

Deferment, Suspension & Cancellation Policy & Procedure

Purpose

This policy outlines the requirements and procedures for Insight Academy to suspend and cancel a student's enrolment and the associated procedures according to the National Code 2018 and the ESOS Act.

According to Standard 9 of the National Code of Practice for Providers of Education and Training of Overseas Student 2018, enrolment can be deferred, suspended, or cancelled in limited circumstances by Insight Academy or by the student. When deferral, suspension or cancellation of enrolment is initiated by Insight Academy, the student has the right to appeal the decision. Overseas students need to note that any deferral, suspension, or cancellation may affect their study visa in Australia.

Scope

This policy applies to all prospective & current students at Insight Academy, the Insight Academy Admissions team, Sales team, Student Support team as well as the Operations Manager. This policy may also impact the third party specifically the agents to Insight Academy.

Policy

This policy and the associated procedures provide the basis and procedures for students wishing to apply for deferring, suspending or cancelling their courses at Insight Academy on the grounds of Compassionate and Compelling circumstances, the assessment of those applications and the reporting of the decisions to the Department of Home Affairs (DHA) via PRISMS by the Insight Academy personnel.

Students may apply for a deferment of commencement of their studies on the basis of Compassionate and compelling circumstances preventing their commencement on the scheduled date.

Definition of Compassionate or Compelling Circumstances

Compassionate or compelling circumstances are generally those beyond the control of the student and which have an impact upon the student's wellbeing and/or capacity/ability to:

- Commence their course on the scheduled start date, but within two weeks of that date, or to
- Attend scheduled classes for a significant period of time during the enrolment period.

Such circumstances include, but are not limited to:

- Serious illness or injury, where a medical certificate states that the 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 student's studies.
- A traumatic experience which could 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).
- Where the registered provider 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.
- Inability to begin studying on the course commencement date due to delay in receiving a student visa.

Please note that the above are only some examples of what may be considered compassionate or compelling circumstances. Insight Academy will use their professional judgement to assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, we will consider documentary evidence provided to support the claim, and will keep copies of these documents in the student's file.

Evidence

Insight Academy is required to keep documentary evidence to assess any application for deferment, suspension or cancellation of course and to keep the same on students' file.

Thus, all such applications must be supported by documentary evidence which may vary with regard to the specific circumstances, but could include:

- Relevant DOHA visa documents/ notifications.
- Travel documents (Issued travel ticket with return date);
- Relevant media reports relating to a natural disaster impacting on a student's area of residence.

- A relevant Death Certificate.
- A Marriage Certificate.
- A police incident report.
- A social worker's report.
- A psychologist's report.
- Appropriate medical evidence.

Additional important information

- Students should keep in mind that, unless they have been granted, in writing, a formal approval to suspend/ defer their studies, airline tickets should not be pre-purchased, as Insight Academy cannot guarantee that the student will be successful in his or her application for a suspension.
- Medical certificates should comply with the Australian Medical Association's Guidelines for Medical Practitioners on Certificates Certifying Illness. <https://www.ama.com.au/position-statement/ama-guidelines-medical-certificates-2011-revised-2016>

These include:

- ✓ Name and address of the medical practitioner issuing the certificate.
- ✓ Doctor's Medicare provider number (where applicable).
- ✓ Name of the patient.
- ✓ Date on which the examination took place.
- ✓ Date on which the certificate was issued.
- ✓ Date(s) on which the patient is or was unfit for attendance.
- ✓ Supplementary information of assistance to the patient in obtaining the appropriate leave especially where there is a discrepancy in the period for which the certificate is issued and the date of the certificate.

Certificates not written in English must be translated into English. Insight Academy may verify the medical certificates.

Duration of Deferment/ Suspension & Course Completion

Applications for deferment/ suspension based on Compassionate and Compelling circumstances must relate to an inability to attend scheduled classes for a significant period of time prior to or during the enrolment period.

Deferment of the start date of a course for compelling & compassionate reasons is based on the provided evidence and assessment of the same. The student will be provided a new start date based on the next available intakes into the course. Insight Academy is obligated to report the same to the Department of Home Affairs (DHA) via PRISMS.

The suspension of studies for compelling & compassionate reasons is approved for a period of time no longer than 10 weeks after which time the student will recommence study. Extended period of suspension of studies may result in the change in the course duration and

Insight Academy is obligated to report the same to the Department of Home Affairs (DHA) via PRISMS. The student are advised that the deferment or suspension of their studies may affect their visa and that they may be required to apply for a new student visa in such circumstances and that remains the student's responsibility.

