
Purpose

The purpose of these policy and procedures is to outline the circumstances in which a student can defer, suspend or cancel their enrolment with Max Therapy Institute (MTI) and where MTI can initiate the suspension or cancellation of the student's enrolment and the relevant processes for deferral, suspension and cancellation.

These policy and procedures support Standard 9 of the ESOS National Code 2018.

Policy

1. MTI deals with student deferral, suspension or cancellation requests fairly and in a timely manner.
2. This policy applies to MTI's students and staff.
3. The CEO is responsible for the implementation of the policy and procedures and for ensuring that students and staff are aware of its application and implement its requirements.

A. International Students

1. MTI has and implements these documented policy and procedures for assessing, approving and recording a deferment of the commencement of study or suspension of study requested by an overseas student, including maintaining a record of any decisions.
2. MTI may defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances.
3. MTI may suspend or cancel a student's enrolment including, but not limited to, on the basis of:
 - misbehaviour by the student
 - the student's failure to pay an amount he or she was required to pay MTI 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 of the National Code 2018 (Overseas student visa requirements).
4. If MTI initiates a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation MTI will:
 - inform the overseas student of that intention and the reasons for doing so, in writing
 - advise the overseas student of their right to appeal through MTI's internal complaints and appeals process, in accordance with Standard 10 of the National Code 2018 (Complaints and appeals), within 20 working days.
5. When there is any deferral, suspension or cancellation action taken under Standard 9 of the National Code 2018, MTI will:
 - inform the overseas student of the need to seek advice from Immigration on the potential impact on his or her student visa
 - report the change to the overseas student's enrolment under section 19 of the ESOS Act.
6. The suspension or cancellation of the overseas student's enrolment under Standard 9.3 of the National Code 2018 cannot take effect until the internal appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk.
7. MTI assesses and records all deferrals, suspensions or cancellations of study, ensures that students are informed of their rights and provided with due care and where relevant opportunities for appeal. Students must be informed prior to enrolment of the grounds on which their enrolment may be deferred, suspended or cancelled. Students may apply for deferral or suspension of their studies if they have good reason for doing so (compassionate or compelling circumstances). MTI may choose to approve or decline any student's request for deferral or suspension of studies, in accordance with this policy.
 - Deferral: means to delay the commencement of a course.
 - Suspension: means to temporarily delay the enrolment once the course has commenced.
 - Cancellation: means the cessation of an enrolment from a course.
8. MTI can defer or temporarily suspend the enrolment of the student on the grounds of:
 - compassionate or compelling circumstances; or
 - misbehaviour by the student
 - the student's failure to pay an amount he or she was required to pay MTI 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 of the National Code 2018 (Overseas student visa requirements).

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9. Compassionate or compelling circumstances are generally those beyond the control of the student which have an impact upon 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 MTI 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; or
 - inability to begin studying on the course commencement date due to delay in receiving a student visa.
 10. MTI may suspend or cancel a student enrolment for misbehaviour / for breaching the Student Code of Conduct (refer to the Student handbook). This may include (but is not limited to):
 - Disrespecting or discriminating other students or staff
 - Intimidating other students or staff
 - Refusing to study in a safe, clean, orderly and cooperative environment
 - Damaging or misusing other students' or the college's property (including computer files and student work)
 - Refusing to have any disputes settled in a fair and rational manner
 - Engaging in plagiarism, cheating or collusion
 - Committing criminal actions
 - Failure to maintain course satisfactory progress/ attendance
 - Failure to pay fees when due
 - Other actions deemed inappropriate by the RTO Manager/ Chief Executive Officer.
 11. Where a student-initiated deferral or suspension of enrolment is granted, MTI will suspend an enrolment for an agreed period of time - to a maximum of 12 months. If the deferral is required for longer than 12 months, the student's application will be re-assessed. If the suspension period has expired and the student does not return, the student's enrolment will be cancelled.
 12. MTI considers documentary evidence provided by students to support their claim of compassionate or compelling circumstances when determining if the claim exists. Copies of these documents will be placed in the student's file.
 13. Deferral, suspension or cancellation of enrolment applications will be accepted only if they are made in writing, on either the Deferment or Suspension Application Form or the Withdrawal Application Form, signed by the student. These forms are available on the college's website. Cancellation of enrolment may trigger a refund in accordance with the the Written Agreement between the college and the student. Students who cancel their enrolment and believe they are due for a refund must also apply for a refund. Refund applications must be made in writing to the college. MTI's Fees, Charges and Refunds Policy and Procedures are available on the website on the following link <https://www.mti.vic.edu.au/forms-and-downloads/#1621404338396-4d483ef1-414a>. A refund application form can be accessed through the college's reception or via the following link <https://www.mti.vic.edu.au/forms-and-downloads/#1458753651409-94c58f7f-99a2>.

