

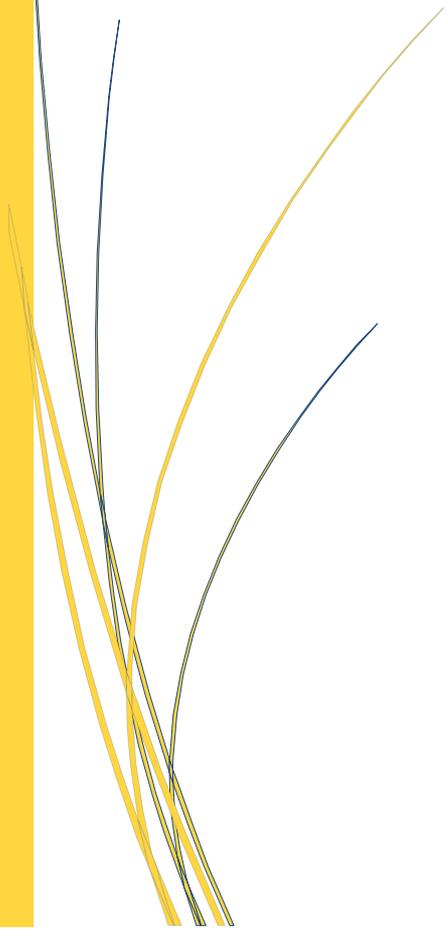


NEW ERA INSTITUTE

CRICOS No.: 03509B • National Provider no.: 41543

Standard 9_Deferring Suspending_Cancellation Policy

2021 V2.1





Purpose

The purpose of this policy is to establish the procedure for assessing, approving and recording the deferment, suspension, withdrawal or cancellation of an international student's enrolment with New Era Institute (NEI).

Scope

This policy applies to all overseas students enrolled within Vocational Education and Training (VET) courses of study offered by NEI.

This Policy must be read in conjunction with the Fees and Refunds Policy, Fee Refund - Schedule A and Other Charges - Schedule B.

Policy and Procedure

Student Initiated Deferment or Suspension

1. Students may be able to temporarily defer the commencement of their studies or temporarily suspend their enrolment after commencement, where they have a good reason to do so. NEI may defer or suspend the enrolment of the student on the grounds of compassionate or compelling circumstances.
2. These circumstances may include, but are not limited to:
 - serious illness or injury, supported by the medical certificate states the student's inability 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
 - and this has impacted on the student's studies;
 - a traumatic experience, which may include:
 - involvement in, or witnessing of a serious accident;



- witnessing or being the victim of a serious crime, and this has impacted on the student (these cases should be supported by police or psychologists' reports);
- inability to begin studying on the course commencement date due to a delay in receiving a student visa.

Please Note: This is not an exhaustive list and are only some of the examples of what may be considered compassionate or compelling circumstances.

3. Student Services will use their professional judgment to assess each case on its merits and may refer it to the CEO for final discretion and decision. When determining whether compassionate or compelling circumstances exist, NEI will consider documentary evidence provided to support the claim and will keep copies of these documents in the student's file.

Circumstance	Acceptable evidence
Serious illness or injury	Medical letter or certificate
Death of close family members such as parents or grandparents	Death certificate and evidence of relationship
Major political upheaval or natural disaster in the home country requiring emergency travel	Australian Government official advice or other reliable source and; evidence of residency in affected area
Witnessing or being the victim of a serious crime	Police report outlining involvement in a serious crime or accident; or medical reports
Involvement in, or witnessing of a serious accident or other traumatic experience	Police outlining involvement in a serious crime or accident; or medical reports
NEI was unable to offer a prerequisite unit	No evidence required
Delay in visa processing	Notification of Visa application submission and/ or Correspondence from relevant Australian Government Department responsible for immigration regarding delay in student visa



