

International Students Enrolment Amendments and Variations Procedures

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1. Purpose

In compliance with the Education Services for Overseas Students Act 2000 (ESOS Act) and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 ([National Code 2018](#)), this Procedure outlines the processes for any variation of enrolment at IMC including assessment, approval and recording of the deferring, suspending or cancelling of an international student’s enrolment. It should be read in conjunction with *Student Selection and Admissions Policy*, *Student Progression Exclusion and Graduation Policy* and *Transfer between Registered Providers Policy*.

2. Scope

This Procedure applies to all international students holding a student visa and who are enrolled at IMC. The Institute is required to monitor international students’ compliance with their visa conditions relating to course progress and completion according to the sector of education. As part of the monitoring process, an international student’s enrolment can be deferred, suspended or cancelled. This may be initiated by either:

- The international student for compassionate and compelling circumstances; or
- The Institute for an international student’s breach of visa conditions, failure to pay fees, academic misconduct, or failure to meet other conditions and responsibilities as listed in the *Code of Conduct for Students*.

3. Definitions

Exceptional Circumstances mean

- personal circumstances that are out of the control of the student; and
- that the student could not reasonably have prevented or accommodated; and
- they must have had a significant and demonstrably negative effect on the student’s ability to study and/or undertake assessment.

The timing of the circumstances must be relevant to the affected assessments and/or periods of study. All elements outlined above must be met to substantiate a claim of exceptional circumstances. Personal circumstances such as holidays, regular work schedules or special events will not be considered to constitute exceptional circumstances.

Examples of exceptional circumstances will include, but not be limited to:

Medical

- An unexpected illness or an accident causing injury
- A reoccurrence of a chronic illness.

Compassionate

Hardship or trauma, such as:

- A death or serious illness/injury of a close family member
- A severe disruption to domestic arrangements
- Being a victim of crime

Other circumstances

- Bona fide religious observance
- Aboriginal cultural practices
- Community service, in the form of jury duty, unforeseen call to the State Emergency Services or Rural Fire Service
- A summons to appear in court
- A vehicle accident on the day of the exam or the deadline for submission
- Unexpected employment circumstances, such as a move interstate at short notice.

All exceptional circumstances must be evidenced by adequate and relevant documentation.

Compulsory study period means one in which the student must enrol unless granted a deferment, leave of absence under the National Code Standard 9 (Deferring, suspending or cancelling the student's enrolment). A compulsory study period does not include periods in which the student can elect to undertake additional units beyond the standard study load.

Confirmation of Enrolment (CoE) means a document issued by an education provider to verify the applicant's enrolment in a specified course.

PRISMS means the Provider Registration and International Student Management System – an Australian Government secure online system that enables providers to issue Confirmations of Enrolment, and that government agencies use to monitor student compliance with visa conditions and educator provider compliance with the ESOS Act.

4. Procedures

4.1 Completing a Course early

The Institute will report to the Department of Home Affairs if international students have completed their course requirements more than one month before the proposed course end date indicated in their Confirmation of Enrolment (CoE).

Therefore, once students have completed their course, and before their visa expires, students must:

- enrol in another course at the Institute; or
- transfer to another Education Provider; or
- leave Australia, unless authorisation has been provided by the Department of Home Affairs to remain in Australia.

4.2 Extending Course Durations

Any international student holding a Student Visa (subclass 500) studying at IMC requires a Confirmation of Enrolment (CoE) and a visa from the Department of Home Affairs covering the length of their course. IMC will monitor students' progression and notify the overseas students if they are at risk of not being able to complete the course within the expected duration indicated on their CoE.

Students must be aware that if they cannot complete their course within the expected duration, they must apply for an extension of their CoE. Students should submit a request to coe-extension@imc.edu.au after receiving course advice.

The Institute can only extend an international student's enrolment if:

- The Institute has assessed that there are exceptional circumstances (as defined above) for compassionate or compelling reasons and there is evidence to support this assessment as listed in Appendix A; or
- The previously approved Recognition of Prior Learning (RPL) has been revised resulting in an extended study period; or
- The Institute has implemented, or is in the process of implementing, an intervention strategy for the international student who is at risk of not meeting course progress requirements; or
- An approved deferral or suspension of the international student's enrolment has occurred.

More information about the student visa (subclass 500) is available on the Department of Home Affairs website <https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/student-500>

4.3 Leave of Absence

Students are only permitted to take leave of absence during their course of study through a formal agreement with the Institute on the grounds of exceptional circumstances (as defined above).

