

'GENUINE STUDENT' REQUIREMENT OVERSEAS STUDENTS



To be a student at CHC, you must demonstrate that you are a **genuine student**.

Once you have signed and returned your Written Agreement and have been issued with a Confirmation of Enrolment (CoE) certificate, you have entered into a contract with CHC to commence your studies on an agreed starting date. As such, CHC expects that you will meet the conditions of your Written Agreement by attending the mandatory Orientation program and attending your classes from the beginning of the semester in which you commence your course.

Having entered into this contract, you are permitted to change your enrolment in limited circumstances only. Such changes include *cancelling your enrolment*, *deferring your enrolment*, *amending your Written Agreement* and *suspending your enrolment*. These changes can be made only where the circumstances involved meet the conditions described in the relevant section below.

Where an application to change your enrolment is not approved and you default on your Written Agreement, the provisions of CHC Policy: *Refunds for Overseas Students* will apply to any determination regarding the repayment of the non-refundable deposit that was paid to accept your original offer of admission and any other fees that apply (as described in the *Administrative Fees* document on the CHC website). Where the conditions for the payment of a refund as defined in this policy are not demonstrated, the non-refundable deposit will be forfeited to CHC.

Please note that this does not relate to overseas students who wish to withdraw from their enrolment at CHC in order to transfer to another provider. This is covered by CHC Policy: *Overseas Student Transfers*.

Cancelling your enrolment

After you have signed and returned your Written Agreement, it may happen that circumstances arise which mean that you need to cancel your enrolment prior to commencing your course. This is possible where it can be demonstrated that the circumstances involved are beyond your control and impact upon your ability to commence the course on the agreed day and/or upon your wellbeing. Examples of such 'special circumstances' can be found in the appendix to this document.

Applying to cancel your enrolment prior to commencing your course is done by submitting an *Application to Cancel Enrolment – Overseas Student* form. Your application will be assessed against CHC Policy: *Cancellation of Enrolment for Overseas Students*, and you will be informed in writing of the outcome of your application.

If your application to cancel your enrolment is approved, CHC will cancel your CoE and record your release from the course in PRISMS (if required).

If your application to cancel your enrolment is not approved, your CoE will not be cancelled and you will be expected to commence your course on the agreed starting date. If you do not commence your course on the agreed starting date, you will be considered as having defaulted on your Written Agreement and your CoE will be cancelled; however, a release will not be recorded in PRISMS and you will need to contact the Department of Home Affairs with regard to the implications for your student visa.

Deferring your enrolment

After you have signed and returned your Written Agreement, it may happen that circumstances arise which mean that you need to defer your enrolment prior to commencing your course. This means that you wish to postpone the agreed starting date for your course. This is possible where it can be demonstrated that the circumstances involved are beyond your control and impact upon your ability to commence the course on the agreed day and/or upon your wellbeing. Examples of such 'special circumstances' can be found in the appendix to this document.

If you wish to postpone the agreed starting date for your course in order to undertake an additional course prior to commencing at CHC, please see the section, *Amending your Written Agreement*, below.

Applying to defer your enrolment is done by submitting an *Application for Deferral (Overseas Students)* form. Your application will be assessed against CHC Policy: *Deferral for Overseas Students*, and you will be informed in writing of the outcome of your application.

You can apply to defer your enrolment to the next available commencing date for the course in which you are enrolled. Most courses at CHC have commencing dates in February (Semester 1) and July (Semester 2); however, some have commencing dates in February (Semester 1) only.

If your application to defer your enrolment is approved, CHC will record the deferral in PRISMS and issue a new CoE showing the revised agreed starting date for your course.

If the circumstances upon which a deferral was approved remain in existence at the end of the period of deferral, you may apply for a second period of deferral to the next available commencing date for your course. The same conditions and approval processes will apply to the second period of deferral, and you will be issued with another CoE. You may apply for a maximum of **two** periods of deferral.

If your application to defer your enrolment is not approved, your agreed starting date will not be revised and you will be expected to commence your course on the original agreed starting date. If you do not commence your course on this date, you will be considered as having defaulted on your Written Agreement and your CoE will be cancelled; however, a release will not be recorded in PRISMS and you will need to contact the Department of Home Affairs with regard to the implications for your student visa.

Amending your Written Agreement

After you have signed and returned your Written Agreement, it may happen that circumstances arise which mean that you wish to amend the details of your Written Agreement. This is possible where you wish to:

- change the course that you are completing as a condition of your admission to CHC; and/or
- change the date of your commencement at CHC for the reason of undertaking an additional course with another provider prior to commencing your studies at CHC.

If you wish to change the course that you are completing as a condition of your admission to CHC, you must inform CHC as changing this course changes the basis of the offer that CHC has made to you, and this needs to be reflected in an amended Written Agreement. If you change the course that you are completing as a condition of your admission to CHC and do not inform CHC, CHC has the right to cancel your enrolment because you will not have fulfilled the conditions of the offer and will therefore have voided the offer.