4. A student applying to defer or suspend must do so by completing the 'Application for Suspension of Studies, Deferral and/or Leave Form' and submit it to Student Services. This application must include in detail the 'compassionate or compelling circumstances' to support their application to temporarily defer of the commencement of their studies or temporarily suspend their enrolment after commencement.
5. Student Services will:
 - a. Receive the application and confirm whether it has been submitted in full, with the required supporting documentation. If it has not, the student will be advised of the need to provide further supporting documentation for their application to be considered. If it has, the student's application will be processed for review. If supplementary documentation evidence provided is deemed to be questionable, Student Services may take necessary precautions, such as contact the respective source, to validate the documentation.
 - b. Review all applications for deferral or suspension and determine if the application for deferral or suspension is to be granted or rejected, within 5 working days.
 - c. Ensure the student is informed in writing of the outcome of their application for deferral or suspension.
 - d. In the case of a student application being rejected, in the written notification to the student, they will also be informed of their ability to access the 'Complaints and Appeals Policy and Procedure' if they wish to appeal the decision.
 - e. Maintain all documentation related to the deferral or suspension application in the student's file.
 - f. Notify the Department of Home Affairs (DHA) via PRISMS of the decision regarding granting deferment or suspending an international student's enrolment - it is mandatory to notify the Department of Home Affairs if the deferment/suspension duration is more than 14 days. This includes reporting the change to the overseas student enrolment under section 19 of ESOS act.
 - g. Inform the student in writing to seek advice from the Department of Home Affairs on the potential impact on his/her student visa.
6. It is the student's responsibility to collect the revised Confirmation of Enrolment (COE) from NEI for any deferral/suspension granted. The student can also use the COE to inform the



Department of Home Affairs of the revised end date of the course where their visa requires extension.

7. Requests for deferment/suspension may be denied for students who are in arrears with the fees payments or in breach of the 'Student Code of Behaviour and Discipline Policy and Procedure'.

Student Initiated Cancellation/Withdrawal

1. A student may cancel/withdraw their enrolment where they have decided to discontinue studying with NEI. Student must not have any outstanding tuition fees prior to applying for a cancellation/withdrawal of their enrolment. If the course has commenced, the student will have to make the payment of the tuition fees for that particular study period. Refer to the 'Fees and Refunds' Policy.
2. The Release Letter will not be issued if there are any outstanding tuition fees to be paid to NEI. Please refer to the 'Fees and Refunds Policy' for more details about the tuition fees.
3. Students wishing to cancel/withdraw their enrolment must complete the 'Withdrawal and Refund Request Form' and submit it to Student Services. This form must include all supporting documentation as required by their form (i.e. letter of offer if transferring to another institute) for it to be considered. The withdrawal will only take effect once the decision of acceptance has been made, this day will be recognised as the student's 'last day of study'.
4. **IMPORTANT NOTE**: If the student is requesting for course cancellation/withdrawal prior to completing six (6) months of the principal course and the Student Visa was granted under NEI's COE, the student must request for a visa cancellation from the Department of Home Affairs (DHA) and re-apply for a new student visa using the COE issued by the new education provider. Otherwise, release may not be granted.
5. Student Services will:
 - a. Receive the form and confirm whether it has been submitted in full, with the required supporting documentation. If it has not, the student will be advised of the need to provide further supporting documentation for their application to be considered. If it has, the student's application will be processed for review. If supplementary documentation evidence provided is deemed to be questionable, Student Services may take necessary precautions, such as contact the respective source, to validate the documentation.



- b. Review the request form for cancellation/withdrawal and determine if the request is to be granted or rejected, within 5 working days.
 - c. Ensure the student is informed in writing of the outcome of their request for cancellation/withdrawal.
 - d. In the case of a student request being rejected, in the written notification to the student, they will also be informed of their ability to access the 'Complaints and Appeals Policy and Procedure' if they wish to appeal the decision.
 - e. Maintain all application documentation for the cancellation/withdrawal of enrolment in the student's file.
 - f. Notify the Department of Home Affairs via PRISMS of the decision to cancel/withdraw the enrolment as a result of the student's request – it is mandatory to notify the Department of Home Affairs of the change within 31 days of the last day of study, in accordance with the PRISMS guidelines.
 - g. Inform the student in writing that the cancellation/withdrawal may affect their student visa and therefore advise them to contact the Department of Home Affairs in relation to the status of their student visa.
6. Requests for cancellation/withdrawal may be denied for students who are in arrears with the fees payments or in breach of the 'Student Code of Behaviour and Discipline Policy and Procedure'. Where a student is seeking a withdrawal from future term(s), they must ensure payment of any pending tuition fee(s). Where payment of tuition fees has not been made for future term(s), against future invoice(s), students must pay the net difference after the adjustment of amount(s) entitled for their refund, for a cancellation/withdrawal to take effect. Refer to the 'Fees and Refunds' Policy for more details.
7. After a decision of acceptance has been made and the student's cancellation/withdrawal takes effect, a refund application can then be processed. Students will be advised to refer to their 'Student Acceptance Agreement' and the 'Fees Payment and Refund Policy (International Students)' for details about the refund arrangements in place where an enrolment is cancelled/withdrawn.

