

# **Guidelines: Compassionate and Compelling Circumstances for Full-Time International Students (Irrespective of Study Location in Australia)**

## **Introduction**

The revised National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (National Code 2007) requires UNE to demonstrate its compliance with the National Code 2007 at the point of CRICOS registration and throughout its CRICOS registration period.

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

All UNE Faculties, administrative units, Residences and domestic partners of UNE are to ensure that policies and procedures pertaining to complaints and appeals which fall under their jurisdiction are amended to reflect these guidelines.

These guidelines provide Faculties, administrative units, Residences and domestic partners of UNE with a definition of what constitutes compassionate and compelling circumstance when considering an international student's:

- Inability to complete the course within the expected duration (Standard 9: Completion Within Expected Duration);
- Failure to meet attendance requirements (Standard 11: Monitoring Attendance);
- Assessment, approval/rejection and recording of a deferment of the commencement of study or suspension of study (Standard 13: Deferment, Suspension or Cancellation of Study During Enrolment); or
- Other appeals lodged through the internal policies and procedures of UNE or its domestic partners (Standard 8: Complaints and Appeals).

## **Guidelines**

Compassionate or compelling circumstances must:

- be beyond the control of the student; and
- occur subsequently to the student accepting an offer to study at UNE; and
- have an impact on the student's general well-being or their capacity and/or ability to progress through their course.

Compassionate and compelling circumstances may include:

1. Serious illness or injury, where a medical certificate states that the student was unable to attend classes.
2. Bereavement - close family members 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 their emergency travel and this has impacted on their studies.
4. A traumatic experience which could include but is not limited to:
  - involvement in or witnessing of an accident or crime;
  - a crime committed against the student;and these experiences have impacted on the student (cases should be supported by police or psychologists' reports).
5. Inability to begin studying on the course commencement date due to delay in receiving a student visa.
6. If the student has failed occasional units throughout the course, but has not performed poorly enough to become subject to the Faculty Early Intervention Strategy for course progress.
7. If a student's course progress or approved study load prior to 1 July 2007 would lead to the student being unable to complete within the expected duration.
8. Other clearly compassionate and compelling circumstances at the discretion of the Director, English Language and International Services (ELIS).

When assessing a claim for compassionate and compassionate and compelling circumstances the Director, ELIS is required to:

- Use their professional judgment and to assess each case on its individual merits;
- Interview the student involved;
- Consider documentary evidence provided to support the claim; and
- Keep copies of these documents, together with a record of why the decision was made, in the student's file.

**Approval signature**

11/7/07  
.....  
**Date**

  
.....  
**Deputy Vice-Chancellor (Development and International)**

