

International Students - Completion within Expected Duration of Study Policy

Section 1 - Background and Purpose

(1) The purpose of this Policy is to ensure compliance with Standard 8 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 ([National Code 2018](#)).

Section 2 - Scope

(2) Applies to:

- a. All campuses
- b. All award courses
- c. All international student visa holders
- d. All staff who deal with international student visa holders

Section 3 - Policy Statement

(3) The University will monitor the enrolment load of international student visa holders at all times to ensure that:

- a. they are able to complete their course within the duration specified on their Confirmation of Enrolment (CoE);
and
- b. their enrolments in online or distance learning do not exceed the maximum allowed under Standard 8 of the National Code.

Section 4 - Procedures

Preamble

(4) Standard 8 of the National Code 2018 requires registered providers:

- a. to monitor the enrolment load of international student visa holders at all times to ensure they are able to complete their course within the duration specified on their Confirmation of Enrolment (CoE);
- b. to ensure that international student visa holders do not exceed the allowable portion of online or distance learning; and
- c. to enable international student visa holders to extend the expected duration of study for the course through the issuing of a new CoE only in limited circumstances.

(5) The purpose of the Procedure is to ensure that students studying onshore holding a Student Visa are managed responsibly and in accordance with the requirements of the [Education Services for Overseas Students Act 2000](#) as

amended and in line with Standard 8 in the National Code 2018.

General

(6) This Procedure applies to all international students studying onshore holding a Student Visa enrolled in all CRICOS registered programs at La Trobe University.

(7) There is flexibility to vary an international student visa holders enrolment load throughout their course. Students may take a normal, reduced or increased study load in each study period in accordance with University policy and procedures, as long as they can complete the course within the duration specified in their CoE.

Processes for Monitoring Expected Completion

(8) The University will enrol international students on the basis of the Letter of Offer and Acceptance Agreement, the CoE and the visa. This establishes the planned study load.

(9) Schools will monitor each international student's eligibility to complete their course within the duration registered on CRICOS and specified on their CoE. This monitoring will occur in conjunction with formal processes for monitoring all students' academic progress in each compulsory study period (progression period). Refer to the [Academic Progress Review Policy](#).

(10) Upon identifying that an international student visa holder cannot complete their course within the specified time, the University will notify the student (and their sponsor or carer if the student is under 18) that the student needs to extend their course. The student's CoE will be cancelled or extended in line with processes outlined in the following sections.

Restrictions on Distance and Online Study

(11) International students studying on a student visa will be eligible to undertake distance or online components only where the number of subjects does not exceed more than one third of the total course load and on the condition that students enrol in at least one subject on campus in any compulsory study period, unless the student is completing the last subject of their course.

Conditions Under Which Extension to Duration of Study May be Approved

(12) Where it becomes evident to a School that an international student cannot complete their course within the time period specified on the CoE, the School must notify Recruitment & International Operations. Recruitment & International Operations will extend the duration of study only:

- a. where the student can demonstrate compelling or compassionate circumstances (see section below);
- b. as a result of implementation of an intervention plan (i.e. a requirement that the student reduce his or her subject load) for a student at risk of not achieving satisfactory academic progress - refer to the [Academic Progress Review Policy](#); or
- c. where the student has been granted an approved deferment or leave of absence (refer to the [Admissions Procedure - Deferment](#) and the [Leave of Absence \(Intermission\) Policy](#)).

(13) Where a student has appealed to the University Appeals Committee for a review of a decision to suspend or exclude them under the [Academic Progress Statute 2010](#), the [Academic Integrity Statute 2015](#) or the [General Misconduct Statute 2009](#), Recruitment & International Operations will extend their duration of study pending the outcome of the appeal.

(14) Where a student seeks an extension to their CoE on the basis of compassionate or compelling circumstances, they must provide demonstrable evidence to support their case. The Recruitment & International Operations

compliance and student support teams will use their professional judgment to evaluate each case on its individual merits.

(15) In any of the cases above, all relevant documentation will be retained on the central student file.

Compassionate or Compelling Circumstances

(16) Compassionate or compelling circumstances are generally those beyond the control of the student and which have an impact upon the student's academic progress or wellbeing.