B. Domestic Students

1. Domestic students can defer, suspend or cancel their enrolment with Max Therapy Institute (MTI) by completing the relevant forms.
2. Maximum period of deferral or suspension of enrolment is 12 months.

Procedures

A. For International Students

1. Deferral Procedures

a. For New Students

Procedure	Responsibility
<ol style="list-style-type: none"> 1. A new student who wants to defer their course will need to inform MTI in writing by submitting a completed and signed Deferment or Suspension Application Form and its supporting evidence by email to studentsupport@mti.vic.edu.au. The Deferment or Suspension Application Form can be accessed from the MTI's reception or downloaded from MTI's website on https://www.mti.vic.edu.au/forms-and-downloads/#1458753651409-94c58f7f-99a2. 2. A retrospective deferment may be justified if the student was unable to contact MTI because of a compelling circumstance such as being involved in a car accident. 3. The Enrolment staff will assess a deferment application and will make a decision on the application. 4. If the application is approved, the Enrolment staff report the student's change of enrolment to the ESOS Agency and Department of Home Affairs (DHA) via PRISMS as soon as practicable after a decision on deferral has been finalised and recorded within 31 days of the date that is deferred. 5. The Enrolment staff will inform the student about the application outcome by emailing the student/ their agent. The Enrolment staff will change the student's Confirmation of Study (CoE) if applicable. If applicable the new Confirmation of Enrolment (CoE) will also be emailed to the student/ their agent. 6. The Enrolment staff will ensure that the student is advised to contact the Department of Home Affairs (DHA) so that they are informed as to the impact of their deferral on their existing student visa. 7. If the application is refused, the student/ the student's agent will be informed including the reason of refusal in writing by email. 8. The application will be processed within 10 working days from the date the application is received by the college. The student will be informed about the result of their application by email. 9. If the student is not satisfied with the application outcome, the student can access MTI's Feedback, Complaints, and Appeals Policy and Procedures. 10. All records of the request and supporting evidence are copied and placed in the student's folder by the Administration Staff. 	Enrolment Staff, Administration Staff

b. Continuing Students

Procedure	Responsibility
<ol style="list-style-type: none"> 1. A continuing student who wants to defer their course will need to inform MTI in writing by submitting a completed and signed Deferment or Suspension Application Form and its supporting evidence by email to studentsupport@mti.vic.edu.au. The Deferment or Suspension Application Form can be accessed from the MTI's reception or downloaded from MTI's website on https://www.mti.vic.edu.au/forms-and-downloads/#1458753651409-94c58f7f-99a2. 2. In general, student initiated deferment of enrolment cannot be granted retrospectively (after the event) or if it was taken by the student without authorisation. A retrospective deferment may be justified if the student was unable to contact MTI because of a compelling circumstance such as being involved in a car accident. 3. An incomplete application (for example, an application is not correctly completed, or no relevant supporting evidence is attached) will not be processed/ might be refused. The student can apply again. 4. The RTO Manager or delegate will assess and decide to approve/ refuse the application based on the grounds of the written request. In making this decision the RTO Manager or delegate may consult with other staff in the college. The RTO Manager or delegate also 	RTO Manager or delegate, Administration Staff

