



**New England College is the trading name of New England Institute of Technology Pty Ltd**

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# NEW ENGLAND COLLEGE

STEPPING STONE TOWARDS YOUR BRIGHT FUTURE

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## DOCUMENT CONTROL

### Version History

Version	Date	Description
V1.0	08.11.2015	Released
V1.1	08.12.2015	Updated with Minor changes
<b>V1.2</b>	<b>09.01.2016</b>	<b>Minor updates post compliance consultation</b>
<b>V2.0</b>	<b>16.04.2018</b>	<b>Updated as per National Code 2018</b>
<b>V2.1</b>	<b>30.10.2018</b>	<b>Reviewed and Updated with minor changes</b>

### Review Process:

This policy shall be reviewed annually in compliance with education industry standards including **National Code of Practice for Providers of Education and Training to Overseas Students 2018**

Next Review Due: **1 Dec 2019**



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## 1. Deferral, Suspension and Cancelling of Student Enrolment Policy

Students who wish to defer their course commencement date must notify NEC in writing prior to the course commencement date. A new Offer letter will be issued advising the student of their new course commencement date. (NOTE: A place may only be deferred for up to 6 calendar months) Where a course deferral is granted, any monies paid to accept the original course will be transferred as a deposit for the deferred course.-

### Note:

The student's **visa** may be cancelled if the deferral or suspension:

- is due to the conduct of the student
- is for reasons other than compassionate or compelling circumstances
- the compassionate or compelling circumstances which warranted the deferral or suspension of studies cease to exist
- is based on fraudulent evidence or documents given to the registered provider.

If the student wishes to defer his/her admission or take leave of absence until a later semester, New England College will hold the fees paid for 6 months, as at the date advised in writing, without levying a penalty. If the student subsequently withdraws or exceeds this agreed holding period, all fees paid will be automatically surrendered to and become the absolute property of New England College.

New England College will not transfer fees to another College or to a currently enrolled student, unless arranged at the time of enrolment.

There are limited circumstances in which a student's enrolment may be Deferred, Suspended or Cancelled.

### Definitions:

- Deferral:** Postponement of commencement of a course
- Suspension:** Temporary postponement of enrolment during course
- Cancellation:** Cessation of enrolment in course



## 2 Deferring, Suspending or Cancelling Student's Enrolment Procedure

The following paragraphs outline the procedure for deferring, suspending or cancelling a student's enrolment in the cases of:

- Provider Default
- Students initiating deferral, suspension or cancellation
- Suspension or cancellation of enrolment by New England College

### 2.1 Provider Default

In the unlikely event that New England College is unable to deliver your course in full, you will be offered a refund of all the course money you have paid to date. The refund will be paid to you within 2 weeks of the day on which the course ceased being provided. Alternatively, you may be offered enrolment in an approved course offered by the College, at no extra cost to you. You have the right to choose whether you would prefer a refund of course fees, or to accept a place in another course. If you choose placement in another course, we will ask you to sign a document to indicate that you accept the placement.

### 2.2 Student initiated deferral, suspension or cancellation

Students wishing to defer, suspend or cancel enrolment must meet one of the following conditions:

- Unavailability of a course
- Compassionate and compelling circumstances - these are generally beyond the control of the student and have an impact on the student's course progress or wellbeing. These could include but are not limited to:
  - Serious illness or injury, where a medical certificate states that the overseas student was unable 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 overseas student's studies;
  - A traumatic experience, which could include:
    - Involvement in, or witnessing of a serious accident; or
    - Witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be supported by police or psychologists' reports)



- Where NEC was unable to offer a pre-requisite unit or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.
- Visa Delay

Students must submit a form to Administration requesting to defer or temporarily suspend their studies, together with documentary evidence verifying their situation (for example, a medical certificate and police reports etc).

New England College will assess the application and make a decision within 5-10 business days.

If an international student's application for deferral or suspension is approved, New England College will notify the Department of Home Affairs (DoHA) through PRISMS.

### Possible outcomes:

- Where the deferment or suspension has **no change in the end date of the CoE**, there will be no change to the CoE on PRISMS – the overseas student will still be listed as studying. However, the notice of deferment or suspension will be recorded in PRISMS
- Where the deferment or suspension **will affect the end date of the CoE**: NEC will cancel the original CoE on PRISMS and immediately create a new CoE with a more appropriate end date.
- If NEC does not know when the overseas student will return, it can choose not to create a new CoE at that point, but to wait until the overseas student has notified NEC of the intended date of return before creating a new CoE.

The student's application and all supporting documents will be kept in the student's file.

