

Policy:

International Students

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1 OBJECTS OF THE UNIVERSITY

The University's Objects are defined in Section 5 of its Act of Parliament:

The Objects of the University are:

- (a) the provision of university education, within a context of Catholic faith and values; and
- (b) the provision of an excellent standard of -
 - i. teaching, scholarship and research;
 - ii. training for the professions; and
 - iii. pastoral care for its students.

2 PURPOSE

- 2.1** This Policy outlines requirements relating to compliance with the *Education Services for Overseas Students Act 2000* (ESOS Act 2000) and the *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018* (National Code) for International Students enrolled at the University.

3 SCOPE

- 3.1** This Policy applies to all:
- 3.1.1 International Students enrolled at the University
 - 3.1.2 staff of the University who interact directly with International Students
 - 3.1.3 International Students enrolled in a program or course of the University delivered in partnership with a third-party organisation, and
 - 3.1.4 staff of a third-party organisation who interact directly with International Students as part of the delivery of a program or course on behalf of the University.

4 COMPLETION WITHIN PROGRAM DURATION

- 4.1** An International Student is required to complete the Program in which they are enrolled within the time stated on their Confirmation of Enrolment (CoE).
- 4.2** An International student may apply to extend the duration of their enrolment if there are compelling or compassionate circumstances that prevent them from completing the Program in the time stated on their COE. Compelling or compassionate circumstances are generally beyond the student's control and have an impact on the student's attendance or wellbeing. These could include, but are not limited to:
- 4.2.1 serious illness or injury
 - 4.2.2 bereavement of close family members
 - 4.2.3 compulsory community commitments, such as military service obligations
 - 4.2.4 trauma, such as from being involved in a serious accident, witnessing or being the victim or a serious crime
 - 4.2.5 permanent or temporary disability, or
 - 4.2.6 major political upheaval or natural disaster in the home country that has impacted on the student's ability to study.
 - 4.2.7 A student applying to extend the duration of their enrolment due to compelling or

compassionate circumstances is required to provide independent documented evidence to support their application.

4.2.8 Where the University accepts a student's application to extend the duration of their enrolment, Student Administration will advise the student to contact the Department of Home Affairs to seek advice on any potential impacts on their visa, including the need to obtain a new visa.

4.2.9 If the student's application is rejected, Student Administration will provide written notice of the decision that clearly outlines the reasons and includes information about the University's appeal process.

4.2.10 An International Student may appeal a decision by the University not to accept an application made under clause 4.2.1. Any such appeal must be lodged within 20 working days of their receiving the University's decision.

4.3 The duration of enrolment recorded on an International Student's COE may also be extended if one of the following applies.

4.3.1 A Success Plan for the student has been implemented, or is in the process of being implemented in accordance with *Procedure: Success Plans*.

4.3.2 The student has been granted a deferred commencement in accordance with the *Procedure: Admission*.

4.3.3 The student's enrolment has been suspended in accordance with the *Procedure: Academic Progress*.

4.3.4 The student has been granted a leave of absence in accordance with the *General Regulations*.

4.3.5 Where clause 4.3.1 or clause 4.3.2 applies, a Success Plan and a revised Program Planner, documented in accordance with the *Procedure: Success Plans*, must be in place before the extension of a CoE is approved.

4.4 Where the University extends the duration of the student's enrolment, Student Administration will notify the student of the extension in writing and advise the student to contact the Department of Home Affairs to seek advice on any potential impacts on their visa, including the need to obtain a new visa.

4.5 Student Administration will regularly monitor program duration for International Students against the duration recorded for programs in CRICOS using the *Course Duration Comparison Export* report provided in the Provider Registration and International Student Management System (PRISMS).

4.5.1 Instances where a student program duration varies from the program duration recorded in CRICOS should be examined to identify any patterns of concern. (For example, in relation to students, student administration or program administration)

5 ENROLMENT REQUIREMENTS

5.1 Full-time Study

5.1.1 For an International Student, full-time enrolment at the University is deemed to be a study load of 1.0 EFTSL per year over two Study Periods.

5.1.2 All International Students, with the exception of International Students who are studying under inbound study abroad or student exchange arrangements, should be enrolled in a full-time Program and must be able to complete the Program in which s/he is enrolled within the specified duration for that Program, unless a Success Plan has been implemented in accordance with the *Procedure: Success Plans*.

5.1.2.1 Full-time Study for International Students who are studying under inbound study abroad or student exchange arrangements is normally considered to be 0.375 EFTSL in a Study Period.

