

DEFERRAL, SUSPENSION AND CANCELLATION POLICY AND PROCEDURE

1. PREAMBLE

Student enrollment can be deferred, suspended, or cancelled in limited circumstances by Sydney Metropolitan English Institute or by the student. When Sydney Metropolitan English Institute initiates deferral, suspension or cancellation of enrolment, the student has the right to appeal the decision. International students need to note that any deferral, suspension or cancellation may affect their study visa in Australia.

The Institute is committed to enabling and supporting students to enhance positive experiences and outcomes. It also expects good conduct and ethical practices from students. The Institute strives to be a socially responsible, industry-leading and supportive educational institution. Ensuring a due process for deferment, suspension and cancellation of enrolment is critical for the Institute's integrity and reputation.

2. PURPOSE

The purpose of this policy and procedure is to ensure the Institute meets the requirements of the programs of study and the policies approved by the Academic Board regarding deferment, suspension or cancellation of enrolment by the Institute of a particular student, pursuant to the ESOS Act and National Code 2018.

3. SCOPE

This policy applies to students whose enrollment the Institute has committed to deferring, suspending, or canceling.

4. INSTITUTE-INITIATED DEFERRAL, SUSPENSION OR CANCELLATION OF ENROLMENT

4.1 The Institute may suspend a student's enrolment for serious reasons that, in the Institute's view, constitute an offence deserving of a suspension. This may include misconduct or misbehaviour, which manifests itself in one or more of the following behaviours or actions:

- a. Stealing from the Institute or a peer
- b. A serious breach of Institute rules
- c. A failure to comply with reasonable requests from an SMEI employee or contractor
- d. A threat whether direct or indirect to staff, peers or others

- e. A breach of enrolment conditions
 - f. Offensive conduct
 - g. Failing to meet the requirements of the course progress or attendance policy
 - h. Non-payment of tuition fees when they are due
 - i. Cheating, plagiarism or other forms of misconduct that are considered by the Institute to be severe or repetitive
- 4.2 Other serious incidents or events the SMEI deems as being contrary to its code of conduct and philosophy of professional conduct
- 4.3 If SMEI instigates a deferment, suspension or cancellation of enrolment action, it will write to the student indicating its intentions. The letter will clearly state that the student has twenty (20) days to access the Institute's appeals process if the student wishes for an appeal to occur. If the appeals process is initiated, the Institute will maintain the student's enrolment until the internal appeals process is concluded.
- 4.4 If the student is suspended, deferred or their enrolment is cancelled, a notification of this will be sent to the Department of Home Affairs. If the appeal is not upheld this will occur on completion of twenty (20) working days of the conclusion of the appeals process.
- 4.5 In all cases, the student will be afforded natural justice and will be provided with an opportunity to explain, clarify and defend their view to the Institute. The Institute believes in fairness and equity in all its dealings and will allow students to defend their position.

5. STUDENT LEAVE OF ABSENCE

If the student is unable to attend classes for an extended period (longer than one week), they must complete a Student Leave of Absence Form with supporting documentation pertaining to the reason for your absence. The Institute will assess your application and provide you with written advice regarding its outcome within two (2) weeks of the form being received by the Institute.

Leave of Absence generally relates to compelling or compassionate reasons or for reasons outside the control of the student. In all cases, documented evidence will be required, and the Institute may request an audience with the student.

6. DEFERMENT, SUSPENSION OR CANCELLATION OF ENROLMENT (STUDENT REQUESTED)

Students wishing to defer, suspend or cancel their enrolment must meet one (1) of the following conditions:

- 6.1 The student has been delayed due to a visa not being issued.
- 6.2 There are compassionate or compelling circumstances affecting the student that is beyond their control such as serious illness, death of a close or direct

family member, major political upheaval, natural disaster or a traumatic experience.

- 6.3 In all cases, the student must provide documented evidence and the Institute will assess their application based on the evidence.
- 6.4 A written decision will be provided to the student within fourteen (14) days from the date of receiving an application for deferment, suspension or cancellation of course.
- 6.5 The period of suspension or deferment shall not exceed six (6) months and approval will only be forthcoming in the limited circumstances described above.
- 6.6 If the student wishes to cancel their enrolment, they must complete a Notice of Withdrawal Form with supporting documentation. SMEI will assess the application and will write to the student providing its decision within two (2) weeks from the date of receiving the completed form and attached evidence.
- 6.7 If the student has not completed the first six (6) months of their study at the Institute, they must provide a letter of offer from an alternative provider in order to comply with the conditions of the National Code 2018.
- 6.8 Cancellations may involve a refund. This is discussed with the Principal Executive Officer on a case-by-case basis. Once a student's enrolment is cancelled, deferred or temporarily suspended Sydney Metropolitan English Institute will notify the Department of Education via PRISMS as is required under section 19 of the ESOS Act.