



Contents

1. Purpose	2
2. Scope	2
3. Definitions.....	2
4. Procedure	3



1. Purpose

An Overseas Student's enrolment can be Deferred, Suspended or Cancelled. This may be initiated by either the Overseas Student for compassionate and compelling circumstances, or Mars Institute (MARS) for an Overseas Student's breach of Visa conditions, failure to pay fees, misbehaviour, or other condition listed in this Policy.

This Policy outlines MARS's procedure for assessing, approving, and recording a deferment of the commencement of study, suspension of study, or the cancellation of enrolment and CoE for the Student in accordance with the requirements of the National Code 2018 Standard 9 and ESOS Act 2000.

2. Scope

MARS may only enable Students to defer, temporarily suspend their studies or cancel their enrolment, including granting a leave of absence, during the course through formal agreement in certain limited circumstances.

This Policy provides a documented process for assessing, approving, and recording a:

- Deferment of the commencement of study or
- Suspension of study for the student or
- Cessation of an enrolment and CoE

MARS will manage the enrolment of Overseas Students and maintain up-to-date enrolment information in the Provider Registration and International Student Management System (PRISMS) database. including keeping documentary evidence on the student's file of the assessment of the application and maintaining a record of any decisions.

3. Definitions

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 on a course.

Student: means any person who is either active in the current term and/or active in any program at the institute once the course commencement date has passed; or has enrolled in any program at the institute with a future commencement date.

Misbehaviour: is defined as Students who display unacceptable behaviour in accordance with the Student Handbook and Student Code of Conduct

Compassionate or Compelling circumstances: is defined as circumstances beyond the control of the student and which have an impact upon the Student's course progress or wellbeing. These could include, but are not limited to:

- 1) Serious, illness or injury, where a medical certificate states that the student was unable to attend classes,
- 2) Bereavement of close family members such as parents or grandparents (Where possible a death certificate should be provided),
- 3) Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the Student's studies,
- 4) Global Pandemic resulting in self-isolation, travel bans, attendance requirements, country wide lockdowns and this has impacted on the student's studies
- 5) 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 these experiences have impacted on the Student (cases should be supported by police or psychologists' reports)
- 6) Where MARS was unable to offer a prerequisite unit, or the overseas Student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enroll.



Note: The MARS uses their professional judgement to assess each case on its individual merits when determining whether Compassionate or Compelling circumstances exist.

4. Procedure

MARS Initiated Deferral, Suspension or Cancellation

- 1) MARS may Suspend or Cancel a Student's enrolment including, but not limited to, on the basis of:
 - MARS has identified Misbehavior by the Student
 - Student's failure to pay an amount owed to MARS to undertake or continue the course as stated in the Written Agreement - Non-payment of Fees
 - MARS has identified the Student as not making satisfactory course progress - Non-compliance with Student Visa Conditions
 - MARS has identified the Student as not making satisfactory attendance - Non-compliance with Student Visa Conditions
 - MARS has identified the Student for Cheating or Plagiarism
 - Disciplinary reasons
 - Student Deceased
 - The Student no longer holds a Student Visa
 - Non commencement of studies by the Student
 - MARS is unable to deliver the course.
- 2) If MARS initiates a Suspension or Cancellation of the Overseas Student's enrolment, MARS will ensure they:
 - Inform the Overseas Student of that intention and the reasons for doing so, in writing, as an Intention to Report Letter within 21 working days.
 - Advise the Overseas Student of their right to appeal through MARS's internal Complaints and Appeals process, in accordance with Standard 10 (Complaints and Appeals), within 20 working days.
 - Inform the Overseas Student of the need to seek advice from the Department of Home Affairs (DHA) on the potential impact on their Student Visa
 - Report the change to the Overseas Student's enrolment under section 19 of the ESOS Act 2000 to the Department of Home Affairs (DHA) via PRISMS.
- 3) The Suspension or Cancellation of the Overseas Student's enrolment cannot take effect until the MARS Internal appeals process is completed, unless the Overseas Student's health or wellbeing, or the wellbeing of others, is likely to be at risk.
- 4) A Student does not have to be given the opportunity to appeal an MARS initiated deferral, suspension, or cancellation of enrolment when the Overseas Student's health or wellbeing, or the wellbeing of others, is likely to be at risk. This may include, but is not limited to when the Overseas Student:
 - Is missing.
 - Has medical concerns, severe depression or psychological issues which lead the provider to fear for the overseas Student's wellbeing.
 - Has engaged or threatens to engage in behaviour that is reasonably believed to endanger the overseas Student or others; or
 - Is at risk of committing a criminal offence.
- 5) When there is any Deferral, Suspension or Cancellation action taken, MARS will:
 - Inform the Overseas Student of that intention and the reasons for doing so, in writing, as an Intention to Report Letter within 21 working days.
 - Advise the Overseas Student of their right to appeal through MARS's internal Complaints and Appeals process, in accordance with Standard 10 (Complaints and Appeals), within 20 working days.
 - Inform the Overseas Student of the need to seek advice from the Department of Home Affairs (DHA) on the potential impact on their Student Visa