5.1.3 An International Student cannot be transferred to a Program at a lower AQF level without applying for a new student visa from the Department of Home Affairs.

5.2 Part-time Study

5.2.1 For an International Student, Part-time Study is defined as a study load less than 1.0 EFTSL per year over two Study Periods.

5.2.2 A Success Plan may include reducing a student's study load to Part-time, subject to meeting the requirement for on campus study in clause 5.3.2.2 below.

5.2.2.1 Where a Success Plan includes a reduction in study load greater than 0.25 EFTSL in any given Study Period (equivalent to two standard 25 uoc Courses), written authorisation must be provided by the Director, Student Administration.

5.2.3 The University may vary an International Student's enrolment load through their Program provided that the study load is monitored to ensure the student completes the Program within the duration specified in the CoE.

5.3 Online or distance learning

5.3.1 An International Student may study Courses that can be credited towards their degree in distance learning or online study mode.

5.3.2 An International Student wishing to study one or more Courses in a distance learning or online study mode must comply with the following:

5.3.2.1 cannot study in a distance learning or online study mode whilst in Australia for more than one third of their total Program; and

5.3.2.2 in each compulsory Study Period the Student must be studying at least one Course in an on campus study mode, except if there is only one Course remaining in their Program; and

5.3.2.3 study Courses(s) by distance learning or online study mode where the Course(s) are undertaken in a non-compulsory Study Period, as long as the Courses do not equate to more than one-third of their total Program.

5.3.3 Where an International Student is studying a Course in a distance learning or online study mode, the arrangements for delivery will ensure

5.3.3.1 teaching staff maintain regular contact with the Student, and

5.3.3.2 that the Student is made aware of the support services they can access if needed.

6 DEFERMENT AND LEAVE OF ABSENCE

6.1 Where an International Student has been approved to postpone starting their study in the program to a later teaching period (defer their offer) in accordance with the *Procedure: Admission*, the University will:

6.1.1 Student Administration will inform the International Student in writing of the need to seek advice from the Department of Home Affairs on the potential impact on his or her student visa

6.1.2 report the change to the student's enrolment to the Department of Home Affairs via PRISMS, and

6.1.3 the International Office will maintain a record of documentation relating to the approval

and denial of applications for deferment, including records of applications, assessment, decisions and the notifications sent to students.

- 6.2** An International Student is only permitted to take a Leave of Absence from their studies under limited circumstances and in accordance with the University's *General Regulations*.
- 6.3** The grounds for approving a Leave of Absence, including the independent supporting documentation used to reach the decision to approve it, must be recorded and a revised CoE then issued.
- 6.4** The University is required to report to the Department of Home Affairs any Leave of Absence granted for each International Student.
- 6.5** A Student returning from Leave of Absence must re-enrol by the published date.
- 6.6** By not re-enrolling following a period of Leave of Absence, a student will be deemed to have 'inactively' advised the University they are no longer continuing with their studies. In these cases:
 - 6.6.1** the University will notify the Department of Home Affairs via PRISMS of the Student's inactive notification of cessation of studies; and
 - 6.6.2** The Student will be notified by email, that due to non-enrolment, they have been deemed to have 'inactively' ceased their studies and subsequently reported to the Department of Home Affairs.
- 6.7** Student Administration will maintain a record of documentation relating to the approval and denial of Student applications for Leave of Absence, including records of applications, assessment, decisions and the notifications sent to students.

7 MONITORING ENROLMENT

- 7.1** Student Administration will monitor the enrolment of each International Student at the beginning of each semester and prior to census date to confirm:
 - 7.1.1** the student is able to complete their program within the duration specified in their COE, and
 - 7.1.2** the student is meeting the enrolment requirements specified in section 4 of this policy.
- 7.2** Schools will also monitor course enrolment for individual students to ensure they meet the requirements in clauses 5.1, 5.2 and 5.3 of this Policy.
- 7.3** Where an International Student's enrolment status indicates they are at risk of not meeting the duration specified in their COE, the University will:
 - 7.3.1** advise the student in writing they are at risk of breaching the conditions of their visa, and
 - 7.3.2** work with the student to amend their enrolment to mitigate the risk of not meeting their COE duration.
- 7.4** Where an International Student's enrolment status indicates they are at risk of not meeting the duration specified in their COE, the University will:
 - 7.4.1** advise the student in writing they are at risk of breaching the conditions of their visa, and
 - 7.4.2** work with the student to amend their enrolment to mitigate the risk of not meeting their COE duration.
- 7.5** Where an International Student's enrolment status indicates they are not meeting the enrolment requirements specified in section 4 of this policy,, the University will:
 - 7.5.1** advise the student in writing they are at risk of breaching the conditions of their visa, and

- 7.5.2 work with the student to amend their enrolment to mitigate the risk of not meeting their COE duration.

