

Deferral, Suspension and Cancellation

Student enrolment can be deferred, suspended or cancelled in limited circumstances by New Era Institute or by the student. When deferral, suspension or cancellation of enrolment is initiated by New Era Institute, the student has the right to appeal the decision.

International students need to note that any deferral, suspension or cancellation may affect their study visa in Australia.

New Era Institute initiated suspension

New Era Institute may suspend a student's enrolment in the following circumstances:

- Student behavioural misconduct as defined in the Behaviour Misconduct Policy;
- In compassionate and/or compelling circumstances as determined by the Chief Executive Officer.

Dealing with behaviour misconduct:

First offence and/or minor breaches

Where the trainer and assessor considers that the nature of the behaviour can be appropriately dealt with in the classroom or work placement without imposing a penalty for significant misconduct as described in this policy, the trainer must document the incident to be placed in the student file by Student Services.

Any student facing allegations of misconduct by a third party will be provided with the specific information about the allegations/complaints (although not necessarily be shown a complaint verbatim) and be provided with an opportunity to respond under the New Era Institute, Behaviour Misconduct and Complaints and Appeals policies.

The student/s involved will be required to document in writing their perspective of the incident immediately and led to an allegation of misconduct.

After conducting an investigation, the trainer may make one of the following decisions:

- that no further action is required
- that the student is directed to cease the actions which are subject to the allegation
- that the student is directed to provide a formal apology to the aggrieved party



- If property is damaged, the management team will be advised and the decision may result in the student paying restitution to the value of repair/replacement costs for property damaged or stolen
- that the student provides an undertaking in writing not to repeat the misconduct, or
- that the student be given a written warning

The student will be advised in writing of the decision and the reasons for reaching the decision are scanned and stored electronically by Student Services in individualised student file on the server. Hard copies are stored in the student file management room.

The trainer may refer an allegation to a management team member at any time during the investigation if it becomes clear that the allegation is too serious or complex to be dealt with at the classroom level.

Repeated offence and/or significant breaches

Any student facing allegations of misconduct will be provided with the specific information about the allegations (although not necessarily be shown a complaint verbatim) and be provided with an opportunity to respond and/or provide evidence on the matter.

The student/s involved will be required to document in writing their perspective of the incident immediately and led to an allegation of misconduct.

After investigation, the trainer will liaise with the management team and may make one of the following decisions:

- that no further action is required
- that the student is directed to cease actions which are subject to the allegation
- that the student is directed to provide a formal apology to the aggrieved party
- that the student provides an undertaking in writing not to repeat the misconduct
- that the student be given a written warning
- that the student pay restitution to the value of repair/replacement costs for property damaged or stolen
- that the student's grade or outcome be adjusted to Not Yet Competent (where the misconduct involved a form of academic misconduct relating to the subject i.e. cheating or plagiarism)



- that the student be restricted from the premises for a defined period, and/or
- that the student's enrolment may be suspended for a defined period not exceeding fourteen (14) days.

Note: the student has the right to recommence their studies at the end of the suspension, but this may be dependent on meeting conditions specified at the time of suspension

- that the student be expelled from New Era Institute (this decision is solely made by the CEO)

Note: this is a permanent exclusion with no right to be re-admitted to any New Era Institute course

In determining the penalties the management team will take into account:

- the nature and seriousness of the misconduct
- the student's previous record of misconduct and the penalties imposed
- whether there are any mitigating circumstances
- whether the student admits the misconduct and has expressed remorse
- the potential impact on the student, including their capacity to complete their course
- the potential impact on any other students or staff members involved

The student will be advised in writing of:

- the decision and the reasons for reaching the decision, and
- Student Services will notify the Department of Education via PRISMS as required on the section 19 of ESOS Act of the suspension or exclusion, and that the notification may affect their student visa.

The availability of internal misconduct resolution processes does not preclude New Era Institute from referring a student to external authorities (also see the New Era Institute, Complaints and Appeals policy).

Urgent suspension or restriction, pending investigation

A management team member has the power to temporarily suspend or restrict a student for a period of fourteen (14) days from all or part of New Era Institute's campus from access to its facilities in urgent circumstances. This includes where there is a threat to the safety of persons or property and if a student is disrupting the use of facilities or participation in activities.



Serious misconduct

Where State or Commonwealth laws appear to have been breached, the matter will be referred to the police or other appropriate authority. Cancel the student's enrolment (serious misconduct involving violence to others, serious damage to property or breach of State or Commonwealth law).

Records of misconduct

A full record will be kept of all stages of misconduct proceedings including all actions, evidence, correspondence, meetings and minutes. These records will be stored on a confidential file until the final decision is made. When misconduct is determined to have taken place, a summary of the investigation and decision will be recorded on the student's file and all the recorded information will be scanned and stored electronically by student services in individualised student file on the server. The hard copies are filed in individualised folders and stored in the student file management room.

Student Services will notify the Department of Education via PRISMS as required on the section 19 of ESOS Act.

Appeal

Under New Era Institute Complaints & Appeals policy a student may lodge an appeal on the request for appeal of a decision from against a decision made under this policy within 20 working days of the date of notification of the decision.

