

# Deferring, Suspending and Cancelling Student's Enrolment

**Policy and Procedure**

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## 1. PURPOSE

The purpose of the Deferring, Suspending and Cancelling Student's Enrolment Policy and Procedure is to outline details of circumstances and JMC Academy's approach to managing deferral, suspension and cancellation of a student's enrolment.

## 2. SCOPE

The Deferring, Suspending and Cancelling Student's Enrolment Policy and Procedure applies to all students enrolled in or seeking a place in any program offered by JMC Academy.

The Deferring, Suspending and Cancelling Student's Enrolment Policy and Procedure does not cover withdrawing from a unit of study (refer to the *Modification of Study Pathway Policy and Procedure*).

## 3. DEFINITIONS

**Compassionate or Compelling Circumstances** – are generally those beyond the control of the student and which have an impact upon the student's course progress or wellbeing. Please refer to:

- *Appendix 1 – Compassionate or Compelling Circumstances*, and
- *Appendix 2 – Compassionate or Compelling Circumstances Acceptable Evidence*.

**Leave of Absence** – Temporary suspension of enrolment in a course of studies is also referred to as Leave of Absence.

**Special Circumstances** – are generally those beyond the control of the student and which have an impact upon the student's course progress or wellbeing. Please refer to:

- *Appendix 3 – Special Circumstances*, and
- *Appendix 4 – Special Circumstances Acceptable Evidence*.

**Withdrawal from a course of study** – Cancellation of enrolment upon student's request is also referred to as withdrawal from a course of study.

**Termination of Enrolment** – Cancellation of student's enrolment by JMC Academy is also referred to as termination of enrolment.

All definitions are located in the *JMC Academy Glossary*.

## 4. POLICY

JMC Academy will consider all requests from all students wishing to defer, suspend or cancel their enrolment fairly, taking into consideration the circumstances of the student.

### 4.1 Domestic Students' Requests

#### *Deferral of Enrolment*

- 4.1.1. Domestic students may apply for deferral of the commencement of a course for a maximum period of 12 months.
- 4.1.2. The domestic student's application for deferral of enrolment:
  - 4.1.2.1. Must be submitted before Census Date,
  - 4.1.2.2. Will be determined by the responsible Campus Director or delegate.

#### *Suspension of Enrolment (Leave of Absence)*

- 4.1.3. Domestic students may apply for temporary suspension of their studies for a maximum period of 12 months.
- 4.1.4. Suspension occurring:

- 4.1.4.1. After Census Date will result in financial penalties unless consideration under special circumstances has been approved by JMC Academy,
- 4.1.4.2. After week eight (8) of any study period will result in both financial and academic penalties unless consideration under special circumstances has been approved by JMC Academy.
- 4.1.5. The domestic student's application for suspension of enrolment will be determined by the Campus Director or delegate in consultation with Head of Department.

#### *Cancellation of Enrolment (Withdrawal)*

- 4.1.6. Domestic students applying for withdrawal from their course of study based on special circumstances may be eligible for a tuition fee refund/re-credit, if granted.
- 4.1.7. Cancellation of enrolment occurring:
  - 4.1.7.1. After Census Date will result in financial penalties unless consideration under special circumstances has been approved by JMC Academy,
  - 4.1.7.2. After week eight (8) of any study period will result in both financial and academic penalties unless consideration under special circumstances has been approved by JMC Academy.
- 4.1.8. The domestic student's application for cancellation of enrolment will be determined by Campus Director or delegate.

## **4.2 International Students' Requests**

#### *Deferral of Enrolment*

- 4.2.1. International students may apply for deferral of a course for a maximum of one (1) study period.
- 4.2.2. International students may defer commencement of a course only in the following limited circumstances:
  - 4.2.2.1. Where a student has already been issued a student visa, they may only apply to defer commencement of the course on the grounds of compassionate or compelling circumstances,
  - 4.2.2.2. Student visa delay.
- 4.2.3. Applications for deferral on the basis of compassionate or compelling circumstances must be supported by documentary evidence of the circumstances that are beyond the student's control and which impact on the student's ability to study.
  - 4.2.3.1. If an international student applies for a deferral on the basis of compassionate or compelling circumstances, which is then granted, neither academic nor financial penalties apply.
  - 4.2.3.2. Fees already paid for the deferred study period will be credited to next study period upon student's return.
- 4.2.4. Deferral of the enrolment may impact international student's visa status.
- 4.2.5. The international student's application for deferral of enrolment:
  - 4.2.5.1. Must be submitted before start of the course,
  - 4.2.5.2. Will be determined by the Director of International Services in consultation with Campus Director or delegate.

