

International Students Deferral and Leave of Absence Policy

1. Purpose

This purpose of this policy is to define Melbourne Polytechnic's terms and conditions relating to international student deferrals, suspensions, and leave of absences, 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 2007 (National Code 2007).

2. Policy Statement

Under Standard 13 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 13 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.

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 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.
- 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.

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- 1.4.4. Any experience which has left the student feeling traumatised. This could be either being a victim or witnessing a serious crime. Requires supporting documents from the police, or psychologist's reports.
- 1.4.5. Other exceptional circumstances not mentioned. Requires supporting documentation from Melbourne Polytechnic counselling service.
- 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 due to student default. Refer to the [International Students Withdrawal, Transfer and Refund Policy](#).
- 1.7. The Institute may suspend a student's studies 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

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.

7. Responsibility and Accountability

Task	Responsibility	Notes
Under Standard 13 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 13 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"> compassionate or compelling circumstances (e.g. illness where a medical certificate states that the 	Manager, International Inbound International Office Staff	

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student is unable to attend classes), or <ul style="list-style-type: none"> • misbehaviour by the student. 		
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8. Supporting Documents and Templates

Legislative Context

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

Related Documents

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

9. Policy Control

Approving authority	<i>Melbourne Polytechnic Executive</i>
Date approved	<i>17 May 2017</i>
Date effective	<i>17 May 2017</i>
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