Deferral, Suspension and Cancellation Policy and Procedures

Procedure	Responsibility
<p>ensures that compassionate and compelling circumstances (which are beyond control of the student) are assessed where evidence of their validity is provided.</p> <ol style="list-style-type: none"> If the application is approved, the RTO Manager or delegate will report the student's change of enrolment to the ESOS Agency and Department of Home Affairs (DHA) via PRISMS as soon as practicable after a decision on deferral has been finalised and recorded within 31 days of the date that is deferred. The RTO Manager/delegate will send a notification email regarding the outcome of the deferral application and if applicable together with the new CoE to the student. It will be ensured that the student is advised to contact the Department of Home Affairs so that they are informed as to the impact of their deferral on their existing student visa. If the application is refused, the student will be informed including the reason of refusal in writing by email by the RTO Manager or delegate. If the application is refused, MTI will maintain the enrolment of the student if the student decides to appeal the decision (see MTI's Feedback, Complaints, and Appeals Policy and Procedures on the college's website). The student's deferral application will be processed within 10 working days from the date the application and its supporting evidence/ documents are received by the college. The student will be informed about the result of their application by email by the RTO Manager or delegate. If the student is not satisfied with the application outcome, the student can access MTI's Feedback, Complaints, and Appeals Policy and Procedures. The college's Complaints and Appeals Policy and Procedures can be accessed on the website at https://www.mti.vic.edu.au/forms-and-downloads/#1621404338396-4d483ef1-414a. All records of the request and supporting evidence are copied and placed in the student's file by the Administration Staff. The Student Management System will also be updated by the Administration Staff. 	

c. Deferral Initiated by the College

Procedure	Responsibility
<ol style="list-style-type: none"> If MTI defers the commencement of a course, the RTO Manager or delegate will notify the student by email. The student may accept the new agreed start date. In this case, we may carry forward the initial pre-paid tuition fee to the new intake. If the student decides not to accept the new start date, then it will be considered as the provider default. MTI will be obliged to repay all tuition fees within 14 days of the date of deferral unless alternative arrangements can be made which are acceptable to students. MTI through the RTO Manager or delegate will report its deferral of commencement to the ESOS Agency and Department of Home Affairs through PRISMS which may affect the status of the student's visa. This is done within 31 days of the date that is deferred. The Student Management System will also be updated by the Administration Staff. 	RTO Manager or delegate, Administration Staff

2. Suspension Procedures

Procedure	Responsibility
<ol style="list-style-type: none"> A student who wants to suspend their course will need to inform MTI in writing by submitting a completed and signed Deferment or Suspension Application Form and its supporting evidence by email to studentsupport@mti.vic.edu.au. The Deferment or Suspension Application Form can be accessed from the MTI's reception or downloaded from MTI's website on https://www.mti.vic.edu.au/forms-and-downloads/#1458753651409-94c58f7f-99a2. In general, student initiated suspension of enrolment cannot be granted retrospectively (after the event) or if it was taken by the student without authorisation. If a student has taken unauthorised leave then they will be recorded as absent and reported to the ESOS 	RTO Manager or delegate, Administration Staff

Procedure	Responsibility
<p>Agency and Department of Home Affairs via PRISMS if their participation falls below MTI's requirements for attendance. A retrospective suspension may be justified if the student was unable to contact MTI because of a compelling circumstance such as being involved in a car accident.</p> <ol style="list-style-type: none"> 3. An incomplete application (for example, an application is not correctly completed, or no relevant supporting evidence is attached) will not be processed/ might be refused. The student can apply again. 4. The RTO Manager or delegate will assess and decide to approve/ refuse the application based on the grounds of the written request. In making this decision the RTO Manager or delegate may consult with other staff in the college. The RTO Manager or delegate also ensures that compassionate and compelling circumstances (which are beyond control of the student) are assessed where evidence of their validity is provided. 5. If the application is approved, the RTO Manager or delegate will report the student's suspension on PRISMS as soon as practicable after a decision on suspension has been finalised and recorded within 31 days of the date of suspension. If a new COE needs to be created, the RTO Manager or delegate will report to the ESOS Agency and Department of Home Affairs via PRISMS by changing the current COE and issuing a new CoE. 6. The RTO Manager or delegate will send a notification email regarding the outcome of the suspension application together with the new CoE to the student if applicable. It will be ensured that the student is advised to contact the Department of Home Affairs so that they are informed as to the impact of their suspension on their existing student visa. 7. If the application is refused, the RTO Manager or delegate will notify the student by email. 8. The student's application will be processed within 10 working days from the date the application and its supporting evidence/ documents are received by the college. 9. If the student is not satisfied with the application outcome, the student can access MTI's Feedback, Complaints, and Appeals Policy and Procedures on the college's website. 10. If the application is refused, MTI will maintain the enrolment of the student if the student decides to appeal the decision. 11. All records of the request and supporting evidence are copied and placed in the student's folder by the Administration Staff. The Student Management System will also be updated by the Administration Staff. 	