#### *Suspension of Enrolment (Leave of Absence)*

- 4.2.6. International students are required to maintain full-time enrolment each study period and are required to complete their course within the period specified in their electronic Confirmation of Enrolment (e-CoE).

- 4.2.7. International students may apply for temporary suspension of their studies for a maximum period of one (1) study period.
- 4.2.8. In cases when student requests to suspend their studies for longer than one (1) study period they will be advised to withdraw from their course entirely and re-apply upon their return.
- 4.2.9. International students may suspend their course only in the following limited circumstances:
- On the grounds of compassionate or compelling circumstances,
  - Student visa delay.
- 4.2.10. Applications for suspension of enrolment on the basis of compassionate or compelling circumstances must be supported by documentary evidence of the circumstances that are beyond the student's control and which impact on the student's ability to study.
- 4.2.10.1. If a female student applies for a suspension of studies on the basis of pregnancy, JMC Academy will follow normal processes for assessing a suspension of studies. However, as a general rule, the suspension will commence no earlier than six (6) weeks prior to the expected birth (unless otherwise supported by medical evidence) with the return date of the student being calculated as being at the beginning of the next teaching period that is at least eight (8) weeks after the birth.
- 4.2.10.2. If the requested suspension is longer than 12 months, then the student will be required to withdraw from the course and reapply when they are ready to return.
- 4.2.10.3. When suspension of enrolment is approved on the basis of compassionate or compelling circumstances, neither academic nor financial penalties apply.
- 4.2.10.4. Fees already paid for the suspended study period will be credited to the next study period upon the student's return.
- 4.2.11. The international student's application for suspension of enrolment will be determined by the Director of International Services in consultation with Head of Department and Campus Director or delegate.

*Cancellation of Enrolment (Withdrawal)*

- 4.2.12. International students applying for withdrawal from their course of study based on compassionate or compelling circumstances may be eligible for a tuition fee refund/re-credit, if granted.
- 4.2.13. Cancellation of enrolment occurring:
- 4.2.13.1. Less than 10 weeks before the start of the study period date will result in financial penalties unless consideration under compassionate or compelling circumstances has been approved by JMC Academy,
- 4.2.13.2. After week eight (8) of any study period will result in both financial and academic penalties unless consideration under compassionate or compelling circumstances has been approved by JMC Academy.
- 4.2.14. Cancellation of the enrolment may impact the international student's visa status.
- 4.2.15. Cancellation of enrolment of an international student wishing to transfer to another education provider will be completed in accordance with the *Transfer between Registered Providers Policy and Procedure*.
- 4.2.16. The international student's application for cancellation of enrolment will be determined by the Director of International Services in consultation with Campus Director or delegate.

### 4.3 JMC Academy's Decisions

#### *Suspension of Enrolment by JMC Academy*

- 4.3.1. JMC Academy may suspend a student's enrolment in the following instances:
- 4.3.1.1. When student has been involved in serious academic or non-academic misconduct, or
  - 4.3.1.2. Due to non-payment of fees.
- 4.3.2. The student's enrolment, in such circumstances, is placed on hold pending the conclusion of an investigation or/and formal complaint/appeal process.
- 4.3.3. The final outcome of this process will result in either:
- Restoring full enrolment without any conditions,
  - Restoring full enrolment with conditions applied, or
  - The permanent cancellation of an enrolment.
- 4.3.4. Suspension of the enrolment may impact international student's visa status.
- 4.3.5. If an international student's enrolment is suspended for more than six (6) months, the student's visa may be cancelled by Department of Home Affairs (DoHA).
- 4.3.6. It is student's obligation to attend all scheduled meetings.