Deferral, Suspension and Cancellation Policy

- Report the change to the Overseas Student's enrolment under section 19 of the ESOS Act 2000 to the Department of Home Affairs (DHA) via PRISMS.

Misbehavior by the Student

To ensure all Students receive equal opportunity to gain the maximum benefit from their training at MARS, any Student displaying the following dysfunctional or disruptive behaviour may be asked to leave the session and/or the course.

Examples of unacceptable behaviour include but are not limited to the following:

- 1) Continuous interruptions to the Trainer
- 2) Smoking in non-smoking areas
- 3) Being disrespectful to other Students, MARS Staff or the Trainer
- 4) Harassment by using offensive language
- 5) Bullying or Sexual Harassment
- 6) Acting in an unsafe manner that places themselves and others at risk
- 7) Refusing to participate when required, in group activities
- 8) Continued absence or late arrival at required times.

Student Initiated Deferral, Suspension or Cancellation

In accordance with the National Code 2018 and ESOS Act 2000, Student's may through formal agreement with MARS INSTITUTE, be given permission to defer commencement, temporarily suspend, or cancel their studies.

MARS may Defer or Suspend the enrolment of a Student if it believes there are Compassionate or Compelling circumstances.

Deferral - Student Initiated

- 1) Students will be charged a fee for the Deferral of the commencement of the course. This will be reflected on the Letter of Offer and Student Agreement and Acceptance of Offer Form. Refer to the Fees and Charges policy.
- 2) Applications for Deferral of the commencement of the course must be made by completing a Deferment, Suspension or Cancellation Form (DSC Form) with all the evidence required and submitting it online to MARS prior to the course commencing.
- 3) The DSC Form is available on the MARS website at https://mars.edu.au/wp-content/uploads/pdf/Deferral_Suspension_and_Cancellation_Form.pdf
- 4) Once MARS INSTITUTE has processed the Deferral request, with the required evidence, the Student will receive a written correspondence of the outcome within 14 working days.
- 5) An updated Letter of Offer and Student Agreement and Acceptance of Offer Form will be provided to reflect the new schedule.
- 6) Once signed and agreed upon by the Student, within 14 working days of receipt, MARS will issue a new Confirmation of Enrolment (CoE) to the Student via email.
- 7) MARS will inform the Department of Home Affairs (DHA) via PRISMS as required under the ESOS Act 2000.
- 8) An Overseas Student's CoE would not be cancelled if the Deferral is approved for Compassionate or Compelling reasons. MARS will ensure the Student Visa holder has a valid CoE in PRISMS with a start date that reflects the Student's intended date of return to studies.
- 9) Students are advised to seek further information on their Visa implications with the Department of Home Affairs (DHA), as noted in the Deferment Approval Letter.