To apply for Leave of Absence, students are required to lodge a formal application with evidence as listed in Appendix A supporting their application to the Academic Administration Office. Leave of absence will normally only be granted for a maximum of:

- 1 term from a course of 1 year's full-time duration;
- 2 terms from a course of 2 or more year's full-time duration.

The Institute reports Leave of Absence as an enrolment variation to the Department of Home Affairs via the PRISMS system.

4.4 Withdrawal from a Course

a) Within six (6) months of commencement

Where a student seeks to leave the Institute within 6 months of commencing their principal course, the student must obtain a Release Permission from the Institute to enrol at another registered education provider. See the Institute's *Transfer between Registered Providers Policy and Procedure* for important information on this process.

b) After completing six (6) months or more of study

Students will need to submit a *Withdrawal of Course/Units Form* to the Student Service Office when they decide they will not be continuing their studies at the Institute. A withdrawal after Census Date may result in an academic or financial penalty. A notification of CoE cancellation will be sent to the student by email.

Where a student does not return after an arranged holiday break, suspension or deferment, or fails to enrol in any units for a compulsory study period, they will be regarded as implicitly advising that they will not be continuing their studies with IMC. Their studies at the Institute will be terminated, and their CoE will be cancelled with a notification.

Once an international student is deemed to have terminated their studies, the Institute will record the student's effective date of termination of studies and the reason for termination through PRISMS and report the enrolment variation to the Department of Home Affairs.

4.5 Cancelling of Enrolment by the Institute

The Institute may suspend or cancel an international student's enrolment based on, but not limited to:

- misbehaviour by the international student (refer to the *Code of Conduct for Students*);
- the international student's failure to pay the required amount to undertake or continue the course as stated in the written agreement; or
- a breach of course progress or attendance requirements by the international student.

For suspension or cancellation of enrolment initiated by the Institute, the Institute will give the international student a written notice of its intention to report and advise the international student to seek advice from the Department of Home Affairs on the potential impact on their visa. Students will also be advised of their right to access the internal complaints and appeals process within 20 working days. The international student will not be allowed to appeal when the international student's health or well-being, or the well-being of others, is likely to be at risk. (See both the National Code 2018 Standard 9 and the Institute's *Student Complaints and Appeals Policy and Procedure* for more information.)

The notification of cancellation of a CoE does not constitute a Release Permission for students to transfer to other providers. Even when a student's CoE has been cancelled, the Institute may refuse to release the student if the student's reason for transfer is not recognised as allowable grounds under the Institute's *Transfer between Registered Providers Policy and Procedure*.

Version Control

Historical Version	Approved by	Approval Date
2020.10	Provost	26 October 2020
2018.10	Academic Board	24 October 2018

Appendix A

Evidence List to Assess Compassionate and Compelling Reasons

Circumstance	Evidence
Serious illness or injury	<ul style="list-style-type: none"> • A medical certificate from the registered health practitioner who is treating students' condition that includes the dates of consultation, the medical condition, impact of the condition on your ability to study, recommendation for a reduced study load or break from study, and treatment plan
Bereavement of close family members such as parents, siblings or grandparents	<ul style="list-style-type: none"> • Death certificate (if possible) • Evidence of the illness from a doctor or hospital • Evidence of relationship (e.g. birth certificate, passport, family record book, etc.)
Permanent or temporary disability	<ul style="list-style-type: none"> • Medical certificate or letter from doctor recommending a reduced study load or a break from study
Incident or issue impacting student's capacity to study – personal (e.g. serious accident, witnessing or being the victim of a serious crime or incident)	<ul style="list-style-type: none"> • Police report • Letter from psychologist that includes the dates of consultation, the outcome of the assessment, the impact on the student's ability to study, the recommendation for a reduced study load or break from study, and treatment plan
Incident or issue impacting student's capacity to study – community issue (e.g. political unrest, natural disaster, community health event, other community issues limiting access to what a student needs for study)	<ul style="list-style-type: none"> • Media reports of political unrest or natural disaster • Evidence of student's residency in the affected area • Personal statement outlining how the issue impacts your ability to study
Delay in receiving a student visa	<ul style="list-style-type: none"> • Letter from the Department of Home Affairs
Failing occasional units throughout the course, but have not done so poorly to have been picked up by the intervention strategy	<ul style="list-style-type: none"> • Academic transcript or other records demonstrating academic performance
Other circumstances	<ul style="list-style-type: none"> • Any relevant certified document attesting that the situation is outside student's control and affects their ability to study