Provider Initiated Deferral

NEI may defer a student's enrolment where the course is not being offered at the proposed date, site, or any other reason NEI deems necessary to cancel the course. In such cases, a refund shall be



processed as required or alternative course(s) offered. Please refer to the 'Fees and Refunds' Policy for further details.

The Department of Home Affairs will be notified via PRISMS of a decision regarding deferment or suspending of an international student's enrolment if the deferment/suspension duration is more than 14 days and/or where there are changes to the proposed date, site, course, or any other reason deemed necessary.

Provider Initiated Suspension or Cancellation

NEI may suspend or cancel a student's enrolment on the basis of, including but not limited to:

- misbehaviour by the student or any other reason as stipulated in the 'Student Code of Behaviour and Discipline Policy and Procedure';
- the student's failure to pay an amount he or she was required to pay to NEI to undertake or continue the course as stated in their 'Student Acceptance Agreement';
or
- breach of course progress or attendance requirements by the international student, which must occur in accordance of National Code 2018 Standard 8.

Where NEI decides to suspend or cancel the international student's enrolment, the Student Services officer, before imposing suspension or cancellation, will inform the student in writing:

- The intention to suspend or cancel the student's enrolment and the reason(s) for doing so.
- The student will have 20 working days to appeal the decision, as per NEI's 'Complaints and Appeals Policy and Procedure', and in accordance with National Code Standard 10. And if the student is not successful in NEI's internal complaints handling and appeals process, the student will have the right to access an external complaints handling and appeals process. The student's enrolment will not be cancelled or suspended until after this appeal period has passed.
- Where the student enrolment is to be suspended, the length of the suspension must be included.
- Where the enrolment is to be cancelled, the effective date of the cancellation (at least 20 working days from the date of the letter).



- That NEI is required to inform the Department of Home Affairs via PRISMS after the 20 working days period of the suspension or cancellation and that this may affect their student visa.
- Advice to contact the Department of Home Affairs in relation to the status of their student visa.

Student Services will:

- a. Maintain all application documentation for the suspension or cancellation of an enrolment on the student's file.
- b. Where an international student decides to access the 'Complaints and Appeals Policy and Procedure', the student will not be reported until the completion of the internal and external complaints handling and appeals process, and the decision or recommendation supports NEI's decision (as applicable).
- c. Notify the Department of Home Affairs via PRISMS of the decision to suspend or cancel the enrolment as a result of the international student's request only after the appeal period has passed.

Complaints and Appeals

If the applicant chooses to enact the complaints and appeals process:

1. This must be lodged within 20 working days from the date of issue of outcome.
2. If the student opts for the appeals process, the suspension or cancellation of the student's enrolment will not take effect until after the process is completed, unless there are extenuating circumstances relating the student's welfare.
3. Until after the process is completed, students who are already enrolled will thus continue to be enrolled and their course progress will continue to be monitored.
4. If the appeal is not upheld or the student withdraws from the appeal process, then NEI must report the student to the Department of Home Affairs via PRISMS.



Schedule of Deferment, Suspension, Cancellation and Withdrawal Situations:

