

# Compassionate and Compelling Circumstances for Onshore International Students - Guidelines

## Section 1 - Overview

(1) The [National Code of Practice for Providers of Education and Training to Overseas Students \(National Code 2018\)](#) requires the University to demonstrate compliance with the National Code 2018 at the point of CRICOS registration and throughout its CRICOS registration period.

(2) This compliance requirement also applies to students enrolled in courses delivered in association with another provider where the University is the registered provider. Southern Cross University is responsible for breaches of the National Code, whatever the nature of its contractual or other arrangements with another provider.

## Section 2 - Purpose and Scope

### Purpose

(3) These Guidelines are developed to assist holders of delegated authority who make assessments as to whether a student's circumstances may be deemed compassionate and compelling.

### Scope

(4) These guidelines apply to all onshore international students at Southern Cross University and its Educational Partners and should be used when assessing:

- a. Leave of Absence applications;
- b. Reduced Study Load applications;
- c. Extension of COE applications;
- d. Letter of Release/Transfer applications;
- e. Failure to complete the course within the expected duration;
- f. Failure to meet attendance requirements;
- g. Deferral of course commencement;
- h. Academic appeals; and
- i. Other appeals lodged through internal University policies and procedures.

## Section 3 - Guidelines

(5) Compassionate or compelling circumstances include general or personal circumstances that are adversely affecting a student's education in Australia and must:

- a. be beyond the control of the student; and
- b. occur subsequent to the student accepting an offer to study at Southern Cross University; and

- c. have an impact on the student's general well-being or their capacity to progress through their course.

## **Compassionate and compelling circumstances**

(6) Compassionate and compelling circumstances may include:

- a. Medical illness or injury of a student or the student's close family members requiring hospitalisation or apply functional impact on the student's day to day activities;
- b. Bereavement of close family members such as parents, grandparents and children (where possible a death certificate should be provided);
- c. An adverse experience that has impacted on the student such as involvement or witnessing a serious accident or witnessing or being a victim of crime;
- d. Major political upheaval or natural disaster in the students' home country requiring emergency travel and which has impacted on their studies;
- e. Inability to begin studying on the course commencement date due to a delay in receiving a student visa;
- f. Lack of unit availability.

(7) Compassionate and compelling circumstances do not include:

- a. A desire to change a course due to lower fees
- b. The course is not what was expected
- c. Minor illnesses or homesickness
- d. Difficulties in adjusting to living in Australia or academic life
- e. Failure to enrol in a course by the enrolment date
- f. Failure to understand or seek clarification of key dates or withdrawal procedures
- g. Financial problems
- h. A desire to move to another provider to be with friends
- i. Work commitments

## **Assessing requests for compassionate and compelling circumstances**

(8) When assessing a claim for compassionate and compelling circumstances, staff are required to:

- a. Use professional judgment and assess each case on its individual merits;
- b. Where possible, interview the student involved;
- c. Consult with relevant Faculty or academic staff members;
- d. Consider documentary evidence provided to support the claim;
- e. Keep copies of all documents, together with a record of why the decision was made;
- f. Provide an outcome in writing giving reasons for the decision to the student and if required, information on the appeals process; and
- g. Provide the student determined to have been affected by a compassionate or compelling circumstance with appropriate assistance.

## Status and Details

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