**International Students on student visas – Course deferral, suspension and cancellation of studies procedure**

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## Purpose

This procedure supports Canberra Institute of Technology’s (CIT) compliance with the Education Services for Overseas Students (ESOS) Framework which includes the Education Services for Overseas Student Act 2000 (ESOS Act) and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (The National Code). These laws have been developed by the Australian Government to ensure overseas students in Australia have a safe, enjoyable and rewarding place to study. Australia's laws promote quality education and consumer protection for overseas students.

This procedure is to be read in conjunction with ***International Students on Student Visas Policy****.*

## Scope

This procedure applies to international students on Student Visas studying at CIT.

## Procedure

##  Student applying to defer or suspend studies at CIT

International Students can apply to defer or temporarily suspend their enrolment based on compassionate and compelling circumstances. The deferral of international student’s enrolment may result in an increase in tuition and material fees. International students who defer their enrolment will be required to pay the fees that apply at their new commencement date.

| Step | Action | Responsibility |
| --- | --- | --- |
| 1 | When an international student advises a staff member of intent to be away from studies for more than two weeks during the study period, the staff member must email International Students Advisors and refer the student to meet with an International Student Advisor. | Educator/Support staff/Pastoral care officer/Head of department |
| 2 | The student meets with an International Student Advisor to discuss deferral or suspension of enrolment. At this meeting the student will be provided with a copy of the International Student study variation application form. | International Student Advisor, International Services Unit (ISU) |
| 3 | The international student requests the deferral or suspension of enrolment in writing to the International Student Advisors, ISU, via ISAdvisors@cit.edu.au. The request must include a signed study variation form as well as documented evidence of compassionate and compelling circumstances. Compassionate and compelling circumstances may include, but are not limited to: * 1. serious illness or injury, where a medical certificate states that the student was unable to attend classes
	2. bereavement of close family such as parents or grandparents (where possible a death certificate should be provided)
	3. major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student’s studies
	4. a traumatic experience, which could include:
		1. involvement in, or witnessing of a serious accident; or
		2. witnessing or being a victim of a serious crime and this has impacted the student (these cases should be supported by police or psychologist report)
	5. where CIT was unable to offer a pre-requisite unit
	6. inability to begin studying on the course commencement date due to delay in receiving a student visa
	7. inability to study for a portion of the study period due to cultural reasons (e.g. arranged marriage).
 | International Student  |
| 4 | The International Student Advisor will assess the application and request any additional information if required. The International Student Advisors will send the request to the Senior Manager, ISU for approval when all support documentation has been submitted. | International Student Advisors, ISU |
| 5 | The Senior Manager, ISU, assesses if the request for deferral or suspension meets compassionate and compelling circumstances.  | Senior Manager, ISU |
| 6 | If the request is not approved, the student has the option to continue studies or withdraw from studies.* If the student continues studies, no changes are made.
* If the student withdraws from studies, CIT International reports the changes to the student’s enrolment to the Department of Education and Training via PRISMS within 31 days of the commencement of studies or when the application has been received during the semester, 31 days from the receipt of application.
 | International Student |
| 7 | 1. If the request is approved:
	* The student must advise if they are staying in Australia or returning home during the deferral or suspension period.
	* The student provides travel documentation to the International Student Advisor if returning home;
 | International Student |
| 6 | A new Letter of Offer (LOO) is issued to show changes in study duration. The new LOO will be issued at the current fee rate which is likely to be a fee increase for the student. The student’s duration of studies will increase which will result in applying for a new student visa.The Admissions team report changes to the student’s enrolment to the Department of Education via PRISMS within 31 days of the commencement of studies or when the application has been received during the semester, 31 days from the receipt of application. | Admissions team, ISU |
| 7 | The International Services Unit’s Project and Administration Officer conducts a Student and Institute COE/default audit within the first week of every month to ensure PRISMS reporting is up to date for the previous month. The current enrolment data is compared with the current PRISMS data to ensure all reporting has been finalised.  | Project and Administration Officer - ISU |
| 8 | The International Student Advisor contacts the student one month prior to the commencement of classes to discuss their return to studies. | International Student Advisor, ISU/International Student |