Cancellation and withdrawal after a deferment is granted – Onshore International Students			
Written notice of withdrawal provided (after deferment is granted by NEI e.g. defer to study English course) (with granted visa)	\$300 enrolment fee are non refundable and NEI admin fee of \$3000. Paid tuition fee refunded (Net amount after deduction)	If a student’s visa application is rejected after the student (onshore) has commenced the course	The refund amount calculated will be the weekly tuition fee times the weeks in default period (Pro-rata basis). The non-tuition fees are exempt from the refund amount plus NEI admin processing fee of \$250.
Before course commencement date – Offshore International Students			
If the student cancels 28 or more days before the course starts: Written notice of withdrawal provided together with required supporting documents at least 28 days or more prior to course commencement (with granted visa)	Refund equal to 70% of the paid tuition fees less \$300 enrolment fee (non refundable) and NEI processing fee of \$250 of each issued COE.	If the student cancels 28 or more days before the course starts: Written notice of withdrawal provided with required supporting documents at least 28 days or more prior to course commencement (before lodging the visa)	Paid tuition fees refunded, less \$300 enrolment fee (non refundable) plus NEI admin processing fee of \$250 of each issued COE.
If the student cancels 28 or less days before the course starts: Written notice of withdrawal provided with required supporting documents less than 28 days prior to course commencement (with granted visa)	Refund equal to 50% of the paid tuition fees less \$300 enrolment fee (non refundable) and NEI processing fee of \$250 of each issued COE.		
Before course commencement date – Onshore International Students			
If the student cancels 28 or less days before the course starts:	\$300 enrolment fee is non refundable and NEI admin fee of \$3000.	If the student cancels 28 or less days before the course starts:	Paid tuition fees refunded, less \$300 enrolment fee (non refundable) plus NEI admin fee of \$250 of each issued COE.



<p>Written notice of withdrawal provided <i>with required supporting</i> less than 28 days prior to course commencement (with granted visa)</p>	<p>Paid tuition fee refunded (Net amount after deduction)</p>	<p>Written notice of withdrawal provided <i>with required supporting documents</i> less than 28 days prior to course commencement (with issued COE only – no visa granted yet)</p>	
<p>On or After course commencement date – onshore International Students</p>			
<p>Where a student provides written notice <i>with required supporting documents</i> of withdrawal after commencement when course commenced or during a new term <i>with required supporting documents</i></p>	<p>The term fee and material fee are payable and due. \$300 enrolment fee is non refundable and NEI admin Processing fee of \$250 of each issued COE.</p> <p>No refund for any tuition fees paid for the first six (6) months of the principal course. Any additional tuition fees, paid beyond the first six (6) months, that are deemed refundable, will be payable back to the student minus any applicable deductions.</p>	<p>Where a student does not commence the course on the start date and subsequently provides notice of withdrawal from the course (with granted visa)</p>	<p>\$300 enrolment fee is non refundable and NEI admin fee of \$5000.</p> <p>No refund of paid tuition fee</p> <p>No refund for any tuition fees paid for the first six (6) months of the principal course. Any additional tuition fees, paid beyond the first six (6) months, that are deemed refundable, will be payable back to the student minus any applicable deductions.</p>
<p>NEI refuses to continue a student in a course because of student misbehaviour, breached visa conditions, failure to pay outstanding fees</p>	<p>\$300 enrolment fee (non refundable) and current term fee including material fee are required to be paid. The subsequent terms paid in advance will be refunded after deducting the outstanding fees.</p>	<p>If a student has supplied incomplete information and as a result NEI withdraws the offer prior to commencement of the course</p>	<p>The student will be eligible to receive a refund of all course fees paid less NEI admin fee of \$250.</p>
<p>NEI refuses to continue a student in a course because of cancellation for non course progress</p>	<p>Zero refund.</p>	<p>NEI suspends a student in a course then s/he requests to withdrawal on/before commencing the course</p>	<p>Zero Refund</p>
<p>Provider Default</p>			
<p>NEI cancels the course before its expected end</p>	<p>In the unlikely event of an NEI’s default of a course, students will be offered with two options:</p>		



date or NEI cancels the course prior to course commencement	1) Full refund: The refund amount calculated will be the weekly tuition fee times the weeks in default period; or 2) Alternative Course Arrangement: Students can be offered an alternative course at NEI with no extra charge. Students will have the right to choose one of the above options.
Cancellation of a course by the RTO (including closure of RTO)	Full refund of all course fees paid
An offer of a place is withdrawn by NEI (The exception is when the offer was made on the basis of intentional incorrect information)	Full refund of all course fees paid

Responsibility

- CEO
- Marketing team
- Admissions officers
- Student Support Officers
- All Academic staff

Related Documents

- Student Handbook
- NEI's Website
- NEI's Completion within Expected Duration
- Cancellation and Withdrawal Form
- Course progress policy
- Fees and Refunds policy
- Complaint and appeals policy



- Fee Refund – Schedule A
- Other Charges – Schedule B

Related Standards

- Standard 7,8 and 9 from the National Code 2018
- ESOS Act 2000
- Migration Act