



Deferment, Suspension or Cancellation Policy and Procedure

Purpose

To establish the rules and guidelines that allow the provider to defer, suspend or cancel the enrolment of an overseas student.

Scope

This policy applies to all current and prospective students of Melbourne College of Business and Technology (MCBT).

Policy

MCBT, in accordance with the ESOS Act and the National Code (Standard 9), has the authority to defer, suspend or cancel the enrolment of a student. This authority can be exercised based on the following criteria:

- If MCBT deem there to be compassionate and compelling circumstances (such as serious illness, injury or death in the family, political upheaval or natural disaster in the students' home country, a traumatic experience or other documented serious matters),
- If MCBT deem that there has been serious misbehavior by the student
- If a student fails to pay the agreed fees as clearly indicated in the Written Agreement signed by the student
- If a student fails to make sufficient course progress in accordance with the Course Progress Policy & Procedure
- If a student fails to meet the required attendance requirements of the course as described in the Course Progress Policy & Procedure

If MCBT initiates the process of suspension or cancellation of a student's enrolment, before any action is taken MCBT will:

- Inform the student in writing of its intention to suspend or cancel the student's enrolment
- Include an explanation as to why this action is being initiated and,
- Advise the student of their right to appeal through the MCBT Complaints and Appeals process within 20 working days

When MCBT actions the deferral, suspension or cancellation of a student's enrolment, MCBT will:

- Inform the student that they must seek advice from immigration regarding any potential impacts on their student visa



- Report the change of enrolment in PRISMS within 31 days

MCBT will ensure that the suspension or cancellation of the student's enrolment will not take place until all internal avenues for appeal have been exhausted unless there are extenuating circumstances that negatively impact on the student's safety and wellbeing, which may put the student at risk.

MCBT will ensure that the process for assessing, approving/rejecting and recording of the deferment, suspension and cancellation of students' enrolment is documented.

Procedure

Student Initiated Deferral, Suspension and Cancellation

1. Students wishing to defer, cancel, suspend (i.e. take a leave of absence or withdraw) from their studies, should apply to do so, using the student Deferral/Suspension/Cancellation/Leave Request Form, available on the MCBT website or at reception. Students must submit the completed Form to reception or Student Administration.
2. Upon receipt of the completed Form, the Admissions Manager and the RTO Manager will make an assessment of the application including a VEVO check.
3. The assessment will consider the ground on which the application has been made, the evidence provided to support the application and the timing of the request and academic progress (if submitted during a period of study).
4. If the application is rejected, the student will be informed (in writing) of the outcome and the reasons for that outcome. The student will be advised that they can access MCBT's complaints and appeals process in accordance with the Complaints and Appeal Policy and Procedure. Students will be advised that they have 20 working days in which to access this process.
5. If the application is approved, the student will be informed (in writing) of the outcome as follows:
 - a. Deferrals: A revised offer letter and Written Agreement will be issued by Admissions. The student will be required to sign and accept the new Agreement. The student will be advised in writing that changes to their course duration will be recorded on PRISMS and that this may have implications for their student visa.
 - b. Cancellations: The student will be notified in writing that their CoE will be cancelled. MCBT will subsequently report this on PRISMS within 31 days.
6. If the student advises MCBT that they no longer wish to remain enrolled in the course or the student indirectly cancels their enrolment through their conduct, the Institute will advise the DHA via PRISMS, and their CoE will be cancelled.
7. MCBT will retain copies of all written material related to deferrals, suspensions or cancellations in the student's file.



Institute initiated cancellation

1. When MCBT determines that a student should be cancelled based on the criteria listed in this policy, the RTO manager will inform the student in writing of its intention to suspend or cancel the student's enrolment. That notification will include a clear explanation of the reasons for the proposed cancellation and outline the appeals process available to the student.
2. The student is required to respond to the notification within 5 working days.
3. Based on the student's response the Institute will either initiate the cancellation process or reconsider the decision to intend to cancel the student's enrolment.
4. If the RTO Manager deems the cancellation should proceed, the student will be reminded of the appeals process and advised to seek advice from immigration regarding their visa status.
5. Following the appeal expiry date or negative outcome from an appeal (in accordance with the Complaints and Appeals Policy and Procedure) the RTO Manager will report the cancellation of the student on PRISMS.
6. If the RTO Manager is satisfied with the student response, the RTO Manager will dismiss the case and inform the student (in writing) of this outcome.