#### *Cancellation of Enrolment (Termination) by JMC Academy*

- 4.3.7. JMC Academy may decide to terminate a student's enrolment in the following instances:
- 4.3.7.1. Failure to return to study after a scheduled student break period. This is considered by JMC Academy a cancellation of an enrolment initiated by the student. Reasonable steps will be taken by JMC Academy to locate/contact the student to confirm a student's reasons for failure to return before taking steps to terminate a student's enrolment.
  - 4.3.7.2. When a student is proven to demonstrate serious and significant academic and/or non-academic misconduct,
  - 4.3.7.3. When the student is making unsatisfactory academic progress and JMC Academy has implemented and followed a diligent support and intervention process,
  - 4.3.7.4. Ongoing non-payment of outstanding fees,
  - 4.3.7.5. When a student is not participating in any course work required (cancellation may also occur at the unit level).
- 4.3.8. It is student's obligation to attend all scheduled meetings.

#### *Deferral of Course Commencement by JMC Academy*

- 4.4.1. JMC Academy reserves the right to defer commencement of a course when a course is not offered at the given study period.

### 4.4 Compliance Evidence

- 4.5.1. To ensure JMC Academy complies with the regulatory framework, the following will be maintained:
- 4.5.1.1. Policy or/and procedure for assessing, approving, and recording deferment, suspension and/or cancellation of student's enrolment,
  - 4.5.1.2. Documentary evidence on student's files of the assessment of applications for deferment, suspension and/or cancellation of student's enrolment,

- 4.5.1.3. Evidence of the information given to students prior to enrolment which states the grounds for deferment, suspension and/or cancellation of student's enrolment,
- 4.5.1.4. Policy or/and procedure on entering formal complaint/appeal process containing information among other, on appealing decisions regarding deferment, suspension and/or cancellation of student's enrolment,
- 4.5.1.5. Evidence that JMC Academy has provided students with information about how deferment, suspension and/or cancellation of a student's enrolment will affect their:
  - Enrolment status in Provider Registration and International Student Management System (PRISMS) and visa status – international students,
  - Academic liabilities – all students,
  - Financial liabilities – all students.

## 4.5 Notifications

- 4.6.1. JMC Academy will always advise a student in writing on the outcome of their application, and when their enrolment status has been changed by either JMC Academy's initiative or upon the student's request.
- 4.6.2. For international students, JMC Academy is required to:
  - 4.6.2.1. Notify the Department of Education and Department of Home Affairs (DoHA), through Provider Registration and International Student Management System (PRISMS) of the deferment, suspension or/and cancellation of international student's enrolment,
  - 4.6.2.2. Report an international student's enrolment status change to Department of Education and Department of Home Affairs (DoHA), only when all possible internal and external appeal processes have been exhausted.
  - 4.6.2.3. Once the Department of Education and Department of Home Affairs (DoHA), are notified of the cancellation of the international student's enrolment, the student will have 28 days to enrol in an alternative course or to return to their home country.

## 4.6 Complaints and Appeals

- 4.7.1. Students may access the complaint an appeal process as set out in the *Student Complaints and Appeals Policy and Procedure* if they are dissatisfied with any decision made under this policy.

# 5. PROCEDURE – DOMESTIC STUDENTS' REQUESTS

## 5.1 Deferral of Enrolment

- 5.1.1. Domestic students wishing to apply for deferral of the commencement of a course complete an appropriate form and submit it to Student Services. The application for deferral must be submitted before Census Date.
- 5.1.2. The responsible Campus Director or delegate will determine the outcome of the application and approve or reject the application within three (3) business days from the application submission date.
- 5.1.3. Student Services Officer will notify the student of the outcome of their application.



## 5.2 Suspension of Enrolment (Leave of Absence)

- 5.2.1. Domestic students wishing to apply for temporary suspension of their studies complete an appropriate form and submit it to Student Services.
- 5.2.2. The responsible Campus Director or delegate will determine the outcome of the application and approve or reject the application within three (3) business days from the application submission date.
- 5.2.3. Student Services Officer will notify the student of the outcome of their application.