3. Cancellation/Withdrawal Procedures

Procedure	Responsibility
<ol style="list-style-type: none"> 1. A student who wants to cancel their course will need to inform MTI in writing by submitting a completed and signed Withdrawal Application Form and its supporting evidence by email to studentsupport@mti.vic.edu.au. The Withdrawal Application Form can be accessed from the MTI's reception or downloaded from MTI's website on https://www.mti.vic.edu.au/forms-and-downloads/#1458753651409-94c58f7f-99a2. 2. The RTO Manager or delegate will assess and decide to approve/ refuse the application based on the grounds of the written request. In making this decision the RTO Manager or delegate may consult with other staff in the college. 3. The RTO Manager or delegate assesses all cancellation applications based on specific factors that need to be considered. The factors are that the student requesting a transfer has an accurate understanding of what the transfer represents to their study options. 4. The RTO Manager or delegate will make any final decision as to whether to refuse a request for a release or cancellation from a course of study for any student. A Release Letter is provided at no cost to the student. 5. The RTO Manager or delegate will notify the CEO in writing of any cancellation. 6. The RTO Manager or delegate reports the student to the ESOS Agency and Department of Home Affairs via PRISMS within 31 days of the date of cancellation. 	<p>RTO Manager or delegate, Administration Staff</p>

Deferral, Suspension and Cancellation Policy and Procedures

Procedure	Responsibility
<p>7. The student will be advised in writing of the outcome by the RTO Manager or delegate within 10 working days.</p> <p>8. If the cancellation application is approved for an overseas student who has not completed at least 6 months of their principal course, the student will be issued a Release Letter approving the cancellation by the RTO Manager or delegate. The letter must direct the student to contact the Department of Home Affairs on whether a new student visa is required. A release decision including the date of effect and reasons for release will be recorded in PRISMS.</p> <p>9. If the cancellation application is rejected, the reasons for the decision will be included in the rejection notice. The RTO Manager or delegate will notify the student regarding the application outcome.</p> <p>10. If a release request is refused, reasons for the refusal will be documented in writing and the student will be informed of their rights of appeal using the college's complaints and appeals procedure. MTI will finalise the student's refusal status in PRISMS after the appeal finds in favour of the college, or the overseas student has chosen not to access the complaints and appeals processes within the 20 working day period, or the overseas student withdraws from the process. This is done by the RTO Manager or delegate.</p> <p>11. If a student requests the cancellation of their enrolment, a refund arrangement as per the Written Agreement between the college and the student may be triggered. Students who cancel their enrolment and believe they are eligible for a refund must also apply for a refund according to the provisions in their Written Agreement.</p> <p>12. Fees shall be refunded in accordance with MTI's Fees, Charges and Refunds Policy and Procedures that are available on the college's website.</p> <p>13. After a decision has been made, the outcome is written and recorded and placed in the student's individual file, together with the application form. The Student Management System will also be updated by the Administration Staff.</p>	

4. College Initiated Suspension/Cancellation Procedures

a. Unsatisfactory Course Progress/Attendance

Procedure	Responsibility
<p>1. During course progress/attendance review, a student with unsatisfactory course progress/attendance will be sent up to 2 warning letters. If the student does not respond to the intervention strategies activated to assist them, the student will be sent a Notice of Intention to Report for Unsatisfactory Course Progress/Attendance.</p> <p>2. The RTO Manager or delegate will ensure that the student is aware that they may access the college's internal appeals procedures and external appeals procedures (see MTI's Feedback, Complaints, and Appeals Policy and Procedures on the college's website).</p> <p>3. If the student does not appeal within 20 working days, the student will be reported to the ESOS Agency and Department of Home Affairs through PRISMS by the D RTO Manager or delegate. The RTO Manager or delegate will inform the CEO in writing about the reporting. This reporting may affect the status of the student's visa.</p> <p>4. The student will be informed in writing by email once the student's CoE is cancelled within 10 working days by the RTO Manager or delegate.</p> <p>5. All student warning letters, Notices of Intention to Report for Unsatisfactory Course Progress/Attendance and Intervention Strategy related documents are copied and placed in the student's file by the Administration Staff</p>	RTO Manager or delegate, Administration Staff