NEC still reserves the right to make the decision, once all evidence provided by the student has been reviewed.

### 2.2.1 Deferral prior to commencement

Students may request a deferral prior to course commencement. Request must be in writing and addressed to the Admissions office. When the deferral is processed the student will receive a revised Letter of Offer and CoE.

### 2.2.2 Suspending your enrolment

Students wishing to suspend their enrolment must complete a "Student request to defer, suspend or cancel a course" form with all supporting documentation which is available on the website ([www.nec.edu.au](http://www.nec.edu.au)) or through administration staff at the Campus. All applications should be submitted at least 14 days prior to suspension date. The maximum suspension period is six (6) months. Approval will only be given in the limited circumstances described above. The student will receive notification in writing of the result of the request.



## 2.2.3 Cancelling your enrolment

Students wishing to cancel their enrolment must complete a “Student request to defer suspend or cancel a course” form with all supporting documentation. The student will receive notification in writing of the result of the request. If the student has not completed the first six months of their principal course they must provide letter of offer from an alternative provider therefore complying with the conditions of **Standard 7 of the National Code 2018**. See policy on Transfer between Providers.

Deferring, suspending or cancelling an enrolment may affect your student visa. All students should contact their nearest department of home affairs office or refer to <https://www.border.gov.au/> for further information. Any deferral, suspension or cancellation will be reported on PRISMS and supporting documentation recorded in the student file.

## 2.3 Suspension or cancellation of enrolment by New England College

New England College has the right to cancel or suspend a student’s enrolment in the following circumstances:

- If a student submits fraudulent documents to gain admission to New England College
- If student does not commence the course within 31 days from the date of commencement and 14 days for students under 18 of years age, as mentioned in COE, and has not requested any official deferment or have responded to the notice of cancellation.
- If a student does not maintain satisfactory course progress in accordance with the Academic Progress Policy for international students
- If the student did not pay Tuition fees on time, his/her enrolment will be cancelled under NEC code of conduct through Standard 8 of National Code 2018.
- If the student behaves in a way which could potentially bring the College into disrepute
- If a student behaves in a way that is a threat to their own health and safety and/or a threat to the health and safety of another student or staff member.
- If the student has received two formal warnings from the College for disobeying College rules. A formal warning will be issued if a student:
  1. Disobeys any College rules signed by the student when enrolled
  2. Knowingly engages in material plagiarism, cheating or academic misconduct
  3. Does not abide by the email and internet rules as stipulated by the College
  4. Engages in any form of harassment (racial, sexual or verbal) or bullying towards another student or staff member
  5. Misuses or willfully damages College facilities, equipment or property.

### Where suspension or cancellation is initiated by the College:

- Students will receive a notice of Intent to Defer, Suspend or cancel Enrolment.
- This notice will clearly inform the student that deferring, suspending or cancelling his/her enrolment may affect his/her visa.



- This notice will clearly identify that a student will be given 20 working days to access the Institute’s complaints and appeals process.
  
- When the Appeals process is initiated, NEC will follow the following process:
  - **In cases of misbehaviour and non-payment**, The College may proceed with the deferral, suspension, or cancellation after the internal complaints handling and appeals process has been completed.
  - **In case of breach of course Progress and /or attendance requirements** by the overseas student, the college will maintain the student’s enrolment until the internal and external complaints and appeals process is complete. [Refer the Complaints and Appeals @ [www.nec.edu.au](http://www.nec.edu.au) ]
  - **NEC shall not give an overseas student** the opportunity to appeal against the deferral, suspension or cancellation of enrolment, when the overseas student’s health or wellbeing, or the wellbeing of others, is likely to be at risk.

This may include, but is not limited to when the overseas student:

    - Refuses to maintain approved care arrangements, if they are under 18 years of age;
    - Is missing;
    - Has medical concerns, severe depression or psychological issues which lead the provider to fear for the overseas student’s wellbeing;
    - Has engaged or threatens to engage in behaviour that is reasonably believed to endanger the overseas student or others; or
    - Is at risk of committing a criminal offence.
  
- NEC shall retain the evidence to support this decision.
- The suspension or cancellation will be notified to Department of Education and Training through PRISMS on completion of the 20 working days, or at the end of the appeals process if the appeal is not upheld.
- Any deferral, suspension or cancellation will be reported on PRISMS and supporting documentation and the outcome of the appeal (if any) recorded in the student’s file.
- If the overseas student is under the age of 18, the cancellation of a CoE does not cancel a Confirmation of Appropriate Accommodation and Welfare (CAAW), and NEC shall be responsible for welfare arrangements until one of the conditions of Standard 5.6 of the National Code 2018 are met.