NEW ERA INSTITUTE

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Standard 9_Deferral, Suspension and Cancellation of Enrolment Policy

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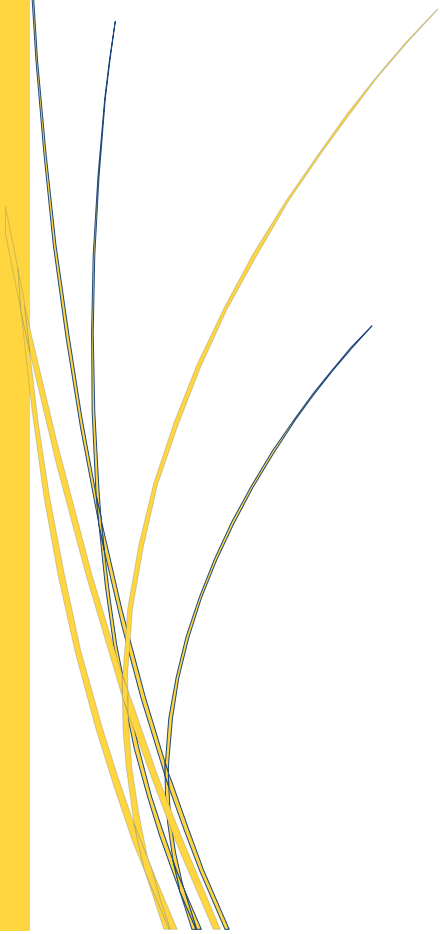

This policy ensures compliance with the esos act 2000, the national code of practice for providers of education and training to overseas students, the migration act, and australian consumer law. This policy also aligns to the Standards for RTOs 2025 (Outcome Standards 2.7–2.8), National Code 2018 (Standards 9 & 10) and PRISMS reporting obligations.

Purpose

The purpose of this policy is to establish the procedure for assessing, approving and recording the deferral, 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 who hold or have applied for a student visa. This includes prospective overseas students where relevant (e.g., deferral prior to course commencement).

This Policy must be read in conjunction with NEI's Fees and Refunds Policy (Overseas Students) and the Written Agreement (Student Acceptance Agreement). Refund amounts, calculations and any controlled refund schedules are governed by the Fees and Refunds Policy (Overseas Students) and the Written Agreement. Where any inconsistency occurs, the Fees and Refunds Policy and Written Agreement prevail.

Policy and Procedure

Student Initiated Deferral 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 as defined under the National Code.

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 NEI may consider other circumstances where appropriate.

3. Student Services will use their professional judgment to assess each case on its merits and may refer it to the CEO or authorised delegate 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.

Decision makers must not have a conflict of interest or have been directly involved in the matter.

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

NEI may accept alternative or equivalent evidence where it is reasonable to do so.

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:

   - ✓ 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.

   - ✓ Review all applications for deferral or suspension and determine if the application for deferral or suspension is to be granted or rejected, within a reasonable timeframe not exceeding 10 working days.

   - ✓ Ensure the student is informed in writing of the outcome of their application for deferral or suspension.

6. 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.

7. Maintain all documentation related to the deferral or suspension application in the student's file. Records integrity: only authorised staff may amend student records; changes must be traceable in the SMS/student file system.

8. Report the change to enrolment status via prisms within legislated timeframes, where required. PRISMS reporting is based on the event type (deferral/suspension with or without impact on the CoE end date; cancellation/termination) and must be completed as soon as practicable after the trigger event, with supporting evidence retained on file.

9. Advise the student to seek independent advice from the department of home affairs regarding any potential visa implications.

10. It is the student's responsibility to collect the revised Confirmation of Enrolment (COE) from NEI.

11. Requests for deferral/suspension may be denied where the student is in breach of contractual or behavioural obligations in accordance with nei policies and procedural fairness requirements.

Student Initiated Cancellation/Withdrawal

12. 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.