##  CIT cancelling a student’s enrolment – non-compliance

## 3.2.1 Non-genuine student

| Step | Action | Responsibility |
| --- | --- | --- |
| 1 | Students may be identified as a non-genuine student if they do not pass more than 50% of units/subjects in any future study period after a successful intervention. The student is issued a non-genuine student letter during the intervention process advising that they will not have a second opportunity for intervention. Please refer to Monitoring course progress in the International Students on Student Visas compliance with the ESOS Act – Course progression procedure. | International Student Advisors, ISU |
| 2 | If the student does not pass more than 50% of unit/subjects studied in a subsequent study period, the International Student Advisor contacts the student to discuss the non-compliance process. | International Student Advisor, ISU |
| 3 | The student is sent a letter of Intent to Non-compliance stating they are being reported for misbehaviour. This letter states the student has access to an internal appeal and gives a final date for the appeal request to be received by CIT International (20 working days from the date of the letter). | International Student Advisor, ISU |

Please refer to 3.3 Non-Compliance Reporting process – Disciplinary reasons and Non-payment of fees, for the next steps in the process.

## 3.2.2 Disciplinary reasons

The below reporting process for international students on student visas is in addition to the Academic Integrity and Misconduct Policy and the Student Conduct Policy

| Step | Action | Responsibility |
| --- | --- | --- |
| 1 | The student is identified for misconduct and the Department investigates the allegation. The Pastoral Care Officer or Head of Department must:* write to the International Student Advisors outlining the allegations and actions to be taken
* invite an International Student Advisor to an initial meeting with the student to advise on visa implications (if the International Student Advisor is not invited to this meeting, the International Student Advisor must arrange to meet with the student to advise on the visa implications)
* advise if a Student Behaviour Agreement has been established.
 | Pastoral Care Officer (PCO)/Head of Department (HoD) |
| 2 | An email is sent to the student outlining the discussion with the International Student Advisor regarding the visa implications.  | International Student Advisor, ISU |
| 3 | The PCO/HOD provides the outcome of the student’s case in writing to the International Student Advisor/s.  | Pastoral Care Officer/Head of Department |
| 4 | If the student is excluded from studies, the student is sent a letter of Intent to Non-compliance. This letter states the student has access to an internal appeal and gives a final date for the appeal request to be received by CIT International (20 working days from the date of the letter).  | International Student Advisor, ISU |

Please refer to 3.3 Non-Compliance Reporting process – Disciplinary reasons and Non-payment of fees, for the next steps in the process.

## Non-payment of tuition fees

International students on student visas have provided evidence of finances available to cover the first year of tuition fees and living expenses. CIT International follows the timeline below for non-payment of tuition fees:

* 30 days overdue – warning letter is issued
* 60 days overdue – Letter of intent to non-compliance is issued and the student’s account is referred to debt collection. If the account is referred to debt collection, an additional recovery fee is added to the student’s account.

If a student receives a cancelation for non-payment of tuition fees, the student will not be eligible to apply for another course at CIT nor be eligible for release from studies at CIT.

| Step | Action | Responsibility |
| --- | --- | --- |
| 1 | The student is issued an invoice for tuition fees owing before each study period (Semester or Term). Tuition fees are due 14 days before the commencement of the study period. | ISU Finance Officer |
| 2 | The student may apply for a payment plan. An administration fee is issued for Payment plans. | ISU Finance Officer/International Student Advisor, ISU |
| 3 | If tuition fees are not paid by the due date, a late fee and an accounts receivable (AR) hold is applied to the student’s account. If the student has a payment plan, a late fee can be applied to each due date of the payment that is not met. This is outlined in the Payment Plan agreement. | ISU Finance Officer |
| 4 | A review of outstanding accounts is completed fortnightly. Team members are allocated students to follow up regarding outstanding tuition fees. | ISU Finance Officer/International Student Advisors, ISU/Senior Manager, ISU |
| 5 | A warning letter is issued for any student who has tuition fees 30 days overdue. | International Student Advisors, ISU |
| 6 | A letter of Intent to Non-compliance is issued for any student who has tuition fees 60 days overdue. This letter states the student has access to an internal appeal and gives a final date for the appeal request to be received by CIT International (20 working days from the date of the letter). | International Student Advisors, ISU |
| 7 | A bad debt hold is applied to the student’s account. The account is referred to debt collection and an additional recovery fee is added to the student’s account.  | ISU Finance Officer |

