-requisite unit, or the student has failed a pre-

requisite unit and therefore faces a shortfall of relevant units for which they are eligible to enrol.

(5) Students requesting a deferral of studies or a leave of absence from their course should submit their request to the International Office by completing an International Students Deferral or Leave of Absence Application Form.

(6) The allowable period for deferral or a leave of absence is one study period to a maximum of one (1) year.

(7) Melbourne Polytechnic will assess all requests from students who wish to defer studies or take a leave of absence and will notify them of the decision in writing.

(8) For Higher Education students, students requesting deferment/leave of absence after classes have commenced will be assessed by the:

a. Weeks 1-4 (pre-census date) – International Office with the Head of Program to be informed. Nil fees attracted for the deferred study period.
b. Weeks 5-8 (post-census date) – International Office in consultation with the Head of Program. Nil fees attracted for the deferred study period.
c. Weeks 9-12 - International Office in consultation with the Head of Program. 50% fees attracted for the deferred study period.
d. Exam period – no obligation to defer, although exceptions can be made under exceptional circumstances.

Suspension/Cancellation of Enrolment

(9) Melbourne Polytechnic can suspend or cancel a student's enrolment on the basis of:

a. misbehaviour or misconduct by the student as outlined in the Student Code of Conduct Guidelines;
b. a student's failure to pay an amount required to pay to undertake or continue the course as stated in their written agreement; and/or
c. a breach of course progress or attendance requirements.

(10) If a student is not granted a deferral or leave of absence and fails to commence a compulsory study period, a student will be withdrawn and their enrolment cancelled due to student default as outlined in the International Students Withdrawal Transfer and Refund Procedure.

Appeal of Course Suspension/Cancellation

(11) Where Melbourne Polytechnic has made the decision to suspend the studies of a student, they will be notified of the outcome and be given twenty (20) working days to access the Institute's internal complaints and appeals process through the Student Complaints and Appeals Policy and Student Complaints and Appeals Procedure. The student will be permitted to continue to study their course until the appeal has been heard and a decision issued.

Reporting Non-Compliance

(12) Melbourne Polytechnic will report a student's suspension/cancellation to the Department of Home Affairs (DHA), withdrawing them from the course due to student default as described in the International Students Withdrawal Transfer and Refund Procedure, where they:

a. choose not to access the complaints or appeals process;
b. withdraw from the complaints and appeal process; or
c. have an unsuccessful outcome of appeal.

Section 4 - Responsibility and Accountability

(13) International students are responsible for:

a. complying with the conditions as set out in their student visa;
b. ensuring timely receipt of tuition fee payment;
c. re-enrolling by the published date should a deferral or leave of absence be approved; and
d. maintaining their enrolment, attending classes and submitting assessments until the conclusion of any appeals process.

(14) Staff within the International Office are responsible for monitoring student visa compliance, and reporting non-compliance where required under the ESOS legislative framework. Staff are also required to inform students of appeal opportunities afforded to them internally at Melbourne Polytechnic, and externally.

(15) The Vice President International Development, International Partnerships (International Office) is responsible for monitoring the implementation, outcomes and scheduled review of this procedure.

Section 5 - Supporting Documents and Templates

(16) Related Melbourne Polytechnic policies and procedures:

a. Student Enrolment, Fees and Charges Policy
b. International Students Deferral or Leave of Absence Application Form
c. International Student Studying on a Student Visa Policy
d. International Students Course Progress and Attendance Procedure
e. International Students Withdrawal Transfer and Refund Procedure
f. Records Management Policy
g. Student Complaints and Appeals Policy
h. Student Code of Conduct Guidelines
i. Student Discipline Policy

(17) Related Legislation and Regulation

a. Education Services for Overseas Students (ESOS) Framework
b. Higher Education Standards Framework (Threshold Standards) 2021
c. National Code of Practice for Providers of Education and Training to Overseas Students 2018
d. Standards for Registered Training Organisations (RTOs) 2015
e. Tertiary Education Quality and Standards Agency Act 2011

Section 6 - Definitions

(18) For the purpose of this procedure the following definitions apply:

a. Cancellation: means the cancellation of an international student's CoE and enrolment at Melbourne Polytechnic.
b. CoE: means Confirmation of Enrolment issued by DHA.
c. Compassionate or Compelling Circumstances: refers to circumstances assessed on the basis of demonstrable evidence that is generally beyond the student's control.

d. Deferral: means the temporary delay to the commencement of studies, initiated by a student.
e. DHA: refers the Department of Home Affairs.
f. Leave of Absence: The temporary postponement of studies, initiated by a student.
g. Suspension: The temporary postponement of studies, initiated by Melbourne Polytechnic due to student misbehaviour or misconduct.

Status and Details

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Effective Date	11th January 2023
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Policy Owner	Cathy Frazer Executive Director People and Student Success
Policy Implementation Officer	Timothy Gilbert Vice President International Development
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