

Deferring, Suspending or Cancelling Enrolment Guide for Overseas Students

[Standard 9](#) of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 determines that overseas students can defer or temporarily suspend their studies (including intermission) in limited circumstances. The University of Divinity reserves the right to suspend or cancel a student’s enrolment.

Registered providers must maintain a record of any decisions to defer or suspend an overseas student’s enrolment. Registered providers that defer or suspend an overseas student’s enrolment must notify the Department of Education through PRISMS.

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1. Student-initiated enrollment variation

1.1. Deferral (postponing your intake)

If you are unable to commence the course in the semester you applied for, you may be able to defer (postpone) the course start until the following semester or year. Such applications must be submitted before the census date of the first unit.

Deferral may be granted for a minimum period of one semester, up to a maximum of two semesters ([Enrolment Policy](#)).

Students on an overseas student visa (500 subclass) may only apply for deferral based upon a 'compassionate or compelling circumstance' as defined by the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) (Standard 9).

Deferral is not permitted for:

- single unit enrolments
- cross-institutional enrolments, or
- internal course transfer places.

Multiple deferrals can be sought, for example you can apply for a second deferral at the end of the first one, as long as both don't exceed one calendar year. After this, the University of Divinity reserves the right to reject a further deferral application regardless of the reason. If the student still requires another deferral, then the student will be considered as a new enrolment (re-admission).

If you are an Australian student visa (500 subclass), you should also seek advice from the [Department of Home Affairs](#) or a [Registered Migration Agent](#) on the possible visa implications of your course deferral (postponed intake).

1.2. Suspension (leave of absence)

"Leave of absence" means a voluntary suspension of study. Overseas students who are enrolled and subsequently wish to take a break from their studies may apply for an intermission or leave of absence (of up to 12 months).

This can only be granted on the basis of 'compassionate or compelling circumstances'. In granting this leave, a place in the course is reserved for you when the leave has ended providing that you re-enroll prior to resumption of studies during the designated periods, which are available on the University website. Such leave will be considered in consultation with your Course Advisor.

Applicants must ensure that they have paid all outstanding tuition fees (if any) till the date of request of suspension of studies, prior to applying for suspension of studies.

If your suspension (leave of absence) gets approved, your course completion date will be extended by the period of your leave, and if you are a student visa holder (500 subclass), the University will issue you with a new electronic Confirmation of Enrolment (PRISMS CoE).

During the leave, you are considered to be a student of the University for the period of your absence. Students are responsible for arranging timely re-enrolment on completion of the period of approved leave and for ensuring that the course of study is completed within the required time period.

An international student on an Australian student visa (500 subclass) must state how the proposed leave of absence complies with visa conditions and [ESOS requirements](#). The students who are applying for more than one suspension of studies (leave of absence) during their enrolment in same qualification will be assessed for their course progress.

If you are an Australian student visa (500 subclass), you should also seek advice from the [Department of Home Affairs](#) or a [Registered Migration Agent](#) on the possible visa implications of your leave of absence.

‘Compassionate or compelling’ circumstances are generally those beyond the control of the overseas student and which have an impact on the overseas student’s course progress or well-being. These could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes;
- bereavement of close family members (where possible a death certificate should be provided);
- major political upheaval or natural disaster in the home country;
- a traumatic experience, which could include:
 - involvement in, or witnessing a serious accident; or
 - witnessing or being the victim of a serious crime, and this has impacted the overseas student (these cases should be supported by police or psychologists’ reports); or
- where the University of Divinity or its college/school was unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.

For CRICOS students on an Australian student visa (500 subclass) deferral or suspension of studies cannot be used for personal travelling, undertaking hobbies, working or taking holidays/breaks, and will not be approved on such grounds.

1.3. How to apply for an enrolment variation?

1.4.1. Students who wish to apply for an enrollment variation should complete the appropriate form:

- For coursework students, complete the [Enrolment Variation Form \(Deferral, Leave, Withdraw from Course\)](#)
- For research students, complete the [HDR Deferral Form](#).