Please refer to 3.3 Non-Compliance Reporting process – Disciplinary reasons and Non-payment of fees, for the next steps in the process.

## Non-Compliance Reporting process – Disciplinary reasons and Non-payment of fees

## Letters of intent to non-compliance

This process is implemented if the student has been identified for disciplinary reasons, as a non-genuine student or for non-payment of fees.

| Step | Action | Responsibility |
| --- | --- | --- |
| 1 | Email the briefing paper of the student’s study progress to the Senior Manager, ISU including the evidence of the visa breach:* disciplinary reasons
* non-genuine student
* non-payment of fees.
 | International Student Advisor, ISU |
| 2 | Email the briefing paper requesting approval to issue a letter of intent to non-compliance to the General Manager, CIT Solutions | Senior Manager, ISU |
| 3 | When approved, email the letter of intent to non-compliance to the student. The letter advises the student of the visa breach, and that the student has 20 working days to request an internal appeal against the non-compliance decision. | International Student Advisors, ISU |
| 4 | If the international student does appeal the decision, please see the Internal appeal process (3.3.2)  | International Student |
| 5 | If the international student does not appeal the decision:* CIT International reports the reason for cancellation against the student’s Confirmation of enrolment for the Department of Education via PRISMS within 48 hours of the appeal request due date.
* The Student Course Variation is emailed to the student and the student does not continue studies at CIT. The student is advised to contact the Department of Home Affairs to discuss their visa status.
* CIT International advises the Pastoral Care Officer that the student will not be returning to classes
 | International Student Advisors, ISU |
| 6 | The International Services Unit’s Project and Administration Officer conducts a Student and Institute COE/default audit within the first week of every month to ensure PRISMS reporting is up to date for the previous month. The current enrolment data is compared with the current PRISMS data to ensure all reporting has been finalised.  | Project and Administration Officer - ISU |

## Internal Appeal

The student must receive the following information within 10 days of the request for an internal appeal being received: appeal date, time, location and the panel members. The internal appeal panel will consist of the Student Experience Lead/Academic Registrar, the College Director for the course the student is studying and the Senior Manager, ISU. The appeal hearing will be held on the campus where the student studies.

| Step | Action | Responsibility |
| --- | --- | --- |
| 1 | The student must request an internal appeal in writing. The request is to the CIT International Student Advisor via ISAdvisors@cit.edu.au. | International Student |
| 2 | The student’s request and a briefing paper on the student’s academic performance/attendance is forwarded to the Student Experience and Academic Registrar Lead for an appeal hearing to be set up, also advising the student must be provided the appeal hearing details within 10 days of the receiving the student’s request. Copy the email to the International Student Advisors.  | Senior Manager, ISU |
| 3 | The Student Experience and Academic Registrar Lead arranges a time for the appeal and advises the Senior Manager, ISU and International Student Advisors. | Student Experience and Academic Registrar Lead |
| 4 | Advise the student of the details of the appeal hearing in writing. Also advise that the student can bring a support person to the appeal. | International Student Advisors, ISU |
| 5 | A letter advising the outcome of the appeal is emailed to the student. * If the student is successful, they can continue classes, or
* if they are not successful, CIT international reports against the student’s Confirmation of enrolment Department of Education via PRISMS within 48 hours of the decision. Email the student including:
	+ the student course variation
	+ a recommendation for the student to contact the Department of Home Affairs regarding their visa status.
 | International Student Advisors, ISU |
| 6 | If the international student does not appeal the decision:* CIT International reports the reason for cancellation against the student’s Confirmation of enrolment for the Department of Education via PRISMS within 48 hours of the appeal request due date.
* The Student Course Variation is emailed to the student and the student does not continue studies at CIT. The student is advised to contact the Department of Home Affairs to discuss their visa status.
* CIT International advises the Pastoral Care Officer the student will not be returning to classes.
 | International Student Advisors, ISU |
| 7 | The International Services Unit’s Project and Administration Officer conducts a Student and Institute COE/default audit within the first week of every month to ensure PRISMS reporting is up to date for the previous month. The current enrolment data is compared with the current PRISMS data to ensure all reporting has been finalised.  | Project and Administration Officer - ISU |