## 5.3 Cancellation of Enrolment (Withdrawal)

- 5.3.1. Domestic students who wish to apply for cancellation of their enrolment in their course complete an appropriate form and submit it to Student Services.
- 5.3.2. The student will be invited to attend a non-compulsory meeting with Campus Director and/or Head of Department to consider and discuss alternative options available to them.
- 5.3.3. Where there is a request for a refund/re-credit of fees, students are required to complete additional application form for refunds and re-credits and submit it to Student Services. The application will be forwarded the request to the Finance Department for consideration and final approval.
- 5.3.4. Student Services Officer will notify the student once the cancellation is processed.

# 6. PROCEDURE - INTERNATIONAL STUDENTS' REQUESTS

## 6.1 Deferral of Enrolment

- 6.1.1. International students wishing to apply for deferral of the commencement of the course complete an appropriate form and submit it directly to the International Services Office or Student Services. The application for deferral must be submitted before course commencement date.
- 6.1.2. The Director of International Services in consultation with Campus Director will determine the outcome of the application for deferral and approve or reject the application within three (3) business days from the application submission date.
- 6.1.3. In considering an application for deferral the Director of International Services will take into account a number of factors including but not limited to:
  - The impact on the student's duration of study and whether intervention or other strategies are needed to ensure that the student completes the course on time or whether an extension of duration is needed,
  - The purpose and period of the deferral,
  - The reliability of the evidence presented with the application,
  - The frequency that the student has previously sought deferral,
  - The timing of the request and whether it coincides with proposed reporting for breach of visa conditions.
- 6.1.4. If the application for deferral is approved and it affects the end date on the electronic Confirmation of Enrolment (e-CoE), the student will receive a new electronic Confirmation of Enrolment (e-CoE) and have a new agreement written to reflect the applicable changes.
- 6.1.5. International Admissions Officer will notify the student of the outcome of their application.
- 6.1.6. International students whose request for deferral is not approved will be required to attend their scheduled classes and complete their assessment tasks. Students will be notified accordingly.

## 6.2 Suspension of Enrolment (Leave of Absence)

- 6.2.1. International students wishing to apply for temporary suspension of their studies complete an appropriate form and submit it directly to the International Services Office or Student Services.
- 6.2.2. The Director of International Services in consultation with Head of Department and Campus Director will determine the application for temporary suspension of enrolment and approve or reject the application within three (3) business days from the application submission date.
- 6.2.3. In considering an application for temporary suspension of the course, the Director of International Services will take into account a number of factors including but not limited to:
  - 6.2.3.1. The impact on the student's duration of study and whether intervention or other strategies are needed to ensure that the student completes the course on time or whether an extension of duration is needed,
  - 6.2.3.2. The purpose and period of the suspension,
  - 6.2.3.3. The reliability of the evidence presented with the application,
  - 6.2.3.4. The frequency that the student has previously sought previous suspensions,
  - 6.2.3.5. The timing of the request and whether it coincides with proposed reporting for breach of visa conditions.
- 6.2.4. If the temporary suspension of the course is approved and it affects the end date on the electronic Confirmation of Enrolment (e-CoE), the student will receive a new electronic Confirmation of Enrolment (e-CoE) and have a new agreement written to reflect the applicable changes.
- 6.2.5. International Admissions Officer will notify the student of the outcome of their application.
- 6.2.6. International students whose request for suspension is not approved will be required to attend their scheduled classes and complete their assessment tasks. Students will be notified accordingly.

## 6.3 Cancellation of Enrolment – (Withdrawal)

- 6.3.1. International students wishing to cancel enrolment in their course may do so at any time. International students must complete an appropriate form and submit it directly to the International Services Office or Student Services.
- 6.3.2. The student will be invited to attend the non-compulsory meeting with the Director of International Services, Campus Director and/or Head of Department to consider and discuss alternative options available to them.
- 6.3.3. Where there is a request for a refund of fees, international students are required to complete additional form for refunds and submit it to the International Services Office or Student Services. The application will be forwarded to the Finance Department for consideration and final approval.
- 6.3.4. International Admissions Officer will notify the student once the cancellation is processed.

