

International Students - Changes to Enrolment Procedures

INTRODUCTION

Students holding an Australian student visa are required to ensure they complete all course/s within the course duration registered by the University on CRICOS. This is a requirement of the [Education Services for Overseas Students Act 2000](#) (the ESOS Act) and Standard 13 of the [National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007](#) (the National Code).

The University must inform students prior to enrolment, of the circumstances where an enrolment may be deferred, suspended or cancelled as this may affect the student's visa status. The University is legally obliged to report to the Australian Government Department of Immigration and Border Protection, any changes to a student's enrolment or any non-compliance by a student.

COMPLIANCE

This is a compliance requirement under the:

- [Higher Education Standards Framework \(Threshold Standards\)](#);
- [Standards for Registered Training Organisations \(RTOs\)](#); and
- [National Code of Practice for Providers of Education and Training to Overseas Students](#)

INTENT

This document outlines the procedures and circumstances for students who may:

- Request deferment, temporary suspension or cancellation of studies
- Receive a suspension or cancellation of enrolment due to misconduct or non-payment of fees; and
- Be at risk of non-compliance due to changes to enrolment.

RELEVANT DEFINITIONS

In the context of this document

Cancellation means to withdraw completely from all units of a course within the compulsory study period, thus, discontinuing the enrolment. This action may be completed by the University or student;

CoE means Confirmation of Enrolment which is a document issued by the University to approved students from the PRISMS system, which must accompany the student's application for an Australian Student Visa;

CRICOS means Commonwealth Government Register of Institutions and Courses for Overseas Students;

Deferment means the process by which a student who has received an offer for a particular course seeks to postpone commencement in that course to a later period;

DIBP means the Australian Government Department of Immigration and Border Protection, responsible for the Student Visa program;

Misconduct means conduct on the part of a student which is detrimental to the proper order or good conduct of the University or to its academic standing, or which impairs the reasonable freedom of other persons to pursue their studies, research, duties or lawful activities in the University or upon University facilities and residences, or to participate in the life of the University;

National Code means the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas students. The National Code sits under the ESOS framework and provides standards for the conduct of registered providers and the registration of their courses;

PRISMS means the Provider Registration and International Student Management System used to process information given to the Secretary of DIBP by registered providers;

Suspension of study means the process by which a student who has enrolled in a particular course seeks an intermission or temporary cessation of studies; and

Student means an International student who holds an Australian student visa, and is enrolled in a CRICOS registered course at Charles Darwin University.

PROCEDURES

The Office of International Services is responsible for the assessment of all requests from students for a change to enrolment in accordance with Standard 13 of the [National Code](#) taking into consideration any extenuating circumstances provided by the student as well as student visa regulations. A student who wishes to change his or her enrolment should consider the following criteria on which the University may grant such requests without effect on the student's visa status.

Criteria

The Office of International Services may grant requests for deferment or temporary suspension of enrolment on the grounds of compassionate or compelling circumstances.

Compassionate or compelling circumstances are generally those beyond the control of the student, which have an impact upon the student's course progress or wellbeing, including but not limited to:

- Serious illness or injury, where a medical certificate states that the student is unable to attend classes;
- Bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
- Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies;
- 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 student (these cases should be supported by police or psychologists' reports)
- Where the University is unable to offer a pre-requisite unit; or
- Inability to commence the course due to delay in receiving a student visa.

Cancellation of Enrolment by the University

The University may cancel the enrolment of a student:

- Who fails to re-enrol or who has not been granted a temporary suspension of studies or a deferment;
- Who is found guilty of misconduct; or
- For non-payment of fees.

A student, whose enrolment has been cancelled by the University, may be in breach of the conditions of his or her student visa and the [ESOS Act](#) and will prevent the student from enrolling in any further units at the University.

The Office of International Services will notify the Department of Immigration and Border Protection of the student's cancellation, deferment or temporary suspension of enrolment.

Request for Deferment, Temporary Suspension or Cancellation of Enrolment

A student may make a request for a deferment or temporary suspension or for a break from studies (cancellation) without recourse to compassionate or compelling circumstances. The student must complete either the [HE104 Complete Cancellation/Intermission Form](#) or [VET Change of Enrolment/Withdrawal from Course form](#) and submit it to Office of International Services along with any original supporting documentation, such as a certified medical certificate or a certified death certificate of a close family member.