(17) Generally these circumstances are involuntary and characterised by necessity such that the student is faced with a situation in which there is little to no alternative, but to extend their stay in Australia. These could include, but are not limited to:

- a. serious illness or injury, where a medical certificate or the University's medical impact statement states that the student was unable to attend classes;
- b. bereavement of close family members such as parents, grandparents or siblings;
- c. major political upheaval or natural disaster in the home country requiring emergency travel when this has impacted on the student's studies; or
- d. a traumatic experience which could include:
 - i. involvement in, or witnessing of, a serious accident;
 - ii. witnessing or being the victim of a serious crime, when this has impacted on the student (such cases should be supported by police or psychologists' reports);
- e. where the registered provider was unable to offer a pre-requisite course or subject; or
- f. where the student was unable to begin studying on the program commencement date due to delay in receiving a student visa.

Variations of Enrolment

(18) International students seeking to vary their enrolment must discuss their intentions with an adviser of studies, who will help the students develop new agreed progression plans that allow them to finish on time. Where the variation leads to an extension of the expected duration of study, the student's School must report this to Recruitment & International Operations by way of a copy of the agreed progression plan. Recruitment & International Operations will report the student to the Department of Education and Training via PRISMS and the [Department of Home Affairs \(DHA\)](#) and issue a new CoE.

(19) All enrolment variations will be recorded on the student's file.

Under-enrolment Without Prior Approval

(20) An international student who under-enrols without the prior approval of their School will be advised by the School to enrol in the correct load. Failure to enrol in the correct load after being requested to do so may result in a rejection of a request to extend the CoE. Records of communications under this section will be kept on the student's file.

Early Completion

(21) Where a student is in a position to finish before the expiry date of their CoE, the student's School must alert Recruitment & International Operations. Note that this requirement applies also where a student takes an alternative exit from a nested course.

General Condition for Issuance of New CoE

(22) The University will issue a new CoE only when it becomes evident that the student cannot reasonably complete their course within the expected duration as specified on the student's CoE. A new CoE will not be issued until the University can accurately predict how long an extension of duration of study the student will require.

Section 5 - Definitions

(23) For the purpose of this Policy and Procedure:

- a. Advanced standing: credit granted towards a La Trobe University program of study for prior learning including, but not limited to, any course of study or examination passed in another educational institution. It is intended to minimise the unnecessary duplication of study. Advanced standing is the outcome of the process of Recognition of Prior Learning.
- b. Compulsory study period: a study period in which a student must enrol unless granted a deferment or suspension from enrolment or leave of absence in accordance with Standard 13 of the National Code 2007. A compulsory study period does not include periods in which the student can elect to undertake additional studies, e.g. a summer or winter teaching period.
- c. Confirmation of Enrolment (CoE): a document provided electronically, which is issued by the registered provider to intending overseas students and which must accompany their application for a student visa. It confirms the overseas student's eligibility to enrol in the particular program of the registered provider.
- d. Course: means a course of education or training as defined in the [Education Services for Overseas Students Act 2000](#).
- e. Credit: the number of subject of credit points that a student who has been granted advanced standing will be excused from studying within a La Trobe University program of study.
- f. Credit transfer: a means of linking individual components of existing programs to facilitate advanced standing into another program.
- g. CRICOS: the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) is the register prescribed under Section 10 of the [Education Services for Overseas Students Act 2000](#).
- h. Distance learning: is any learning that an international student undertakes off campus and does not require an international student on a student visa to physically attend regular classes for the course on campus.
- i. Expected duration: for the purposes of Standard 8, the duration of the course as registered on CRICOS. The expected duration on the CoE should be the same as the expected duration on CRICOS except where the student has received advanced standing towards the course of enrolment.
- j. Online learning: is study where the teacher and international student primarily communicate through digital media, technology based tools and IT networks and does not require the international student to attend scheduled classes or maintain contact hours. For the purpose of the ESOS framework, online learning does not include the provision of online lectures, tuition or other resources that supplement scheduled classes or contact hours.
- k. OSHC: Overseas Students Health Cover.
- l. Prior learning: work completed at any education institution (and recognised by the Academic Board for that purpose); work completed by a student in a course conducted by a body or person other than an educational institution (and recognised by the Academic Board for that purpose); or work or other study experience considered by the Academic Board to be relevant to that course of study.
- m. PRISMS: the Provider Registration and International Student Management System; the system used to process information given to the Secretary of Department of Education and Training by registered providers.
- n. Recognition of prior learning: the process by which prior learning is identified and assessed for relevance and value against the requirements of a La Trobe program of study to determine the exemptions or advanced

standing that may be granted towards that program of study.

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