

# 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 applies to student visa holders enrolled at Southern Cross University and 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 visa holder's circumstances may be deemed compassionate and compelling.

### Scope

(4) These guidelines apply to all onshore international students visa holders at Southern Cross University and its educational partners and should be used when assessing:

- a. Leave of Absence/Suspension of Study applications;
- b. Reduced Study Load applications;
- c. Extension of Confirmation of Enrolment (COE) applications;
- d. Letter of Release/Transfer applications;
- e. Failure to meet satisfactory progression requirements;
- f. Failure to meet attendance requirements;
- g. Deferment 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;
- c. have an impact on the student's general well-being or their capacity to progress through their course; and
- d. be supported by appropriate, official documented evidence as set out in clause (8).

## Compassionate and compelling circumstances

(6) Compassionate and compelling circumstances may include:

- a. Significant health condition or injury of a student requiring medical intervention or hospitalisation that has functional impact on the student's day to day activities or capacity to undertake study;
- b. Significant health condition or bereavement of close family members such as partner, parents, grandparents and children, or close friends;
- c. Instances where a student with carer responsibilities is required to support dependents or close family members;
- d. An adverse or traumatic experience that has significantly impacted the student such as involvement or witnessing a serious accident or being a victim of or witnessing a crime;
- e. Major political upheaval or natural disaster in the student's home country which has impacted their capacity to undertake study or requires emergency travel;
- f. Inability to begin studying on the course commencement date due to a delay in receiving a student visa;
- g. Lack of unit availability where an appropriate unit substitution cannot be accommodated;
- h. Compulsory military service or jury duty in the student's home country;
- i. Parental leave.

(7) Compassionate and compelling circumstances do not include:

- a. A desire to change a course of studies in the first six months of the principal course for reasons other than those stated in the International Student Transfer Request Policy, such as lower course fees or to be with friends;
- b. Dislike of a course or unit;
- c. Circumstances within the student's control, or which can reasonably be expected to occur in the normal course of the student's study, work, family or social life (for example, 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 maintain a full-time study load without prior approval that results in failure to complete the course within the expected course duration;
- g. Failure to understand or seek clarification of key dates or withdrawal procedures;
- h. Financial problems;
- i. Work commitments.

## Supporting Documentation

(8) An application for compassionate and compelling circumstances will normally be supported with documentary evidence, such as.

Circumstance	Documentation
Serious personal illness or injury	Medical certificate on letterhead of a registered health practitioner including dates for start and end of medical leave or treatment

Carer responsibilities	Medical certificate or letter from a registered health practitioner including dates for start and end of treatment, or statutory declaration signed by a Justice of the Peace detailing circumstances including start and end dates
Death of a close family member or friend	Death certificate or statutory declaration signed by a Justice of the Peace detailing circumstances including start and end dates
Victim or witness of criminal or distressing incident	Police report, Riskware report or statutory declaration signed by a Justice of the Peace detailing circumstances including start and end dates
Jury duty or military service	Formal letter or notice detailing the dates of service required
Pregnancy or maternity/paternity leave	Medical certificate with the expected due date or adoption date, or birth certificate of the child
Natural disaster or civil unrest	Statutory declaration signed by a Justice of the Peace detailing circumstances and impact, including start and end dates
Lack of available unit of study	No documentation required if no suitable unit can be identified by International Student Support team
Other compassionate or compelling circumstance	Statutory declaration signed by a Justice of the Peace detailing circumstances and impact, including start and end dates

(9) Where a document is issued in a language other than English it must be translated and signed by an accredited NAATI translator.

## Assessing requests for compassionate and compelling circumstances

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

- a. Use professional judgment and assess each case on its individual merits;
- b. Where further information is required, interview the student involved and/or consult relevant staff members, with the permission of the student;
- c. Consider documentary evidence provided to support the claim;
- d. Respond to the application in a timely manner; and
- e. Provide the student with appropriate assistance, regardless of the outcome of the application.

(11) Following the assessment of a student's request for compelling or compassionate circumstances, the processes described in the documents listed below are to be applied:

- a. [Enrolment Deferment, Suspension, Cancellation Procedures – International Students](#)
  - i. Deferment of Course Commencement
  - ii. Reduced Study Load
  - iii. Extension of COE applications
  - iv. Leave of Absence (Request for Suspension of Studies)
  - v. Enrolment cancellation
- b. [International Student Transfer Request Policy](#)
  - i. Letter of release/study transfer applications
- c. [Academic Board Appeals Committee Procedures](#)
  - i. Academic appeals
- d. [Rule 2 – Coursework Awards – General Provisions](#)
  - i. Coursework students failing to meet satisfactory course progressions requirements
- e. Rules, [7](#), [8](#) and [9](#)

- i. Higher degree by research students failing to meet satisfactory course progression requirements
- f. [English Language Intensive Courses for Overseas Students \(ELICOS\) Academic Progress policy](#)
  - i. ELICOS students failing to meet satisfactory course progression requirements
- g. [English Language Intensive Courses for Overseas Students \(ELICOS\) Attendance Policy](#)
  - i. ELICOS students failing to meet attendance requirements.

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	20th August 2025
<b>Review Date</b>	20th August 2028
<b>Approval Authority</b>	Director, Business Intelligence and Quality
<b>Approval Date</b>	20th August 2025
<b>Expiry Date</b>	Not Applicable
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