8 MONITORING ACADEMIC PROGRESS

8.1 In accordance with the *Procedure: Academic Progress*:

- 8.1.1 program coordinators, course coordinators and other teaching staff will monitor student progress to identify individual students who may require early intervention and offer advice and support, or refer them to academic and other student support services, and
- 8.1.2 at each Board of Examiners meeting held at the end point of each Study Period the University will identify all International Students who are
 - 8.1.2.1 At risk of, or who have made, Unsatisfactory Progress, requiring a Success Plan to be implemented in accordance with the *Procedure: Success Plans*; or
 - 8.1.2.2 Subject to potential termination from the University, in which case the International Student shall be advised in writing of the University's intention to report them to the Department of Home Affairs and the appeal options available to them in accordance with the *Policy: Student Appeals*.

9 TRANSFER TO ANOTHER EDUCATION PROVIDER

- 9.1 A Student is expected to remain with the University in their Principal Program of study for no less than the first six months from the date of commencement of their Program.
- 9.2 Students may apply to the University to change their registered Provider during this period according to the *Procedure: International Student Transfer*.

10 STUDENT VISA CONDITIONS

- 10.1** Student Visa holders have specific conditions that must be upheld whilst studying and living in Australia, including, but not limited to:
- 10.1.1 Maintaining continued enrolment in a CRICOS registered Program and as per the Student's CoE;
 - 10.1.2 Maintaining satisfactory academic progress in each Study Period;
 - 10.1.3 Notifying the University in writing within seven days of arriving in Australia of the residential address;
 - 10.1.4 Notifying the University in writing of any change of address, within seven days;
 - 10.1.5 Not working more than 48 hours per fortnight during Study Periods, with the exception of work experiences that are part of Program requirements;
 - 10.1.6 Ensuring financial capacity for travel, tuition and living expenses for the duration of their stay in Australia (as accepted and agreed to on a Student's offer and acceptance at the point of admission to the University);
 - 10.1.7 Ensuring that any School-age dependents attend school in Australia; and
 - 10.1.8 Maintaining Overseas Student Health Cover (OSHC) for the Student and their family members for the duration of their visa and whilst in Australia.

11 RECORDS OF STUDENT DETAILS

- 11.1** The University will maintain a record of the following details for each International Student who is enrolled with the University or has paid tuition fees for a Program or Course offered by the University:
- 11.1.1 the Student's current residential address
 - 11.1.2 mobile phone number
 - 11.1.3 email address, and
 - 11.1.4 any other contact information relevant.
- 11.2** Student Administration will, at least every 6 months, contact each International Student to confirm in writing, the details in clause 11.1 and update the Student's record accordingly.

12 REPORTING TO DEPARTMENT OF HOME AFFAIRS

- 12.1** The University is required to report a Student to the Department of Home Affairs via PRISMS in the following circumstances:
- 12.1.1 changes to enrolment status;
 - 12.1.2 changes to Program enrolment;
 - 12.1.3 Program discontinuation/cessation of studies;
 - 12.1.4 early completion of a Program;
 - 12.1.5 failure to maintain satisfactory academic progress.
- 12.2** The University may report a Student to the Department of Home Affairs via PRISMS for other grounds, including but not limited to, misbehaviour, misconduct or non-payment of fees.
- 12.3** A student will be notified in writing of the University's intention to report them to the Department of Home Affairs and the reasons for the report to be made.
- 12.4** The University will wait for the outcome of an external appeal before reporting a Student to the Department of Home Affairs for failure to meet satisfactory academic progress.
- 12.5** In cases involving misbehavior, misconduct or non-payment of fees, the University is not required to wait for the outcome of the external appeal before reporting the Student to the Department of Home Affairs via PRISMS.
- 12.6 Internal appeal against a decision to report a student to the Department of Home Affairs**
- 12.6.1 A student who is not satisfied with a decision taken by the University to report them to the Department of Home Affairs may choose to lodge an internal appeal (where available) in accordance with the *Policy: Student Appeals*.
 - 12.6.2 A Student who does not contact the University or lodge an internal appeal within the published timeframe in the *Policy: Student Appeals* will be deemed to have 'inactively' advised the University they are not accessing the internal appeals process.
 - 12.6.3 A Student who intends to lodge an internal appeal, or has lodged an internal appeal, must maintain their enrolment at the University and continue to attend classes and submit assessments, until the outcome of the internal appeal has been notified.
- 12.7 External appeal against a decision to report a student to the Department of Home Affairs**
- 12.7.1 Where a student's internal appeal is denied or the Student is not satisfied with the decision, the Student may choose to lodge an external appeal to the Office of the Commonwealth Ombudsman in accordance with the *Policy: Student Appeals*.
 - 12.7.2 Within 20 working days of the outcome of the internal appeals decision, a Student must advise the Appeals Office in writing of their decision to lodge an external appeal with the Office of the Commonwealth Ombudsman.
 - 12.7.3 A Student who intends to lodge an external appeal or has lodged an external appeal, must maintain their enrolment at the University and continue to attend classes and