13. The Release Letter will not be issued if there are any outstanding tuition fees to be paid to NEI. Subject ti Standard 7 of the National Code. Refer to the ' Fees and Refunds Policy' for more details about the tuition fees.

14. Students wishing to cancel/withdraw their enrolment must complete the 'Withdrawal and Refund Request Form' and submit it to Student Services. The withdrawal will take effect from the date the request is approved and recorded as the student's last day of study.

15. Students should seek independent advice from the department of home affairs regarding the effect of withdrawal or transfer on their student visa.

16. Student Services will:
    a. Receive and assess the request;
    b. Determine approval or rejection within 10 working days where practicable.
    c. Notify the student in writing;
    d. Advise of complaints and appeals rights if rejected;
    e. Maintain records;
    f. Report the change via prisms within required legislative timeframes.
    g. Advise the student to seek visa advice from the Department of Home Affairs.

17. Requests may be denied where the student is in breach of contractual obligations provided the decision is fair, reasonable and documented.

18. Refunds will be processed strictly in accordance with the Fees and Refunds Policy (International Students).

Provider Initiated Deferral

1. 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. Refer to the 'Fees and Refunds' Policy for further details.

2. NEI will report on PRISMS the decision regarding deferral or suspending of an international student's enrolment if the deferral/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. Note: NEI updates PRISMS based on the type of change and whether the CoE end date is affected; a 'more than 14 days' threshold is not used as a compliance rule. Staff must apply PRISMS actions in accordance with National Code requirements.

Provider Initiated Suspension or Cancellation

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

2. misbehaviour by the student or any other reason as stipulated in the 'Student Code of Behaviour and Discipline Policy and Procedure';

3. 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

4. breach of course progress or attendance requirements in accordance with the National Code.

5. 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:

6. The intention to suspend or cancel the student's enrolment and the reason(s) for doing so.

7. 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.

8. Where the student enrolment is to be suspended, the length of the suspension must be included.

9. Where the enrolment is to be cancelled, the effective date of the cancellation (at least 20 working days from the date of the letter).

10. 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.

11. Advice to contact the Department of Home Affairs in relation to the status of their student visa.

12. Student Services will:

- ✓ Maintain all application documentation for the suspension or cancellation of an enrolment on the student's file.
- ✓ 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). For Standard 9 suspension/cancellation decisions, NEI is required to await the outcome of the internal appeals process before updating PRISMS (unless immediate action is required due to a health/wellbeing risk). External review does not delay PRISMS action for Standard 9 decisions; however, NEI will continue to cooperate with any external process and implement outcomes as required.
- ✓ This will be reported on 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. Immediate action (where required): if the student's health, safety or wellbeing (or that of others) is at risk, NEI may implement suspension/cancellation immediately and will document the risk basis and notify the student in writing, including appeal rights.
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.

All students may access NEI's Complaints and Appeals Policy and Procedure. Enrolment status will be maintained during the internal and external appeals process where required by law.

APPENDIX – REGULATORY MAPPING MATRIX

Enrolment variation requirement / control	National Code 2018	RTO Standards 2025	Evidence retained (audit-ready)	Responsible role	Review cycle
Student-initiated deferral/suspension assessed with evidence	Std 9	Outcomes as referenced	Application form; evidence (medical, etc.); decision note	Student Services	Each case
Provider-initiated suspension/cancellation (misbehaviour/non-payment/progress) with fairness	Std 9	Procedural fairness	Intention letter; reasons; supporting evidence	Student Services / CEO	Each case
20 working days to appeal + external option info	Std 10	Complaints/appeals controls	Appeal record; outcome letter; file note	Compliance	Each case
PRISMS reporting after required steps	Std 9	Compliance	PRISMS log; notification evidence	PRISMS user	Each case
Fees/refunds governed by Fees & Refunds + Written Agreement	Std 3 + Std 9	Learner protection	Refund calculation; reference to written agreement	Admin	Each case