To avoid frivolous appeals being made an appeal ought to be made on the following grounds:

- there was a lack of procedural fairness in an investigation to complaints or misconduct matters
- the decision was manifestly unreasonable or cannot be supported by evidence
- there is new evidence not available at the time of the original investigation

The outcome of such an appeal will be final but does not preclude the complainant's right to access an external complaints process (see New Era Institute Complaints and Appeals policy).

Students who commit serious behavioural misconduct after being formally warned are to have their enrolment cancelled and will not be entitled to a refund. New Era Institute will inform the student that s/he has 20 working days in which to access New Era Institute's internal complaints and appeals process.

Student initiated suspension

Once the course has commenced students may only request a suspension of their participation in compelling or compassionate circumstances. Students must submit course deferment and suspension application form with documents supporting their claim for suspension of their course e.g. flight tickets and/or medical certificates.



(Where is a request of major political or natural disaster in home country, a flight ticket as evidence is acceptable evidence). This form will be scanned and stored electronically by Student Services in the individualised student file on the server. The hard copy is stored in the student file management room.

The submission of all documents will be made either at Reception or by email to admissions@newerainstitute.edu.au if the student is unable to travel to the campus. Where the documents are incomplete Student Services will advise the student immediately for the missing evidence to support their request.

The granting of the suspension is at the decision made by the Chief Executive Officer of New Era Institute.

Where the evidence is compelling with all the required documents attached, the student will be advised in writing within 24 hours including suspensions do not entitle a student to a refund and a suspension may affect the student visa.

Where the submission requires further evidence, the length of suspension will be made after discussion between the student and the Chief Executive officer.

The student will be advised in writing of the decision within 5 working days after submission of documents of original request including suspensions do not entitle a student to a refund and a suspension may affect the student visa.

Once the decision is made and agreed upon, all documents are scanned and stored electronically by Student Services in individualised student file on the server. Hard copies are stored in the student file management room.

Student Services will notify the Department of Education via PRISMS as required on the section 19 of ESOS Act.

Deferral

A student may defer the commencement of their course in the following circumstances:

- Compassionate or compelling circumstances agreed with New Era Institute
- A delay in obtaining a visa.

Students must submit course deferment and suspension application form with documents supporting their claim for deferment of their course e.g. flight tickets and/or medical certificates to Student Services. The Chief Executive Officer will make the determination. The length of time should not exceed 2 Terms. A new eCoE will be issued once a new commencement is processed.



This form will be scanned and stored electronically by Student Services in the individualised student file on the server. The hard copy is stored in the student file management room.

Student Services will notify the Department of Education via PRISMS as required on the section 19 of ESOS Act.

All circumstances will be assessed individually and must be supported with documentary evidence.

Results of Deferral or Suspension

Students will be informed in writing of the outcome of their request for deferral or suspension by returning the course deferment and suspension application form with approved or not approved (with the reason stated if not approved).

If a student is dissatisfied with the outcome of a request, s/he can access the complaints and appeals process of New Era Institute which can be found at www.newerainstitute.edu.au under Policies and Procedures or by requesting a Request for appeal of a decision form from Reception at New Era Institute.

All documentation relating to this process will be scanned and stored electronically by Student Services in individualised student file on the server. Hard copies are stored in the student file management room.

Students are advised to retain their original documents for their own records and to submit certified copies with any applications for deferment or suspension.

Student Initiated Change of course

A student who wishes to change course after the course has commenced must submit a change of course form which can be found at www.newerainstitute.edu.au under Student Portal or by requesting a change of course form from Reception at New Era Institute.

The student will be advised in writing of the decision within 5 working days after submitting the original request. The student needs to be advised by Student Services that a change may affect the student's visa and course fees and charges.

Cancellation

A student who wishes to cancel their enrolment after the course has commenced, must give notice in writing using a course cancellation form which can be found at www.newerainstitute.edu.au under Student Portal or by requesting a course cancellation form from Reception at New Era Institute.



The student must state the reason/s and attach the evidence to the written course cancellation form.

The submission of all documents will be made either at Reception or by email to admissions@newerainstitute.edu.au if the student is unable to travel to the campus. Where the documents are incomplete, Student Services will advise the student immediately for the missing evidence to support their request. The student is also to be advised other options such as deferral or suspension of the enrolment by Student Services if the student still wishes to proceed after discussion with Student Services.

The student will attend an interview with the CEO in a timely manner recognising that a student may have to deal with a critical incident in the home country. Evidence includes but is not limited to a one-way airline ticket, Letter of Offer from new provider.

Cancellations may involve a refund. This is discussed with the Chief Executive Officer on a case-by-case basis.

Once a student's enrolment is cancelled, deferred or temporarily suspended New Era Institute will notify the Department of Education via PRISMS as is required under section 19 of the ESOS Act.

Any change in enrolment status will not be reported to the Department of Education until the internal appeals process has been completed unless extenuating circumstances relating to the student apply. Once the deferral, suspension or cancellation is processed New Era Institute will notify the Department of Education via PRISMS. All documentation will be scanned and stored electronically in the individualised student file. Hard copies are stored in the student file management room.