Suspension - Student Initiated



Deferral, Suspension and Cancellation Policy

- 1) Applications for Suspension of Enrolment of the course must be made by completing a Deferment, Suspension or Cancellation Form (DSC Form) with all the evidence required and submitting it online to MARS prior to the course commencing.
- 2) The DSC Form is available on the MARS website at [https://mars.edu.au/wp-content/uploads/pdf/Deferral Suspension and Cancellation Form.pdf](https://mars.edu.au/wp-content/uploads/pdf/Deferral_Suspension_and_Cancellation_Form.pdf)
- 3) Once MARS INSTITUTE has processed the Suspension of Enrolment request, with the required evidence, the Student will receive a written correspondence of the outcome within 14 working days.
- 4) Students will receive an updated Training Plan if the suspension period is within the original CoE end date. If the suspension period is not within the original CoE end date, a new Offer Letter will be provided.
- 5) MARS will issue a new Confirmation of Enrolment (CoE) to the Student via email for cases that require extensions for course duration and CoE end dates.
- 6) MARS will inform the Department of Home Affairs (DHA) via PRISMS as required under the ESOS Act 2000.
- 7) A maximum period of 8 weeks approved Suspension will only be granted by MARS, unless on Medical Grounds.
- 8) A Suspension granted upon Medical Grounds will have a maximum suspension period of 6 months.
- 9) If MARS Suspends an Overseas Student's studies for Compassionate or Compelling reasons, MARS will ensure the Student Visa holder has a valid CoE in PRISMS with a start date that reflects the Student's intended date of return to studies
- 10) Students are advised to seek further information on their Visa implications with the Department of Home Affairs (DHA), as noted in the Suspension Approval Letter.
- 11) A Student's payment plan will still be active during the approved period of suspension.

Cancellation - Student Initiated

- 1) Applications for Cancellation of the course must be made by completing a Deferment, Suspension or Cancellation Form (DSC Form) with all the evidence required and submitting it online to MARS prior to the course commencing.
- 2) The DSC Form is available on the MARS website at [https://mars.edu.au/wp-content/uploads/pdf/Deferral Suspension and Cancellation Form.pdf](https://mars.edu.au/wp-content/uploads/pdf/Deferral_Suspension_and_Cancellation_Form.pdf)
- 3) Once MARS INSTITUTE has processed the Cancellation request, with the required evidence, the student will receive a written correspondence of the outcome within 14 working days.
- 4) If the Cancellation request is granted, the student will receive confirmation of cancellation of the CoE. Cancellations can be requested by a student for the following reasons:
 - Visa Refusal
 - Visa Grant for additional subclass
 - Student notifies cessation of studies due to Compassionate or Compelling circumstances.
- 5) If the Cancellation request is denied, the student can appeal the outcome in accordance with the Complaints and Appeals Policy. Cancellations can be denied by MARS for the following reasons:
 - When a student is trying to avoid being reported to DHA
 - When a student has fees owing to MARS
 - When a student has unsatisfactory course progress
 - When a student has unsatisfactory attendance
- 6) MARS will inform the Department of Home Affairs (DHA) via PRISMS as required under the ESOS Act 2000 that it wishes to permanently cancel (terminate) the Overseas Student's enrolment. Once this process is complete, the overseas Student's CoE status will be listed as 'Cancelled'.
- 7) Students are advised to seek further information on their Visa implications with the Department of Home Affairs (DHA).

- 8) Students who have completed 6 months of their Principal Course and wish to Transfer Providers and require a Release Letter, will need to be assessed under the Transfer of Provider Policy.

Global Pandemic: Eligibility and Supporting Documents

As a result of a Global Pandemic, there may be circumstances beyond the student's control that impacts on their ability to continue studying or commence the enrolment. This may include self-isolation, travel bans, attendance requirements or IT issues impacting online study.

