

## International Students Deferral, Leave of Absence, Suspension and Cancellation of Enrolment Policy

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### 1. Purpose

The purpose of this policy is to define Melbourne Polytechnic's terms and conditions relating to international student deferrals, suspensions, leave of absences and cancellations, with adherence to the requirements of the ESOS legislative framework, including the Education Services for Overseas Students Act 2000 (Cth), National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (National Code 2018).

### 2. Policy Statement

Under Standard 9 of the ESOS Act, Melbourne Polytechnic must have in place documented procedures for assessing, approving and recording a deferment of the commencement of study or suspension of study for the student, including keeping documentary evidence on the student's file of the assessment of the application.

Under Standard 9 of the ESOS Act, Melbourne Polytechnic can only defer or temporarily suspend the enrolment of the student on the grounds of:

- compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student is unable to attend classes), or
- misbehaviour by the student.

Under Standard 9 of the ESOS Act, Melbourne Polytechnic can suspend or cancel a student's enrolment on the basis of:

- misbehaviour by the student
- the student's failure to pay an amount he or she was required to pay the registered provider to undertake or continue the course as stated in the written agreement
- a breach of course progress or attendance requirements by the overseas student, which must occur in accordance with Standard 8 (Overseas student visa requirements).

### 3. Principles

This policy will adhere to the following principles:

- value diversity
- promote natural justice
- offer equality of opportunity

### 4. Scope

This policy applies to new and continuing international students at Melbourne Polytechnic, staff in the International Office at Melbourne Polytechnic, and staff in Schools at Melbourne Polytechnic.

### 5. Policy

- 1.1. The Institute will assess all requests from international students who wish to defer studies or take a leave of absence and will notify students of the decision in writing.
- 1.2. International students requesting a deferral of studies or a leave of absence from their course should submit their request to Melbourne Polytechnic-International in writing on the [International Students Deferral or Leave of Absence Application Form](#).
- 1.3. The allowable period for deferral or a leave of absence is one study period to a maximum of one year.

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- 1.4. The Institute may only grant a deferral or leave of absence where there is compassionate or compelling circumstances, applicable under the following circumstances:
  - 1.4.1. Illness, disability or injury. Medical certificate is needed stating the student's case and reasons affecting full time study.
  - 1.4.2. Bereavement of a close family member.
  - 1.4.3. Natural disaster or major political upheaval in student's home country.
  - 1.4.4. Any experience which has left the student feeling traumatised. This could be either being a victim or witnessing a serious crime or other exceptional personal experience. Requires supporting documents from the police, or psychologist's reports.
  - 1.4.5. Other exceptional circumstances not mentioned. Other supporting documentation will be required from external agencies, disability support, or counselling services.
- 1.5. If the student is under 18, the request for deferral or a leave of absence must be endorsed by a student's parent or legal guardian.
- 1.6. If an international student is not granted a deferral or leave of absence and fails to commence a compulsory study period, the student must be withdrawn and their enrolment is cancelled due to student default. Refer to the [International Students Withdrawal, Transfer and Refund Policy](#).
- 1.7. The Institute may suspend a student's studies or expel a student where there is misbehaviour or misconduct by the student. Refer to Melbourne Polytechnic's [Student Discipline Policy](#).
- 1.8. Where the Institute has decided to suspend studies, the student will be notified of this decision and be given 20 working days to access the Institute's internal complaints and appeals process via Melbourne Polytechnic's [Student Complaints and Appeals Policy](#) and [Student Complaints and Appeals Procedure](#). The student must continue to study their course until the appeal has been heard and a decision issued.

## 6. Definitions

- Cancellation: to cancel the active CoE of a student, initiated by the provider
- Deferral of studies: to temporarily delay the commencement of studies, initiated by the student.
- Leave of absence: to temporarily postpone studies, initiated by the student.
- Suspension of studies: to temporarily postpone studies, initiated by the provider due to student misbehaviour or misconduct.

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### 7. Responsibility and Accountability

Task	Responsibility	Notes
Under Standard 9 of the ESOS Act, Melbourne Polytechnic must have in place documented procedures for assessing, approving and recording a deferment of the commencement of study or suspension of study for the student, including keeping documentary evidence on the student's file of the assessment of the application.	Manager, International Inbound  International Office Staff	
Under Standard 9 of the ESOS Act, Melbourne Polytechnic can only defer or temporarily suspend the enrolment of the student on the grounds of: <ul style="list-style-type: none"> <li>compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student is unable to attend classes), or</li> <li>misbehaviour by the student.</li> </ul>	Manager, International Inbound  International Office Staff	

### 8. Supporting Documents and Templates

#### Related Documents

[International Students Deferral or Leave of Absence Application Form](#)  
[Student Discipline Policy](#)

#### Legislative Context

Educational Services for Overseas Students (ESOS) Framework -  
<https://internationaleducation.gov.au/regulatory-information/pages/regulatoryinformation.aspx>

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### 9. Policy Control

<b>Approving authority</b>	<i>Melbourne Polytechnic Executive</i>
<b>Date approved</b>	<i>9 November 2018</i>
<b>Date effective</b>	<i>9 November 2018</i>

<b>Policy owner</b>	<i>Marcus Scott, Manager, International Inbound</i>
<b>Policy adviser</b>	<i>Janet Murdoch, Manager, International Operations</i>
<b>Policy category</b>	<i>International and Transnational</i>
<b>Edition</b>	<i>3</i>
<b>Review date</b>	<i>March 2020</i>

### 10. Version History

<b>Edition</b>	<b>Approved by</b>	<b>Approval Date</b>	<b>Summary of changes/Notes</b>
3	Melbourne Polytechnic Executive	9/11/2018	<i>International Students Deferral, Leave of Absence, Suspension and Cancellation of Enrolment Policy: Update to new standard 2018, includes suspension and cancellation of enrolment in policy</i>
2	Melbourne Polytechnic Executive	17/05/2017	<i>International Students Deferral and Leave of Absence Policy, conversion to new policy template.</i>
1	Adam Jacoby, Executive Director, Strategic Innovations	12/11/2015	<i>New policy for Deferrals and Leave of Absence – P/IO/D/7/160.</i>