

## INTERNATIONAL STUDENTS PROCEDURE

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<b>Parent Policy</b>	International Students Policy		
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<b>Responsible Officer</b>	Manager Student and Academic Services		
<b>Related Documents</b>	International Students Policy Student Grievances, Complaints and Appeals Policy (and related Procedure) Higher Education Standards Framework (Threshold Standards) 2015 (TEQSA Act 2011) Education Services for Overseas Students Act (ESOS Act) 2000 National Code of Practice for Providers of Education and Training to Overseas Students 2018		

*\* Unless otherwise indicated, this Procedure will still apply beyond the review date.*

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## **1. PURPOSE**

1.1 The International Students Procedure explains the processes for implementing the specific provisions that apply to international students undertaking an Adelaide Institute of Higher Education (AIHE) course but not covered elsewhere in other AIHE policies and procedures.

## **2. SCOPE**

2.1 The International Students Procedure applies to all intending and current international students at AIHE.

## **3. ISSUANCE OF AND CHANGES TO CONFIRMATION OF ENROLMENT (CoE)**

3.1 The Confirmation of Enrolment (CoE) is verification that AIHE has accepted a person as a student.

3.1.1 All international students must have a valid CoE for the course (or courses) they are studying.

3.1.2 As an international student it is a requirement of the student visa that the student completes their degree within the timeframe stated on their CoE.

3.2 AIHE will issue a CoE once AIHE has verified a student's International Student Acceptance and Payment Agreement.

3.3 AIHE will revise the CoE if any changes to planned enrolment occur (including failure of subjects).

3.4 When an international student changes their address they must advise AIHE within seven (7) days of the change of the address as it is a condition of the student visa to keep the residential address and other contact details up to date.

## **4. LEAVE OF ABSENCE AND DEFERMENT IN COMPASSIONATE OR COMPELLING CIRCUMSTANCES**

4.1 International students may apply for and take a leave of absence for up to six (6) months, only on the grounds of 'compassionate or compelling circumstances' supported by documentary evidence. In some cases, leave of absence can be extended beyond six (6) months.

4.2 An international student may apply for a deferment for a period of up to twelve (12) months, except where there are course specific requirements.

4.3 For international students, compassionate or compelling circumstances are situations generally beyond the control of a student that have an impact on the student's academic progress or wellbeing. These could include but are not limited to:

- serious illness or injury where a medical certificate states that the international student was unable to attend classes;
- bereavement of a close family member such as a parent or grandparent (where possible a death certificate should be provided);
- major political upheaval or natural disaster in the home country that has impacted on the student's studies and requires emergency travel;
- 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 AIHE is unable to offer a prerequisite subject or the international student has failed a prerequisite subject and therefore faces a shortage of relevant subjects for which they are eligible to enrol.

These are only some examples of what may be considered compassionate or compelling circumstances.

4.4 AIHE staff use their professional judgement to assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, AIHE will consider documentary evidence provided to support the claim and will keep copies of these documents in the international student's file.

4.5 If a request for leave of absence or deferment is approved the international student will need to apply for a new Confirmation of Enrolment (CoE) as the present one will be cancelled. A student will not be able to enter Australia without an active CoE.

## 5. PRE-DEPARTURE INFORMATION AND ORIENTATION PROGRAMS

5.1 Prior to international students arriving in Australia, AIHE will provide international students with information to assist them studying in Australia, including indicative costs of living and studying in Australia, accommodation options, arrangements for health care and, where applicable, schooling obligations related to school-aged dependants (including the possibility that school fees may be incurred).

5.2 AIHE will arrange regular orientation programs to help familiarise international students with the AIHE's expectations, rules and facilities, and introduce the social and cultural norms that international students need to be aware of while in Australia.

5.2.1 The orientation program will take into account AIHE's local context.

5.2.2 AIHE will make the orientation program available to late arrivals or international students who begin at different entry points.

5.3 The orientation program will provide information about:

- support services available to assist international students to help them adjust to study and life in Australia;
- English language and study assistance programs;
- any relevant legal services;
- emergency and health services;
- AIHE's facilities and resources;
- complaints and appeals processes;
- requirements for course attendance and progress;
- the support services available to assist international students with general or personal circumstances that are adversely affecting their education in Australia; and
- services international students can access for information on their employment rights and conditions, and how to resolve workplace issues, such as through the Fair Work Ombudsman.

5.4 AIHE will also provide international students with:

- advice about actions they can take to enhance their personal security and safety;

- information about how to seek assistance for, and report, an incident that significantly impacts on their wellbeing, including critical incidents; and
- general information, on safety and awareness relevant to life in Australia, such as beach safety and the etiquette and laws concerning smoking in Australia, on finding accommodation, such as your rights and responsibilities, or will refer students to such general information (including electronically).