Students may be eligible for special consideration in these situations. Be aware as an alternative to a medical certificate or other medical documents, Students can submit a student declaration, with any available supporting evidence, that describes the misadventure, illness or injury that they have suffered and for how long.

Students affected by a global pandemic situation offshore

Current Students:

Please refer to the below option:

Temporarily Suspend studies: Suspend the enrolment by clicking on the following link: https://mars.edu.au/wp-content/uploads/pdf/Deferral_Suspension_and_Cancellation_Form.pdf

This may lead to extension to the course duration. Students can contact Department of Home Affairs for further information regarding any visa matters.

o Fees Extension and discounts: MARS INSTITUTE will not offer any discounts in the fees for this option however, we will freeze the Students payment plan for the period of the suspension of the course.

Future Students:

Please refer to the below recommended option:

Temporarily Defer studies: Deferring the enrolment by clicking on the following link: https://mars.edu.au/wp-content/uploads/pdf/Deferral_Suspension_and_Cancellation_Form.pdf. This may lead to extension to the course duration. Students can contact the Department of Home Affairs for further information regarding any visa matters.

o Fees Extension and discounts: MARS INSTITUTE will not offer any discounts in the fees for this option however, we will freeze the Students payment plan for the period of the suspension of the course.

Guidelines and Implications of Deferral, Suspension or Cancellation - Effect on CoE

- 1) MARS advises Overseas Students that Deferring, Suspending or Cancelling their enrolment on any grounds may affect their Student Visa. Students are advised in their letter of Deferment, Suspension or Cancellation to contact the DHA for further information and implications on their Student Visa.
- 2) A maximum period of 8 weeks approved Suspension will only be granted by MARS, unless on Medical Grounds.
- 3) A Suspension granted upon Medical Grounds will have a maximum suspension period of 6 months.
- 4) If a Student has a Deferral or Suspension approved by MARS, this approved leave will not affect the Student's attendance or course progress requirements.
- 5) All documentation relating to Deferment, Suspension or Cancellation of studies will be recorded in the Student's SMS Wisenet Record.

REPORTING PROCESS

MARS INSTITUTE Initiated

- 1) MARS INSTITUTE Staff member completes and submits a DSC Form with any supporting evidence to MARS INSTITUTE Student Services / Administration Staff
- 2) Student Services/ Administration Staff record the DSC Form in the DSC Register and then forward the form to the RTO Manager/ CEO
- 3) RTO Manager/ CEO will then assess the request and evaluate any supporting evidence, taking into account the current academic progress of the Student



Deferral, Suspension and Cancellation Policy

- 4) RTO Manager/ CEO will inform the Student of the decision and intended course of action along with the Student's right to appeal the decision in accordance with the Complaints and Appeals Policy
- 5) At the completion of the complaints and appeals process, should the deferment, temporary suspension or cancellation of studies be upheld by the complaints and appeals hearing, or 'extenuating circumstances relating to the welfare of the Student apply', then MARS INSTITUTE will inform DHA via PRISMS as required under the ESOS Act 2000.
- 6) Student Services/Administration Staff are to place all documents on the Student's SMS Wisenet Record.

Student Initiated

- 1) Student completes and submits a DSC Form with all supporting evidence online. The DSC Form is available on the MARS website at https://mars.edu.au/wp-content/uploads/pdf/Deferral_Suspension_and_Cancellation_Form.pdf
- 2) Administration Staff record the DSC Form in the DSC Register and then forward the form to the RTO Manager/ CEO
- 3) RTO Manager/ CEO will then assess the request and evaluate any supporting evidence, taking into account the current academic progress of the Student
- 4) RTO Manager/ CEO will then respond in writing to the Student to confirm the decision
- 5) The Student has the right to appeal the decision in accordance with the Complaints and Appeals Policy
- 6) MARS INSTITUTE will inform DHA via PRISMS as required under the ESOS Act 2000.
- 7) Administration Staff are to place this letter on the Student's SMS Wisenet Record.