submit assessments, until the outcome of the external appeal has been notified.

- 12.7.4 If the Commonwealth Ombudsman makes recommendations in relation to an International Student's appeal, the recommendations will be implemented immediately and recorded on the Student's file.

13 COMPLAINTS AND GRIEVANCES

- 13.1** This Policy, and the availability of complaints and appeals processes, does not remove the right of the Student to take action under Australia's consumer laws.
- 13.2** The University will provide the contact details of the appropriate external complaints handling body.
- 13.3** A Student with a complaint may access the University's *Procedure: Student Grievance*.
- 13.4** The University's *Procedure: Student Grievance* does not apply to matters dealt with under the University's *Policy: Student Appeals*.

14 ROLES AND RESPONSIBILITIES

- 14.1 International Students** are responsible for:
- 14.1.1 complying with the conditions set out in their Student Visa, including notifying the University in writing of any changes to their contact details or address details within seven days of any change occurring;
 - 14.1.2 maintaining satisfactory academic progress and completing their Program of study within the expected duration on their CoE;
 - 14.1.3 participating in the agreed strategies set out in, and attending any meetings in relation to, a Success Plan;
 - 14.1.4 re-enrolling after any approved Leave of Absence by the published date;
 - 14.1.5 complying with the conditions if enrolled in online or distance education study;
 - 14.1.6 maintaining enrolment, attending classes and submitting assessments until the outcome of any appeals process is finalised;
 - 14.1.7 notifying the Appeals Office of the decision to lodge an external appeal with the Commonwealth Ombudsman.
- 14.2 Student Administration** is, in relation to International Students, responsible for:
- 14.2.1 approving a Course load of less than 50% in writing;
 - 14.2.2 assessing, in collaboration with the Schools, an application for Advanced Standing;
 - 14.2.3 monitoring and reporting student compliance with the conditions of their Student Visa and CoE;
 - 14.2.4 assessing applications to transfer to another education provider;
 - 14.2.5 ensuring that each student has a valid CoE on file and in PRISMS;
 - 14.2.6 reporting any changes to Student enrolment status, Program enrolment or discontinuation to the Department of Home Affairs via PRISMS;
 - 14.2.7 recording on a Student's file, independent supporting documentation of the grounds for approving a leave of absence;
 - 14.2.8 reporting to the Department of Home Affairs and issue a revised CoE via PRISMS, a Student who has been granted leave of absence;
 - 14.2.9 maintaining Student records/files including recording documentation relating to any changes to enrolment, and

14.2.10 contacting each Student at least every 6 months to confirm in writing the Student's details in clause 11.1 and update the Student's record accordingly.

14.3 Schools, in relation to International Students, are responsible for:

14.3.1 monitoring student workload to ensure Program completion within duration specified in CoE;

14.3.2 reporting students at academic risk to Student Administration at an early stage so as to monitor likely Program completion within the specified duration on the CoE;

14.3.3 ensuring the development of a Success Plan for students at risk of unsatisfactory performance; and

14.3.4 maintaining regular contact with International Students who are studying a Course a distance learning or online study mode and ensuring they are made aware of the supports services they can access if needed.

14.4 Board of Examiners is responsible for monitoring Student academic progress and identifying Students not making adequate progress.

14.5 Academic Registrar is responsible for:

14.5.1 providing development sessions, in conjunction with the National Director International, to ensure all staff (Academic and Administrative) receive up-to-date information regarding International Students and the University's compliance requirements;

14.5.2 ensuring the information relating to Programs available to International Students via CRICOS are correct;

14.5.3 informing the student of external appeal options available to them; and

14.5.4 ensuring recommendations made by Commonwealth Ombudsman in relation to an appeal are implemented where appropriate.