The student has the right to send a complaint or appeal to the Commonwealth Ombudsman at any time; however, for Disciplinary reasons and Non-payment of fees the COE will be reported against if the student has not been successful with their internal appeal.

## CIT cancelling a student’s enrolment for non-commencement of studies and withdrawing from studies

## 3.4.1 Non-commencement of initial study period at CIT

| Step | Action | Responsibility |
| --- | --- | --- |
| 1 | The student is reported to CIT International for non-commencement of studies by the Department or has been identified by CIT International in the default process. | Pastoral Care Officer/International Student Advisors, ISU |
| 2 | The Admissions team, ISU attempts to contact the student or student’s education agent if they have not commenced studies by the default date. * If the student’s visa has not been issued, the student is able to defer the commencement of studies. A new Letter of offer, COE and student course variation for non-commencement of studies is issued within 31 days of the commencement of the study period.
* If student’s visa has been issued and the student has not been able to travel to Australia before the commencement date which has been verified by Visa Entitlement Verification Online (VEVO), and the circumstances meet the deferral of studies requirement, the commencement of their studies may be deferred to the next study period. Please see the deferral process at 3.1.
* If student’s visa has been issued and the student or the student’s Education agent has not provided evidence that meets the deferral requirements, or if the student is not able to be contacted, a student default will be reported to the Department of Education via PRISMS
* The deferral of studies or cancellation of studies must be reported to the Department of Education via PRISMS within 31 days of the semester commencement date.
 | Admissions team, ISU |
| 3 | The International Services Unit’s Project and Administration Officer conducts a Student and Institute COE/default audit within the first week of every month to ensure PRISMS reporting is up to date for the previous month. The current enrolment data is compared with the current PRISMS data to ensure all reporting has been finalised.  | Project and Administration Officer - ISU |

## Not enrolling in a study period (not including the initial study period at CIT)

When the student does not return to studies and has not notified in writing that they are withdrawing from studies, they are liable for the semester tuition fees as they did not meet the terms and conditions of their letter of offer for withdrawing from studies.

| Step | Action | Responsibility |
| --- | --- | --- |
| 1 | The student is reported to CIT International for non-commencement of studies by the Department or has been identified via CIT International in the default process. | Pastoral Care Officer/International Student Advisors, ISU |
| 2 | An International Student Advisor attempts to contact the student or student’s education agent if they have not returned to studies by the default date.If the student is contacted, the International Advisors discuss the requirements for deferring studies and withdrawing from studies. If the student does not meet the requirements for deferring studies, they are asks to complete the International Student study variation application form and are advised that fees are payable for the semester of study.The withdrawal from studies or deferral of studies is reported to the Department of Education via PRISMS within 31 days of the semester commencement date. | International Student Advisors, ISU |
| 3 | If the student is unable to be contacted, the student is reported to the Department of Education via PRISMS stating ‘Student notified cessation of studies’ within 31 days of the semester commencement date as the student has inactively notified that they will not continue studies with CIT by not re-enrolling. Release from studies will not be granted. Fees are payable for the semester of study.  | International Student Advisor, ISU |
| 4 | The International Services Unit’s Project and Administration Officer conducts a Student and Institute COE/default audit within the first week of every month to ensure PRISMS reporting is up to date for the previous month. The current enrolment data is compared with the current PRISMS data to ensure all reporting has been finalised.  | Project and Administration Officer - ISU |