The Office of International Services will make an assessment and formally notify the student in a letter or by e-mail: The notification will include:

- A statement of the reasons for the decision;
- A confirmation letter, if applicable, stating the approved leave period and recommencement date;
- A new Confirmation of Enrolment (CoE), if applicable; and
- Advice to contact the Department of Immigration and Border Protection and seek information on the impact the decision may have on his or her existing visa.

Misconduct

The University may cancel the enrolment of a student who is guilty of misconduct in accordance with the University's grievance procedures and:

- [Students – Breach of Academic Integrity Procedures](#);
- [Charles Darwin University \(Student Conduct\) By-laws](#);
- [Student Residences Misconduct Procedures](#); and
- [Charles Darwin University \(Student Residences\) By-laws](#).

The Office of International Services will formally notify the student in a letter or by e-mail. The notification will include:

- A statement of the reasons for the decision;
- Information that the University will cancel the student's CoE and notify the Department of Immigration and Border Protection through PRISMS;
- Instruction to contact Department of Immigration and Border Protection for further advice; and

- Information that the student may appeal the decision through the [Students - Administrative Complaints Procedures](#).

Non-payment of fees

Course tuition fees are due at the commencement of each semester or study period. The University may cancel the enrolment of a student on the grounds of non-payment of tuition fees, if the full payment is not received by the required and advised date.

Where the University decides to cancel a student's enrolment for non-payment of fees, the Manager, International Admissions will formally notify the student in a letter or by e-mail. The notification will include:

- A statement of the reasons for the decision;
- Information that the University will cancel the student's CoE and notify the Department of Immigration and Border Protection through PRISMS;
- Instruction to contact Department of Immigration and Border Protection for further advice; and
- Information that the student may appeal the decision through the [Students - Administrative Complaints Procedures](#).

Reporting and Records

The University may be required to make available any information provided by students to Commonwealth and State Government and law enforcement agencies.

In accordance with Section 19 of the [ESOS Act](#), the Office of International Services will notify Department of Immigration and Border Protection via the PRISMS system of any changes to a student's enrolment, or any non-compliance matter.

All records of enrolment, attendance and progression, interventions, documentary evidence, assessment, notifications and any information provided to the student will be retained electronically on the student's file in accordance with the University's [Records Management Policy](#).

Complaints and Appeals

A student has the right to make a complaint and/or appeal if the student is not satisfied with any decision of the University or believes the decision was not made in accordance with this procedure through the [Students - Administrative Complaints Procedures](#).

Cancellation of a student's enrolment will not take place until the expiry of the twenty (20) working day complaint period, or if an appeal is lodged, until after the appeal has been finalised.

If the student is not satisfied with the final outcome of an appeal, the student may refer the matter to an external organisation such as:

- The Northern Territory Ombudsman;
- The Administrative Appeals Tribunal (Commonwealth); or
- A lawyer.

ESSENTIAL SUPPORTING INFORMATION

Internal

[Charles Darwin University \(Student Conduct\) By-laws](#)

[Charles Darwin University \(Student Residences\) By-Laws](#)

[HE104 Complete Cancellation/Intermission Form](#)

[International Student Policy](#)

[Records Management Policy](#)

[Records Management – Capturing University Records Procedures](#)

[Records Management – Discovery of University Records Procedures](#)

[Records Management – Retention and Disposal of University Records Procedures](#)

[Records Management – Security of University Records Procedures](#)

[Students - Academic Grievance Procedures](#)

[Students - Administrative Complaints Procedures](#)

[Student Residences Misconduct Procedures](#)

[VET Change of Enrolment/Withdrawal from Course form](#)

External

[Migration Act 1958](#) (Commonwealth)

[Education Services for Overseas Students Act 2000](#) (Commonwealth)

[National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2017](#) (Commonwealth)

Document History and Version Control

Last amendment:	15 Dec 2017	Next Review:	Nov 2016
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Version	Date Approved	Approved by	Brief Description
1.00	5 Nov 2014	Vice-Chancellor	Creation of original document and upload to CDU website.
1.01	15 Dec 2017	<ul style="list-style-type: none"> • Governance 	<ul style="list-style-type: none"> • Converted document into new template • Updated hyperlinks • Updated list of Essential supporting Information, Internal by adding all the Records Management Procedures. • Removed references to Student Misconduct Procedures- not a valid document • Amended Charles Darwin University (Student Misconduct) By-laws to Charles Darwin University (Student Conduct) By-laws • Added sponsor Deputy Vice-Chancellor Global Strategy and Advancement