If you wish to change the date of your commencement at CHC for the reason of undertaking an additional course with another provider prior to commencing your studies at CHC, you may do so only where the additional course meets the following requirements:

- the additional course will contribute to your meeting of the course entry requirements for your course at CHC; and/or
- the additional course will contribute to or enhance the likelihood of success in your CHC course, where your academic record indicates a lack of success.

Examples of cases that meet these requirements include but are not limited to:

- if you have been approved to enter CHC upon the basis of a VET Diploma but then wish to undertake the subsequent Advanced Diploma prior to commencing at CHC; and
- if you have been approved to enter CHC upon the basis of a VET qualification but then wish to undertake further studies in the English language prior to entering CHC.

Examples of cases that do not meet these requirements include but are not limited to:

- if you have been approved to enter CHC upon the basis of a VET course (eg Diploma) but then wish to undertake studies at a lower AQF level than the original prior course (eg Certificate IV); and
- if you have been approved to enter CHC upon the basis of a VET course who then wish to undertake studies in a different field to the original prior course, regardless of the AQF level.

If you wish to amend the details of your Written Agreement in either of these ways, you should read this information *before* you sign a Letter of Offer from another provider, and contact CHC Admissions if you are unsure about whether or not your proposed amendments meet these conditions.

Applying for an amended Written Agreement is done by submitting an *Application for Amended Written Agreement (Overseas Students)* form. This application will be assessed against the 'genuine student' requirements, and you will be informed in writing of the outcome of your application.

If your application for an amended Written Agreement is approved, CHC will issue the amended Written Agreement for you to sign and return to indicate that you accept the terms of the amended offer. After CHC has received the signed Written Agreement, CHC will issue an amended CoE showing the revised conditional course and/or the revised agreed starting date for your course.

If your application for an amended Written Agreement is not approved, CHC will not issue an amended Written Agreement and you will be expected to commence your course on the original agreed starting date. If you do not commence your course on this date, you will be considered as having defaulted on your Written Agreement and your CoE will be cancelled; however, a release will not be recorded in PRISMS and you will need to contact the Department of Home Affairs with regard to the implications for your student visa.

Suspending your enrolment

After you have commenced your course and completed one semester of study, it may happen that circumstances arise which mean that you wish to suspend your enrolment during your course of study (known as 'leave of absence'). This is possible where it can be demonstrated that the circumstances involved are beyond your control and impact upon your ability to continue your course at that time and/or upon your wellbeing. Examples of such 'special circumstances' can be found in the appendix to this document. It is also possible to suspend your enrolment (take a leave of absence) to enrol in a course at another provider where it can be demonstrated that this course will contribute to or enhance the likelihood of success in your CHC course, where your academic record indicates a lack of success.

Examples of cases that meet this requirement include but are not limited to:

- if you have commenced your course at CHC but then wish to engage in further English language studies before returning to your course at CHC.

Examples of cases that do not meet this requirement include but are not limited to:

- if you are currently studying at CHC and wish to take leave of absence to study in any course other than an English language course.

Applying to suspend your enrolment (take a leave of absence) is done by submitting an *Application for Leave of Absence* form. This application will be assessed against CHC Policy: *Leave of Absence for Overseas Students*, and you will be informed in writing of the outcome of your application.

If your application to suspend your enrolment (take a leave of absence) is approved, CHC will record the suspension (leave of absence) in PRISMS and issue a new CoE if the end date of your course is impacted by the suspension.

If your application to suspend your enrolment (take a leave of absence) is not approved, you will be expected to continue your enrolment in your course. If you do not continue your enrolment, you must withdraw from your enrolment or CHC will cancel your enrolment. In both cases, your CoE will be cancelled and you will need to contact the Department of Home Affairs with regard to the implications for your student visa.

APPENDIX: EXAMPLES OF 'SPECIAL CIRCUMSTANCES'



The *National Code 2018* allows for the deferment of the commencement of your enrolment and the suspension of your enrolment only where 'special circumstances' apply. These are compassionate or compelling circumstances that can be demonstrated as being beyond your control and preventing you from commencing your enrolment on the agreed day or from continuing your enrolment in your course.

Examples of 'special circumstances' include, but are not limited to:

- serious illness or injury (accompanied by a medical certificate);
- bereavement of close family members (where possible, a death certificate is to be provided);
- major political upheaval or natural disaster in your home country which requires emergency travel;
- a traumatic experience, such as involvement in or witnessing of a serious accident, or witnessing or being the victim of a serious crime (to be supported by police or psychologists' reports);
- refusal of, or delay in receiving, a student visa; and
- where CHC is unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.

The *National Code 2018* also allows registered providers to use their professional judgement to determine other examples of 'special circumstances'. Students who meet the requirements as stated for undertaking an additional course either prior to commencing their enrolment at CHC or during a suspension of their enrolment at CHC are considered to have a compelling reason for undertaking the additional course and so meet the requirement for 'special circumstances'.