# 7. PROCEDURE – JMC ACADEMY'S DECISIONS

## 7.1 Suspension of Enrolment by JMC Academy

### *Domestic Students*

- 7.1.1. Where JMC Academy initiates the suspension of a domestic student's enrolment:

- 7.1.1.1. Campus Director meets with the student, informs the student of their suspension from the course, and provides reasons.
- 7.1.1.2. The student is also advised of any potential impact on their prospects for success in their studies, and opportunities for appeal.
- 7.1.1.3. Campus Director informs the student of the length of their suspension and the remediation opportunities available.
- 7.1.1.4. A formal letter is posted to the student confirming the conditions of the suspension.

#### *International Students*

- 7.1.2. Where JMC Academy initiates the suspension of an international student's enrolment:
  - 7.1.2.1. The Director of International Services, or their delegate, meets with the student, informs the student of their suspension from the course, and provides reasons.
  - 7.1.2.2. The student is also advised of any potential impact on their visa due to the suspension, their prospects for success in their studies, and opportunities for appeal.
  - 7.1.2.3. The Director of International Services, or their delegate, informs the student of the length of their suspension and the remediation opportunities available,
  - 7.1.2.4. A formal letter is posted to the student confirming the conditions of the suspension.
- 7.1.3. The Director of International Services may initiate a student suspension as part of the management of a critical incident involving the student, particularly in the cases of serious illness or accidents where the student is unable or incapable of reasonably communicating with JMC Academy.

## **7.2 Cancellation of Enrolment (Termination) by JMC Academy**

#### *Domestic Students*

- 7.2.1. Where JMC Academy initiates the cancellation of a domestic student's enrolment:
  - 7.2.1.1. Campus Director meets with the student, informs the student of its intention to cancel their enrolment, and provides reasons.
  - 7.2.1.2. The student is also advised of any potential impact on their prospects for success in their studies, and opportunities for appeal.
  - 7.2.1.3. A formal intention to cancel the enrolment letter is posted to the student outlining the reasons of cancellation and possible avenues to appeal.
- 7.2.2. Where the cancellation of a student's enrolment is due to unsatisfactory course progress, JMC Academy will ensure that all support and intervention applicable processes have run their course prior to sending the formal intention to cancel their enrolment letter.

#### *International Students*

- 7.2.3. Where JMC Academy initiates the cancellation of an international student's enrolment:
  - 7.2.3.1. The Director of International Services, or their delegate, meets with the student, informs the student of its intention to cancel their enrolment, and provides reasons.
  - 7.2.3.2. The student is also advised of any potential impact on their visa due to the enrolment cancellation, their prospects for success in their studies, and opportunities for appeal.

- 7.2.3.3. A formal intention to report the enrolment letter is posted to the student outlining the reasons of cancellation and possible avenues to appeal.
- 7.2.4. Where the cancellation of a student's enrolment is due to unsatisfactory course progress, JMC Academy will ensure that all support and intervention applicable processes have run their course prior to sending the formal intention to report their enrolment letter.

### **7.3 Deferral of Course Commencement by JMC Academy**

- 7.3.1. Where JMC Academy initiates the deferral of the course commencement, it will:
  - 7.3.1.1. Immediately advise the student of course deferral,
  - 7.3.1.2. Advise student of next course intake, and if the student agrees to the deferral and wishes to continue their studies at JMC Academy,
  - 7.3.1.3. Amend electronic Confirmation of Enrolment (e-CoE) of international students,
  - 7.3.1.4. Place their enrolment on the appropriate status in the Student Management System.

## **8. RELATED DOCUMENTS**

- 8.1. JMC Academy Glossary
- 8.2. Academic Progress Policy and Procedures
- 8.3. Academic Integrity Policy and Procedure
- 8.4. Transfer between Registered Providers Policy and Procedure
- 8.5. Modification of Study Pathway Policy and Procedure
- 8.6. Student Complaints and Appeals Policy and Procedure
- 8.7. Refunds and Re-crediting FEE-HELP Balances Policy and Procedure
- 8.8. International Student Refund Policy and Procedure
- 8.9. Non-Academic Misconduct Policy and Procedure
- 8.10. Student Code of Conduct

## **9. RELEVANT LEGISLATION**

- 9.1. Higher Education Support Act 2003 (Cth)
- 9.2. Higher Education Standards Framework (Threshold Standards) 2021
- 9.3. Education Services for Overseas Students (ESOS) Act 2000 (Cth)
- 9.4. National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018