- Enrollment variation requests are processed free of charge by the Office of the Vice Chancellor. Students are not required to pay any extra administrative fees.
- 1.4.2. Return the completed Form to the College/School Registrar with all necessary documents to support your request. Alternatively, send an email to the College/School Registrar, giving the reason for your deferment/suspension and attaching all necessary documentation (including evidence of compassionate grounds).
 - 1.4.3. A request for deferment/suspension should be submitted as soon as you know you will be unable to arrive in time for the semester. Enrollment variation requests received after the semester commencement (after census date) may not be accepted.
 - 1.4.4. The Office of the Vice Chancellor will make a decision on your application and inform you on the outcome. If your request is approved, you will receive a new offer letter.
 - 1.4.5. In case of approved deferment and suspension, a revised Offer letter and PRISMS CoE (with a revised course start/end date) will be released by the University of Divinity.
 - 1.4.6. Students are responsible for arranging timely re-enrolment on completion of the period of approved deferral/suspension and for ensuring that the course of study is completed within the required time period. Students are required to liaise with the Registrars of their Home College/School for the new timetable, study and payment plans. For more information on semester commencements and unit options, please refer to the [University Key Dates](#) (academic calendar) and the [Unit Directory](#).
 - 1.4.7. Upon student's return, the Office of the Vice Chancellor will update the course resumption date on PRISMS by 'Commencing' the COE.

2. Student-initiated Cancellation of Enrolment

2.1. Student-initiated course withdrawal

An international student on an Australian student visa (500 subclass) who applies to withdraw from a course of study must be informed that on withdrawal from the course the University must notify the relevant government Department and cancel the student's Confirmation of Enrolment which may lead to cancellation of the student's visa.

2.2. How to Apply for a course withdrawal?

2.2.1 Coursework and research students who wish to apply for a Withdrawal should complete the appropriate form: [Enrolment Variation Form \(Deferral, Leave, Withdraw from Course\)](#)

2.2.2 Completed form should be forwarded to your College/School Registrar in the first instance. Once your application has been considered, the Office of the Vice Chancellor will inform you of the outcome.

2.2.3. If you are an Australian student visa (500 subclass), you should also seek advice from the [Department of Home Affairs](#) or a [Registered Migration Agent](#) on the possible visa implications.

3. Provider initiated deferral, suspension or cancellation of enrollment.

The University may terminate or cancel a student's enrolment in a course for a number of reasons including, but not limited to:

- a. Unsatisfactory Academic Progress (completion of less than 50% of attempted units in two consecutive study periods): see the [Student Progress Policy](#)
- b. Academic and General Misconduct: see the [Conduct and Misconduct Policy](#) (bullying, direct or indirect discrimination, sexual harassment, victimization, vilification, serious misconduct or criminal behavior) and [Academic Integrity Policy](#) (plagiarism, cheating, copying, fabrication, falsification)
- c. Non-payment of Tuition Fees: see the [Fee Policy](#)

Where the University intends to terminate, suspend or cancel a student's enrolment, the student must be notified that they have 20 working days to access the appeals process under the University's [Appeals Policy \(National Code, Standard 10\)](#). A student's enrolment must be maintained (i.e. the student not reported to the relevant Commonwealth Department) during the internal appeals process.

If the international student holding a student visa has exhausted both the internal and external avenues of appeals and the decision is the cessation/termination of the student's enrolment, the University will cancel the student's enrolment and in accordance with the section 19 of the ESOS Act, the University will the record the change to the overseas student's enrolment in PRISMS within 14 days and give the Department of Home Affairs particulars of the student's breach.

The overseas student does not have to be given the opportunity to appeal a provider-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. The University of Divinity will keep evidence to support this. This may include, but is not limited to when the overseas student:

- refuses to maintain approved care arrangements, if they are under 18 years of age;
- 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.

4. Student Visa Cancellations

4.1. Non-compliance with your student visa conditions

The Department of Home Affairs may cancel your Student visa (500 subclass) if you are non-compliant with your visa conditions.

As a CRICOS students, you must:

- remain enrolled in a registered course (if you are a Foreign Affairs or Defence sponsored student or a secondary exchange student you must maintain full-time enrolment in your course of study or training)
- maintain enrolment in a registered course that is the same [Australian Qualifications Framework \(AQF\) level](#) or higher for which we granted your student visa, unless changing from AQF level 10 to level 9. See: [Change in study situation](#).
- maintain satisfactory attendance in your course and course progress for each study period as required by the University.

Please check your visa conditions either in the IMMI Grant letter or by accessing [Visa Entitlement Verification Online VEVO](#). For further information on visa cancellations, please visit the Department of Home Affairs website, section [Cancelling a Visa](#)

4.2. No longer enrolled in your course

If you are an Australian student visa holder (500 subclass), the Department of Home Affairs may cancel your visa if you are [no longer enrolled](#) in a [registered CRICOS course](#).