## Withdrawing from studies at CIT

| Step | Action | Responsibility |
| --- | --- | --- |
| 1 | The student contacts or meets with an International Student Advisor to discuss withdrawing from studies.The student completes a Study Variation Application form. The student emails the signed form to ISAdvisors@cit.edu.au. The form must be received at least 14 days before the commencement of studies for the study period the student is withdrawing from. If not, the student will be liable to pay the tuition fees for the semester of study. | International Student |
| 2 | CIT International reports changes to the student’s enrolment to the Department of Education via PRISMS within 31 days of the student’s request being received. If the student is applying for release from studies, the application will be assessed against the Transfers between registered providers procedure. | International Student Advisors, ISU |
| 3 | The International Services Unit’s Project and Administration Officer conducts a Student and Institute COE/default audit within the first week of every month to ensure PRISMS reporting is up to date for the previous month. The current enrolment data is compared with the current PRISMS data to ensure all reporting has been finalised.  | Project and Administration Officer - ISU |

## 4. Documentation

## 4.1 Related Legislation/Regulation

* *CIT Act 1987*
* *Education Services for Overseas Students (ESOS) Act 2000*
* *National Code of Practice for Providers of Education and Training to Overseas Students 2018*
* [*Human Rights Act 2004*](https://www.legislation.act.gov.au/a/2004-5)
* [*Australian Standard Classification of Education (ASCED) 2001*](https://www.abs.gov.au/ausstats/ABS%40.nsf/0/978AE3662A869350CA256AAF001FCA59?opendocument)

## 4.2 Related Policy and Procedures

* *International students on student visas Policy*
* *International students on student visas– Course progression procedure*
* *International students on student visas – Transfers between registered provider procedure*
* *International students Admissions and Fees Policy*
* *CIT Admissions and Enrolment Policy and Procedure*
* *Fees and Refunds Policy*
* *Student and Community Members Complaint Policy*
* *Managing Third party Arrangements Policy and Procedure*
* *Academic Appeals*

## 4.3 Related Documents

* *Student Support Guides on SIS (internal access only)*
* *International Student Gide Teacher (internal access only)*
* *International Student Guide ELC and Year 12 Pastoral Care Officer (internal access only)*
* *International Students Guide ELC and Year 12 Teacher (internal access only)*
* *International Students Guide Pastoral Care Officer Mainstream Courses (internal access only)*
* *International Students Guide Head of Department (internal access only)*
* *International Students Guide College Director (internal access only)*

**5. Definitions**

All terminology used in this procedure is consistent with definitions in the CIT Definition of Terms. The following definitions are provided in the context of this policy.

|  |  |
| --- | --- |
| **CRICOS registered course** | A course registered on the Commonwealth Register of Institutions and Courses for Overseas Students**.**  |
| **Course Reference Number (CRN)** | A CRN is the Banner identifier for a particular class for a subject. |
| **Education Agent Partner** | CIT’s Education Agent Partners are contracted by CIT Solutions to provide information to potential students about Studies in Australia, Canberra and CIT as well as CIT course information. CIT’s Education Agent Partners assist international students with their application process to study at CIT.  |
| **International Student** | An international student is:* a person on a diplomatic visa.
* a person studying in Australia on a student visa
* a person whose visa is included in the non-eligible visas list as maintained by Skills Canberra at <https://www.act.gov.au/skills/students/australianapprenticeships/eligible-visa-holders>.
 |

## 6. Policy Contact Officer

For more information about this procedure contact Senior Manager, International Services Unit.

Contact CIT Student Services on (02) 6207 3188 or email infoline@cit.edu.au.

## 7. Version Control

|  |  |  |  |
| --- | --- | --- | --- |
| Item | Summary of Update | Version | Review Date |
| 1 | Original Document  | 1.0 |  |
| 2 | Updated February 2025 | 2.0 | 4 February 2025 |
|  |  |  |  |

## 8. Appendices

Nil