

# Deferring & Suspending International Student Enrolment Policy & Procedure

## 1. POLICY STATEMENT

Blue Mountains International Hotel Management School Pty Limited ABN 91 004 004 317 (incorporating Australian International Hotel School and Blue Mountains International Hotel Management School to be known collectively as BMIHMS) are committed to ensuring fair and equitable policies and procedures are in place in regards to the deferring and suspending of any student.

## 2. RATIONALE AND SCOPE

The revised National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (National Code 2007) requires BMIHMS to demonstrate its compliance with the National Code 2007 at the point of CRICOS registration and throughout its CRICOS registration period.

This compliance requirement also applies to courses delivered in association with another provider where BMIHMS is the registered provider. BMIHMS is responsible for breaches of the National Code, whatever the nature of its contractual or other arrangements with another provider.

Under **Standard 13** of the National Code 2007 BMIHMS may only enable students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through formal agreement in certain limited circumstances.

BMIHMS 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.

BMIHMS can only defer or temporarily suspend the enrolment of the student on the grounds of:

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

BMIHMS must:

- inform the student that deferring, suspending or cancelling his or her enrolment may affect his or her student visa; and
- notify the Secretary of DEST via PRISMS as required under section 19 of the ESOS Act where the student's enrolment is deferred, temporarily suspended or cancelled

BMIHMS must inform the student of its intention to suspend or cancel the student's enrolment where the suspension or cancellation is not initiated by the student and notify the student that he or she has 20 working days to access BMIHMS's *Non Academic Complaints and Grievances Policy & Procedure* and/or *Academic Complaints and Grievances Policy & Procedure*. If the student accesses BMIHMS's *Non Academic Complaints and Grievances Policy & Procedure* or the *Academic Complaints and Grievances Policy & Procedure*, suspension or cancellation of the student's enrolment under this policy and procedure can not take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply.

## 3. PRINCIPLE

### 3.1 Grounds for deferring or temporarily suspending the enrolment of BMIHMS students irrespective of study location in Australia

- 3.1.1 BMIHMS will defer or temporarily suspend the enrolment of the student where the student is:
- a) approved to take a leave of absence

- b) found guilty of misconduct as defined in the BMIHMS *Code of Conduct Policy & Procedure*; or
- c) deemed to have failed to comply with any applicable standards of conduct, statutes, regulations, or academic progression policies and procedures of BMIHMS which provide for enrolment deferral, suspension or cancellation as an outcome of such failure to comply.

### 3.2 Recommencing Studies after a period of Deferment or Suspension

- 3.2.1 Studies can only be undertaken after a period of deferment following formal notification to BMIHMS of the student's intention to return to the school.
- 3.2.2 Studies can only be undertaken after a period of voluntary suspension following formal notification to BMIHMS of the student's intention to recommence their studies.

### 3.3 Impact of Deferment Suspension or Cancellation of Enrolment on Student Visas

- 3.3.1 BMIHMS is responsible for advising students that any deferment, suspension or cancellation of enrolment may impact on the validity of their student visa.
- 3.3.2 If a student's enrolment is suspended for a period of 28 days or longer, the student must return to his/her country of permanent residence, unless special circumstances exist.

### 3.4 Deferring, Suspending and Cancelling Enrolment of Students Under 18

- 3.4.1 Where the enrolment of a student under 18 is terminated, suspend or cancelled, BMIHMS is obliged to continue monitoring the care arrangements for that student until:
  - a) the student is accepted by another registered provider and that registered provider takes over responsibility for approving the student's accommodation, support and general welfare arrangements;
  - b) the student leaves Australia;
  - c) other suitable arrangements are made that satisfy the Migration Regulations; or
  - d) BMIHMS reports that it can no longer approve of the arrangements for the student.

### 3.5. Status during the Complaint/Grievance Process

- 3.5.1 If the student accesses BMIHMS's *Non Academic Complaints and Grievances Policy & Procedure* or *Academic Complaints and Grievances Policy & Procedure* cancellation of the student's enrolment cannot take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply.

## 4. PROCEDURE

### 4.1 Student Instigates a Period of Deferment or Suspension

- 4.1.1 Prior to Enrolment - Student lodges a letter of request, with supporting documentation as required, with BMIHMS Admissions Manager.  
After Enrolment – Student lodges a letter of request with supporting documentation as required, with the Student Records Department
- 4.1.2 The application is assessed against this Policy by the Dean.
- 4.1.3 The Admissions Manager, Senior Student Records Officer and Dean as appropriate, determines whether the student's request is genuine and if the student's chances of satisfactorily completing the course within the nominated timeframe will be strengthened by permission to suspend studies during the nominated period.
- 4.1.4 The student is then advised of :
  - a) the outcome of the application;
  - b) likely impact of the decision on their student visa; and

- c) the requirement to advise BMIHMS of their intention to return to study.

A copy of this advice is placed on the student file.

- 4.1.5 Where the student's enrolment is deferred, temporarily suspended or cancelled the Senior Student Records Officer notifies the Secretary of DEST via PRISMS as required under section 19 of the ESOS Act.

#### **4.2 BMIHMS Instigates Suspension or Cancellation of a Student's Enrolment**

- 4.2.1 A student accused of misconduct is subject to the BMIHMS Student *Code of Conduct Policy & Procedure* as defined in the BMIHMS Student Handbook.

- 4.2.2 The Dean informs the student of:

- a) BMIHMS's intention to suspend or cancel the student's enrolment;
- b) the likely impact of the decision on their student visa;
- c) the right of appeal under the BMIHMS Complaints/Grievance process.

A copy of this advice is placed on the student file.

- 4.2.3 After all rights of appeal are exhausted, the Senior Student Records Officer notifies the Secretary of DEST via PRISMS as required under section 19 of the ESOS Act why the student's enrolment is deferred, temporarily suspended or cancelled.

## **5. DOCUMENTS**

*Academic Complaints and Grievance Policy & Procedure*

*Code of Conduct Policy & Procedure*

*Non-Academic Complaints and Grievance Policy & Procedure*