4.2.1. You might be breaching your student visa conditions, if you have not started your course of study, and you do not have an approved deferral from the University of Divinity

4.2.2. An international student's visa may be cancelled if the deferral and suspension (leave of absence):

- is due to the conduct of the student;
- is for reasons other than compassionate or compelling circumstances;
- the compassionate or compelling circumstances which warranted the deferral or suspension of studies cease to exist; or
- is based on fraudulent evidence or documents given to the registered provider.

4.2.3. If you have completed less than 6 months of your principal course, you can only change education providers in some situations. The principal course is the main course of study to be undertaken by an overseas student where the student visa has been issued for multiple courses and is usually the final course of study. The first six months is calculated as six calendar months from the date an overseas student commences their principal course. After completing six calendar months of the principal course, an overseas student can transfer without needing to meet one of these conditions. For more information, please see [Education Services for Overseas Students \(ESOS\) National Code](#) (Standard 7) and our [Transfer between registered providers policy](#). If you are an Australian student visa (500 subclass), you should also seek advice from the [Department of Home Affairs](#) or a [Registered Migration Agent](#) on the possible visa implications of your course transfer.

4.2.4. If you want to continue to study but your enrolment has lapsed, you need to speak to your Course Advisor (home college/school) or the Student Services Manager (Office of the Vice-Chancellor). Ask about re-enrolling in a course of study so you are not in breach of your visa conditions.

4.2.5. If you no longer want to study, you must either:

- apply for a new student visa that suits your relevant intentions or
- arrange to leave Australia within 28 days of ceasing study.

If you have applied for a new visa, you must still meet the conditions on your current Student visa. You must keep going to your classes until the Department of Home Affairs decides on your application.

5. Completing your course early

Your enrolment ends when you complete the course, even if this is earlier than the end date on your Confirmation of Enrolment (eCoE).

If you complete the course associated with your student visa, you will have 3 months to depart Australia or apply for another visa.

The Department of Home Affairs may cancel your visa in these situations:

- you complete the course for which the Department of Home Affairs granted your student visa and you do not leave Australia or apply for a new visa [within 3 months of your course completion](#).
- you have changed courses since the Department of Home Affairs granted your student visa and your new Confirmation of Enrolment for your principal course has an earlier end date and you do not leave Australia or apply for a new visa within 28 days of completing the course
- you are studying more than one course on your visa (course packaging) and you finish a course early and have a gap between courses of more than 2 months (except if this gap occurs between the end of an academic year and the beginning of a new academic year)

Before The Department of Home Affairs cancel your student visa, your situation will be considered. This includes if:

- you legitimately finished the course early
- you have a good academic record
- it is reasonable to expect you to enrol in another course during the course gap

Visit Department of Home Affairs Website on Changes in Your Situation at <https://immi.homeaffairs.gov.au/change-in-situation/study-situation>

6. Packaged courses & Gap between courses

You will need to give the Department of Home Affairs Confirmation of Enrolment (CoE) for each course in a package at the time of applying for an Australian Student Visa (500 subclass).

The last course you take as part of the course package is your main (principal) course of study. DHA uses your main course of study to work out what financial and English language skills evidence you must give them.

Generally, course gaps should not be more than 2 months. A course gap can be more than 2 months if:

- it is the end of the academic year
- you are affected by an [education provider default](#)
- you have completed your course and you are applying for a new visa

Example:

- If your visa application includes a package of courses, course gaps must be less than two calendar months, unless the first course finishes at the end of the standard academic year and the next course commences at the beginning of the standard academic year. The academic year generally ends in November and starts again in February the following year, three to four months is an acceptable gap between courses.

For further information, please visit:

<https://immi.homeaffairs.gov.au/visas/already-have-a-visa/check-visa-details-and-conditions/see-your-visa-conditions?product=500#>

7. Extension of Enrollment

Extension of enrolment is for the students who wish to complete their course by further extending the completion date. This request will be assessed as per the student course progress and on compassionate grounds.

A student may only apply for a course extension in advance (before reaching the proposed course end date).

A student may only apply for a course extension prior to expiration of the maximum time permitted by the [Regulation governing the award](#) in which the student is enrolled. If the maximum time has expired, the person may be eligible to apply for re-admission and seek credit for previous study.

The Academic Dean of the student's home college/school must be satisfied that exceptional circumstances apply, including through the provision of evidence. Sensitive or personal information about the student's circumstances must remain confidential to the Academic Dean unless the student permits otherwise.

An application for a course extension must be lodged with the Dean of Academic Programs by the Academic Dean of the student's home college/school. It will require completion of the [Course Variation or Extension Form](#).