b. Student Misbehaviour

Procedure	Responsibility
<p>1. Where a student's behaviour has been found to violate MTI's Student Code of Conduct, a warning letter will be issued and sent to the student by the RTO Manager or delegate. A copy of the warning letter will be kept on the student's file.</p>	RTO Manager or delegate, Administration Staff

Procedure	Responsibility
<p>2. The RTO Manager or delegate will ensure that the student is aware that they may access MTI's internal appeals procedures and external appeals procedures (see MTI's Feedback, Complaints, and Appeals Policy and Procedures).</p> <p>3. The RTO Manager or delegate will inform the student in writing should a decision to suspend or cancel their enrolment be made, that they have 20 working days to appeal following the decision. (The RTO Manager or delegate has 10 working days to commence the process after the appeal is received)</p> <p>4. If the student lodges a complaint or appeal, the suspension/cancellation cannot take effect until the internal appeal procedures have been completed, unless extenuating circumstances relating to the welfare of the student apply (See some samples below)</p> <p>5. Ensure that the student is advised to contact the office of Department of Home Affairs so that they are informed as to the impact of their suspension or cancellation on their existing student visa.</p> <p>6. The RTO Manager or delegate will then raise any issues detailing the misbehaviour offence in the next Trainers' Meeting and the manner in which their conduct has been dealt with thus far (the report should detail dates times and persons involved).</p> <p>7. All student related documents are copied and placed in the student's file by the Administration Staff.</p> <p>Suspension and Cancellation Responses to Student Misbehaviour</p> <p>On receiving a report of misbehaviour the RTO Manager or delegate will:</p> <ul style="list-style-type: none"> • Validate the actions of all staff involved seeking further advice, verbal or written. • Where necessary, seek further advice from the student or students involved maintaining an unbiased approach to the student or students involved. • Decide whether an enrolment suspension or enrolment cancellation is warranted. • Ensure that in upholding the decision to suspend or cancel the student's enrolment, the student is informed in writing, stating the reason for the RTO Manager or delegate's decision and reaffirming the student right to appeal in line with document process within 20 working days. • Maintain the student's enrolment if the student chooses to access MTI's internal appeals procedures except in the case of extenuating circumstances (See some samples below) • Only report the student's change in enrolment to the ESOS Agency and Department of Home Affairs via PRISMS if the student does not access the appeals procedures and report the student's change in enrolment to the ESOS Agency and Department of Home Affairs via PRISMS before the outcome of any internal/external appeals process if extenuating circumstances exist. <p>Extenuating circumstances' relating to the welfare of the student may include, but are not limited to the following. The student:</p> <ul style="list-style-type: none"> • 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 other students, staff or others; or • is at risk of committing a criminal offence. 	

B. For Domestic Students

Procedure	Responsibility
1. A student who wants to defer, suspend or cancel their course will need to inform MTI in writing by submitting a completed and signed Deferment or Suspension Application Form or Withdrawal Application Form and if applicable its supporting evidence by email	RTO Manager or delegate, Administration Staff

Deferral, Suspension and Cancellation Policy and Procedures

Procedure	Responsibility
<p>to studentsupport@mti.vic.edu.au. The Deferment or Suspension Application Form or Withdrawal Application Form can be accessed from the MTI's reception or downloaded from MTI's website.</p> <ol style="list-style-type: none">The student's application will be processed within 10 working days from the date the application and if applicable its supporting evidence/ documents are received by the college.The student will be informed about the result of their application by email by the RTO Manager or delegate.All records of the request and if applicable supporting evidence are copied and placed in the student's file by the Administration Staff. The Student Management System will also be updated by the Administration Staff.	