

## Course/unit variations for overseas students

### *Special/compassionate or compelling circumstances provision for deferment or leave of absence*

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**Special/compassionate or compelling circumstances** apply to overseas students relating to course variations and deferment or leave of absence.

#### **Background**

As an overseas student on a student visa, you can only be granted deferment/leave of absence from your course of study in special/compassionate or compelling circumstances. Australian Lutheran College [ALC] is required to inform the Department of Immigration and Citizenship [DIAC] of the changes in your enrolment and if required, issue you with a new Confirmation of Enrolment [CoE]. Deferment can have several implications for your visa, depending on the reason for and duration of your leave.

#### **What is deferment/leave of absence?**

Deferment or leave of absence is authorised leave from your course of study for an agreed time period, which may affect your ability to return to Australia and/or to complete your course. Usually you are required to depart Australia. Only in limited circumstances will your student visa remain valid to return to Australia.

#### **How do I apply for deferment/leave of absence?**

If you are unable to continue your studies, you should contact your Head of School to discuss and authorise deferment of your course. When you decide to apply for leave of absence, you must complete and submit an [Enrolment Variation Form](#) and attach medical certificates or other documentary evidence of exceptional special/compassionate or compelling circumstances, including how these were beyond your control. You also may need to complete additional school-specific administrative processes.

#### **What will happen to my student visa?**

##### **Compassionate or compelling circumstances**

If you are granted leave of absence on grounds of special/compassionate or compelling circumstances, your visa will remain valid and will allow you to return to Australia to resume your studies.

The issue should be of sufficient severity that it represents a significant interruption to your unit workload.

Compassionate or compelling circumstances may include [but are not limited to] consideration of the following:

- Serious illness, injury or misadventure [defined as an event beyond student control which disrupts the student's academic workload]
- Pregnancy or childbirth
- Serious illness or bereavement of close family members
- Course structure or subject availability
- Inability to commence or resume your studies due to visa processing delays
- Political upheaval or natural disaster in your home country
- Traumatic experiences, such as involvement in or witnessing of a serious accident or crime

Your application for leave of absence must be supported by appropriate documentation, such as medical certificates, a brief statement from the Overseas

Student Supervisor or Head of School, police reports. Usually, leave of absence will alter the expected duration of your course. If this is the case, the Office of Registrar will inform the DIAC of the changes in your enrolment and provide you with a new CoE.

### **Other reasons**

If you have applied for and been granted leave of absence for circumstance other than mentioned above, ALC must inform DIAC that you have ceased your studies. Your CoE will be cancelled and your student visa is subject to cancellation. Before you return to Australia to resume your studies, you must obtain a new CoE and apply for a new [student visa](#).

### **Leave of absence for more than 6 months**

DIAC usually allows for leave of absence on special/compassionate or compelling circumstances for a maximum of one semester or six months. A leave of absence for more than six months will result in the cancellation of your CoE and student visa. Before you return to Australia to resume your studies, you must obtain a new CoE and apply for a new [student visa](#).

### **What if I do not provide supporting documents with my application?**

If you do not provide appropriate supporting documents, ALC must inform DIAC that you have ceased your studies. Your CoE will be cancelled and your student visa is subject to cancellation. Before you return to Australia to resume your studies, you must obtain a CoE and apply for a new [student visa](#).

### **What do I have to do when my leave starts?**

If your application is approved, you must depart Australia within 14 days after the start of your leave and remain outside Australia until the end date of your leave.

You are only permitted to stay in Australia if your leave is less than 28 days in duration or if you are unable to travel for medical reasons evidenced by medical certificates. You will need to indicate your intention to stay in Australia on the [Enrolment Variation Form](#).

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### **Avenue for review**

If a student believes that the application of the policy in a particular situation is inequitable and wishes to have the matter reviewed, an appeal may be submitted in accordance with ALC's Grievance Policy: [www.alc.edu.au/policies.asp](http://www.alc.edu.au/policies.asp).