

Compassionate and Compelling Circumstances Policy (Overseas Students)

Policy Name	Compassionate and Compelling Circumstances Policy (Overseas Students)
Policy ID	UNSWG - SMP8
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Approval Date	November 2008
Review Date	November 2009
Responsibility	Manager, Student Support
Approved By	General Manager, Compliance and Student Management

1. Preamble

UNSW Global recognises that there might be compassionate and compelling circumstances beyond the control of the student that have an impact upon the student's ability to progress through their course and/or will have an impact on their general wellbeing. When determining whether compassionate or compelling circumstances exist, UNSW Global will consider the documentary evidence provided to support the claim and assess each case on its individual merits. Copies of all documentation will be kept in the student's file.

2. Scope

This policy applies to:

- Students seeking to enroll in UNSW Foundation Studies and Institute of Languages courses
- UNSW Global Student Services staff involved in the admission to UNSW Foundation Studies and UNSW Institute of Languages CRICOS registered courses
- UNSW Global Student Support staff with the responsibility for providing support and advisory services to students
- UNSW Global staff involved in the academic delivery, management or administration of students.

3. Definitions

UNSW Global Pty Limited, a not-for-profit provider of education, training and consulting services, is a wholly owned enterprise of the University of New South Wales (UNSW).

UNSW Global Pty Limited and UNSW Institute of Languages CRICOS Provider No 01020K.

The University of New South Wales (UNSW) CRICOS Provider No 00098G.

4. Terminology

Compassionate and compelling circumstances – involuntary family, medical or general wellbeing reasons beyond the control of the student

Beyond control – circumstances or situations which could not have been prevented and in which there is little or no alternative

5. Policy Statement

This policy complies with the following legislative framework governing the delivery of education to overseas students studying in Australia on a student visa:

- Education Services for Overseas Students (ESOS) Act 2000
<http://www.comlaw.gov.au/comlaw/management.nsf/lookupindexpagesbyid/IP200401844?OpenDocument>
- National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (The National Code 2007)
<http://aei.dest.gov.au/AEI/ESOS/NationalCodeOfPractice2007/Default.htm>

6. Policy Implementation

UNSW Global Pty Limited, represented by its educational groups UNSW Foundation Studies and UNSW Institute of Languages must comply with the ESOS Act and its regulations. Each staff member involved in the promotion, recruitment, admission, delivery, management or administration of overseas students on student visas is responsible for the implementation of this policy.

7. Policy Review

The Manager Student Support will review this policy annually, or in case of legislative changes governing the delivery of education services to overseas students on a student visa.

8. Compassionate and Compelling Circumstances - Definition

Compassionate or compelling circumstances are generally those beyond the control of the student and which have an impact upon the student's course progress or wellbeing. These could include, but are not limited to:

- Serious illness or injury, where a medical certificate states that the student was unable to attend classes;
- Bereavement of close family members such as parents or grandparents (Where possible a death certificate should be provided);
- Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies; or
- A traumatic experience which could include:
 - Involvement in, or witnessing of a serious accident; or
 - Witnessing or being the victim of a serious crime, and this has impacted on the student (these cases should be supported by police or psychologists' reports)
- Inability to begin studying on the course commencement date due to delay in receiving a student visa
- Other clearly compassionate and compelling circumstances at the discretion of UNSW Global

9. Procedure for implementation

- Medical certificates must be issued by a registered doctor, include the contact details of the doctor, state that the student is unfit to attend class and include the length of time the student will be unfit to attend class
- Death certificates provided as evidence must be translated into English and be certified
- Evidence submitted in claim of a traumatic experience must be supported by police reports, a registered psychologists' reports or be in the form of a letter/report issued by other suitably qualified professional

- Evidence of a major political upheaval or natural disaster having occurred within reasonable proximity of the student, and is, or was likely to have had an impact on the student's ability to continue or commence their studies

10. Decision making process

In the event of a student / parent / agent applying for or requesting course leave, deferment of studies, repeating the program, or delaying commencement of the program the following staff will be involved in the decision making process

1. In case of late enrolments (delaying commencement)
 - Student Services staff and Head of Academic Programs/Director of Studies
2. In case of deferment of studies (course leave) or requests to repeat
 - Student Services staff
 - Head of Academic Programs /Director of Studies
 - Manager of Teaching Operations
 - Student Support staff