14.6 The Appeals Office is responsible for notifying relevant staff of an external appeal lodged by an International Student.

15 RELATED DOCUMENTS

15.1 *Education Services for Overseas Students Act 2000*

15.2 *National Code of practice for Registration Authorities and providers of Education and Training to Overseas Students 2018*

15.3 *Policy: Student Appeals*

15.4 *Procedure: Success Plans*

15.5 *Procedure: International Student Transfer (Change of Provider)*

15.6 *Procedure: Refunds for International Students*

15.7 *Procedure: Credit*

15.8 *Procedure: Academic Progress*

16 DEFINITIONS

16.1 For the purpose of this Policy, the following definitions apply.

CoE means the Confirmation of Enrolment document issued to each International Student who intends to study on a Student Visa in Australia. The CoE provides proof of acceptance into a specific Program of study at a specific institution. An International Student visa is issued by the

Department of Home Affairs according to the details provided on the Student's CoE.

Compelling or Compassionate Circumstances are generally beyond the student's control and have an impact on the student's attendance or wellbeing. These could include, but are not limited to:

- Serious illness or injury
- Bereavement of close family members
- Compulsory community commitments, such as Military service obligations
- Trauma, such as from being involved in a serious accident, witnessing or being the victim or a serious crime
- Permanent or temporary disability
- Major political upheaval or natural disaster in the home country that has impacted on the student's ability to study.

Course means a Course of study that is discrete in its objectives, content, methods and assessment.

CRICOS means Commonwealth Register of Institutions and Courses for Overseas Students.

Distance Learning is as defined in the National Code - any learning that an Overseas Student undertakes off campus and does not require an Overseas Student on a student visa to physically attend regular tuition for the Course on campus at the Provider's registered location.

EFTSL means Equivalent Full-time study load as defined in the *Higher Education Support Act (2003)*.

ESOS Act means *Education Services for Overseas Students Act 2000*.

Full-time study means EFTSL load no less than 1.0 EFTSL for two Study Periods over a year, in on-campus mode.

International Student means a Student who is a temporary visa holder and who is not an Australian or New Zealand citizen or the holder of a permanent residency or humanitarian visa.

National Code means the *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018*.

Online Learning is defined in the National Code as study where the teacher and Overseas Student primarily communicate through digital media, technology-based tools and IT networks and does not require the Overseas Student to attend scheduled classes or maintain contact hours. For the purposes 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.

PRISMS means Provider Registration and International Students Management System maintained by the Department of Home Affairs.

Program means a program of study approved by the University, the completion of which leads to the awarding of a Degree, Diploma or Certificate, at undergraduate or postgraduate level.

Registered Provider means an educational institution in Australia that offers education to International Students and is registered on CRICOS.

Satisfactory Progress is where a Student passes 50 per cent or more of the enrolled Credit Point load in a Semester.

Student means a person enrolled in a Program or Course at the University.

Study Period means a discrete period of study within a program in which a student undertakes and completes Courses of study.

Success Plan has the meaning stated in the *Procedure: Success Plans*. A Success Plan will include authorisation for a student to extend their program duration up to a specified date if appropriate and applicable.

Unsatisfactory Progress is where a Student does not achieve Satisfactory Progress.

Version	Date of approval	Approved by	Amendment
1	31 July 2007	DVC	Effective date – new Policy.
2	June 2008		Edited
3	September 2011	University Registrar	Updated
4	June 2012	University Registrar	Revisions made
5	2 December 2016	Academic Registrar	Revisions made
6	July 2018	PVC, International, Academic Registrar	Updated policy format and nomenclature include 'Program to Course'; DIBP to DOHA; minor edits to meet requirements of <i>National Code 2018</i> .
7	July 2021	Academic Registrar	Updated in line with new academic structure.
8	14 April 2023	Deputy Vice-Chancellor, International and Partnerships	Minor amendments – policy owner and responsible officer updated to reflect new academic structure.
9	22 August 2023	Deputy Vice-Chancellor, International and Partnerships	Minor amendment – clarifying definition of <i>full-time</i> for international students studying under inbound study abroad or student exchange agreements (cl. 2.1.2.1).
10	6 August 2026	University Secretary	Administrative changes to correct clause numbering and replace references to <i>Procedure: Intervention Strategy</i> with <i>Procedure: Success Plans</i> .