## **10. POSITIONS RESPONSIBLE**

- 10.1. Director of International Services
- 10.2. Director of Finance and Operations
- 10.3. Campus Directors
- 10.4. Heads of Departments
- 10.5. Student Services
- 10.6. International Services Office

## 11. APPROVAL INFORMATION

Approval Authority	Governing Council
Health Check approval authority	JMC Academy CEO
Review date	25/04/2025

Version	Approved by	Approval date	Effective date	Modifications	Status
1.0	JMC Academy CEO	30/03/2022	03/04/2022	Amendments as per external reviewer's recommendations. <b>Deferring, Suspending and Cancelling Student's Enrolment Policy, Deferring, Suspending and Cancelling Domestic Student's Enrolment Procedure, and Deferring, Suspending and Cancelling International Student's Enrolment Procedure</b> have been merged into one document.	Current

*Version control tables from previous Policies and Procedures reside in the original documents.*

## Appendix 1 – Compassionate or Compelling Circumstances

### These could include, but are not limited to:

- An unexpected and serious illness or disability, a recurrence of a chronic or acute illness or injury such that the student is unable to be actively engaged in their studies. This does not include minor illnesses such as colds, mild sprains or other low-level injuries or sickness,
- A permanent or temporary disability or illness for which a variation has already been made will not be accepted unless the disability has been compounded by an unexpected change, or an additional condition,
- Significant bereavement or hardship such as the death or serious illness of a close family member,
- Domestic violence,
- Trauma – such as being a victim of crime, an accident, major political upheaval, or a severe Act of God,
- Where JMC Academy was unable to offer a pre-requisite unit.

## Appendix 2 – Compassionate or Compelling Circumstances Acceptable Evidence

### These could include, but are not limited to:

- An original certificate or letter on letterhead, depending on the nature of the condition, from:
  - A registered treating medical practitioner,
  - A registered health practitioner, and/or
  - An approved medical specialist,

- A letter from a campus counsellor who has prior knowledge of the student and their circumstances,

- A letter from a person qualified to assess and support the application (e.g., clergy providing grief counselling).

Above letters must describe what impact the student's condition had on their ability to complete their work/study, and the date that the illness or event took effect.

- A certificate from a funeral director,
- A death certificate,
- A copy of an accident report.

## Appendix 3 – Special Circumstances

### These could include, but are not limited to:

- An unexpected and serious illness or disability, a recurrence of a chronic or acute illness or injury such that the student is unable to be actively engaged in their studies. This does not include minor illnesses such as colds, mild sprains or other low-level injuries or sickness,
- A permanent or temporary disability or illness for which a variation has already been made will not be accepted unless the disability has been compounded by an unexpected change, or an additional condition,
- Significant bereavement or hardship such as the death or serious illness of a close family member,
- Domestic violence,
- Trauma – such as being a victim of crime, an accident, major political upheaval, or a severe Act of God,
- Where JMC Academy was unable to offer a pre-requisite unit,
- Severe disruption to domestic arrangements,
- Relationship breakdown,
- Religious observance or obligations,
- Formal legal commitments,
- Jury duty,
- Military or/and emergency service,
- Service with a recognised emergency management service,
- Representing JMC Academy at a state, national or international significant events, and/or
- Active participation in elite sporting or cultural events.



## Appendix 4 – Special Circumstances Acceptable Evidence

### These could include, but are not limited to:

- An original certificate or letter on letterhead, depending on the nature of the condition, from:
  - A registered treating medical practitioner,
  - A registered health practitioner, and/or
  - An approved medical specialist,
- A letter from a campus counsellor who has prior knowledge of the student and their circumstances,
- A letter from a person qualified to assess and support the application (e.g., clergy providing grief counselling).

Above letters must describe what impact the student’s condition had on their ability to complete their work/study, and the date that the illness or event took effect.

- A certificate from a funeral director,
- A death certificate,
- A certified call to Australian Defence Force service,
- A letter describing the nature of the emergency attended from State Emergency Service or Country/Rural Fire Service staff,
- A copy of an accident report, and/or
- A court summons or other legal documentation.