## **6. TRANSFER OF STUDENTS BETWEEN AUSTRALIAN REGISTERED CRICOS INSTITUTIONS**

### **6.1 Transfer to AIHE from another Australian registered CRICOS institution**

6.1.1 AIHE will not knowingly enrol an international student seeking to transfer from another registered provider's course prior to the international student completing six months of their principal course except where any of the following apply:

- 1) the releasing registered provider, or the course in which the international student is enrolled, has ceased to be registered;
- 2) the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the international student from continuing his or her course at that registered provider;
- 3) the releasing registered provider has agreed to the international student's release and recorded the date of effect and reason for release in PRISMS;
- 4) any government sponsor of the international student considers the change to be in the international student's best interests and has provided written support for the change.

### **6.2 Transfer from AIHE to another Australian registered CRICOS institution**

6.2.1 Where a student seeks to transfer from AIHE to another registered CRICOS institution prior to completing six months (26 weeks) of their principal course of study, the student must present to AIHE:

- an unconditional offer from another registered institution;
- a personal statement explaining why the change is necessary; and
- a request for a refund of fees (where necessary).

The AIHE Student Support Officer will counsel the student in relation to their request and the General Manager will approve a transfer in the following circumstances because the transfer is in the best interests of the student:

- the student provides documentary evidence of compassionate or compelling circumstances beyond their control that have an impact on their plans for study at AIHE; or
- AIHE receives a written request from the student's sponsor; or
- the student has completed one semester of study and it is evident on the basis of the student's academic results that they will be reported because they are unable to achieve satisfactory academic progress at the level they are studying, even after engaging with AIHE's intervention strategy to assist the student improve their academic performance as set out in the Academic Progress Procedure, in which case AIHE may approve a release to another institution to enrol in a course at a lower AQF level; or
- AIHE fails to deliver the course as outlined in the written agreement; or
- there is evidence that the student's reasonable expectations about their current course are not being met; or

- there is evidence that the international student was misled by AIHE or an education or migration agent regarding AIHE or its course and the course is therefore unsuitable to the student's needs and/or study objectives; or
- an appeal (internal or external) on another matter results in a decision or recommendation to release the student.

6.2.2 AIHE will automatically issue release letters to students who are required to transfer to another CRICOS registered institution prior to completing six months (26 weeks) of their principle course of study where the following circumstances apply:

- the AIHE course accepted by the student has been cancelled or ceased to be offered; or
- a student had provisional admission to a course but has not met the requisite English language proficiency or other entry requirements.

6.2.3 AIHE may reasonably refuse a request for a transfer in circumstances including, but not limited to, the following:

- the student's request is based only on personal preference; or
- the student wishes to transfer to a qualification of a shorter duration or lower AQF level not offered by AIHE for reasons other than academic ability; or
- the student wishes to change to a similar course with lower fees; or
- the student can be offered an alternative course at AIHE that meets the student's expectations/requirements; or
- the student wishes to transfer to a course that provides the same professional recognition and outcomes as the course they have been admitted to at AIHE; or the student has not enrolled or has made no genuine attempt to participate in the course they have been admitted to; or
- the student owes tuition or other fees and charges to AIHE.

6.2.4 Normally, a student will be notified of the outcome of an application for transfer within ten (10) working days of the submission of the application. Incomplete requests may take longer to process. In cases where the release is:

- approved, the release letter will be provided at no cost to the student and the student will be advised to contact the relevant Commonwealth Government department to ensure that they maintain appropriate visa status;
- not approved, the student will be provided with the reasons for the refusal.

6.2.5 In cases where the request for a letter of release has been refused the student may lodge an appeal in accordance with the Student Grievances, Complaints and Appeals Policy. Where a student lodges an appeal AIHE will not finalise the student's refusal status in PRISMS until the appeal finds in favour of the registered provider, or the international student has chosen not to access the complaints and appeals processes within the 20 working day period, or the international student withdraws from the process.

6.2.6 AIHE will maintain records of all requests from international students for a release and the assessment of, and decision regarding, the request for two (2) years after the international student ceases to be an accepted student.

## 7. DEFINITIONS

7.1 See the AIHE Glossary of Terms for definitions.

## Document Control

Version #	Date	Key changes
1.0	30/01/2018	Draft procedure considered by Academic Board
1.1	20/2/2018	Revised procedure approved by General Manager
1.2	26/3/2019	Revisions to Section 5.2 to include all circumstances listed under National Code Standard 7