Provider-initiated suspensions/ cancellation of enrolment

- Insight Academy may initiate a course cancellation on the grounds of
 - ✓ Misconduct/ misbehaviour of a student against the Insight Academy's Student Code of Conduct.
 - ✓ non-payment of fees as per the signed payment plan.
 - ✓ notification received on PRISMS about the student no longer holding a Student Visa/ student visa application refusal.
 - ✓ Insufficient attendance & course progress as required by Insight Academy course attendance & academic progress policy.
- Insight Academy may initiate suspension of student's enrolment on the grounds of misconduct/ misbehaviour.
- Insight Academy will cancel a students' enrolment for non-commencement if the student fails to attend orientation and the initial study sessions within the 14 days period from the course start date, without any warnings. The same is advised to the students in the Orientation invites and the Letter of Offer.

Procedure

1. Students can only apply for deferment or suspension of their studies for compassionate or compelling circumstances (defined as those beyond the control of the student and which have an impact on course progress or wellbeing).

2. Students who are unable to arrive in Australia and start their course on time as agreed or no later than fourteen (14) days of the agreed start date will have to apply to Insight Academy to defer their studies.
3. These requests must be made in writing made via the deferral/ suspension form available on Insight Academy website. If the deferral is approved the student will receive a revised Letter of Offer and a new CoE after acceptance of the revised Letter of Offer.
4. All applications for deferment or suspension will be considered and the decision provided in writing to the student within 10 working days from the date of application.
5. Insight Academy may choose to grant or decline any student's request for deferment or suspension of studies. All documentation including reasons are to be kept on the student file.
6. In cases where:
 - ✓ student's approved suspension of study based on compassionate or compelling circumstances is for a period constituting up to a maximum of four study weeks;
 - ✓ student has made satisfactory academic progress up to the date of the suspension of studies;
 - ✓ student has agreed to a study plan to undertake assessments during scheduled term breaks; the student may be able to complete their course within the expected duration and the student's enrolment will be suspended for the assessed and approved period with no extension in their course duration and CoE.
7. In cases where:
 - ✓ student's approved suspension based on compassionate or compelling circumstances is for a period constituting more than four study weeks;
 - ✓ student's enrolment will be suspended with an extension in the course duration and CoE.
8. Insight Academy will notify the Department of Home Affairs (DHA) through PRISMS that they are deferring or suspending an overseas student's enrolment for a period which will affect the end date of the CoE. In such circumstances the original CoE will be cancelled on PRISMS & a new CoE will be created with the appropriate end date.
9. When assessing applications for deferral/ suspension on grounds of compassionate and compelling circumstances, copies of supporting documents will be kept, together with a record of the decision and the basis for the decision, in the student's file, and recorded in the student's file and PRISMS.
10. **Course Cancellation / Suspension initiated by Insight Academy** – As per Std 8.1, before suspending or cancelling a student's enrolment Insight Academy will notify the student of its

intention to take such action and allow the student 20 working days to access the internal complaints and appeals process as per the Insight Academy Complaints and Appeals Policy.

- a. If the student accesses Insight Academy's internal complaints and appeals process, suspension or cancellation of the student's enrolment under these circumstances will not take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply. 'Extenuating circumstances' relating to the welfare of the student may include, but are not limited to the following. The student:
 - ✓ refuses to maintain approved care arrangements (only for students under 18 years of age);
 - ✓ is missing;
 - ✓ has medical concerns, severe depression or psychological issues which lead the provider to fear for the student's wellbeing;
 - ✓ has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others; or
 - ✓ is at risk of committing a criminal offence.
 - b. Any claim of extenuating circumstances will need to be supported by appropriate evidence.
 - c. The student may choose to access external appeals process as per Insight Academy's policy. However, Insight Academy is not obligated to wait for the outcome of an external appeal before notifying the Department of Home Affairs (DHA) of the change to the student's enrolment status.
11. If Insight Academy cancels a students' CoE, the students must contact DHA within 28 days to inform DHA of their plans (to find another course, return home or access an external appeals process) and take all relevant paperwork (for example, new CoE) to DHA.
 12. In case of suspension initiated by Insight Academy for student misconduct, attendance will not be recorded during a period of suspension.
 13. All course suspensions will be recorded on PRISMS.

Management Action & Responsibility

Operations Manager in consultation with the Admissions coordinator is responsible for managing this Policy and its implementation.

Any suggested revisions to the policy in future will be approved by the CEO.