

# RMIT University Pathways (RMIT UP) Enrolment and Enrolment Variation Procedure

## Section 1 – Purpose

- (1) The RMIT UP Enrolment and Enrolment Variation Procedure provides the rules for enrolment and enrolment variation of students in RMIT UP English Language Intensive Courses for Overseas Student (ELICOS) programs. The rules contained within this procedure are in accordance with the requirements of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

## Section 2 – Authority

- (2) Authority for this document is established by the RMIT Enrolment Policy.

## Section 3 – Scope

- (3) This procedure applies to RMIT UP ELICOS program enrolments.

## Section 4 – Procedure

### Enrolment

#### Requirements for Enrolment

- (4) A person is eligible to enrol in an RMIT UP program if they:
  - a. have received a formal offer of admission to the program
  - b. have met any conditions stated in the offer
  - c. have accepted and paid any applicable fees for the program or, if applicable have:
    - i. a financial guarantee from a sponsor for the accepted program
    - ii. entered into an approved alternative payment arrangement with RMIT UP.
  - d. have a valid visa which allows study in Australia for the duration of their program.
- (5) To enrol, student must:
  - a. accept the terms and conditions as outlined in the RMIT UP Enrolment Agreement and
  - b. complete and submit an ELICOS Student Enrolment form and
  - c. provide satisfactory proof of their citizenship/residency status, identity and date of birth.

#### Minimum age for enrolment

- (6) An applicant must be at least 16 years of age on the commencement date of the program in which they enrol as a student.
- (7) Under exceptional circumstances, the RMIT UP Chief Executive Officer may seek approval from the Deputy Vice-Chancellor (Education) to approve the enrolment of an applicant aged younger than 16 years.

- (8) RMIT UP will only permit the enrolment of an international student studying in Australia on a student visa who is under 18 years of age if they provide:
  - a. written consent of a parent or legal guardian to the enrolment, and
  - b. written permission for RMIT UP or RMIT University to provide student information to a parent or legal guardian upon request.
- (9) Applicants who will study at RMIT UP on an international student visa in Australia and who will be under 18 years of age at the time they commence their program must satisfy all applicable Australian legislative requirements including guardianship, accommodation and welfare arrangements.

#### **Enrolment by proxy**

- (10) Enrolment by proxy is not allowed. Each student must enrol personally, so their identity can be verified.

#### **Late enrolment**

- (11) All students receive information about the program enrolment date in their offer letter.
- (12) The last day to enrol for new and/or returning students is the first day of week 2 of the scheduled program.
- (13) Students who do not enrol by the final day of enrolment are required to apply for a deferral of their offer and will be advised as such via email by RMIT International Student Services.
- (14) Students may only enrol into the program after the first day of Week 2 in exceptional circumstances and at the discretion of the Deputy Director, English Additional.

#### **RMIT ELICOS only enrolments**

- (15) A person may enrol in an ELICOS program out of interest only and with no future planned admission to RMIT University.

#### **School aged dependents of RMIT UP students**

- (16) Dependent children of intending students between the ages of five (5) (before 30 April in the year of commencement) and 16 are required to attend school and payment in full of school fees will be required.
- (17) Parents may apply to enrol their children at any school registered with the Victorian Government.

#### **Lapse of enrolment**

- (18) A student's enrolment may lapse if they have failed to return from (or have failed to obtain formal approval to extend) a period of leave of absence by the relevant prescribed date.

#### **Effect of exclusion, suspension or expulsion**

- (19) A person who has been expelled from an RMIT UP program is:
  - a. no longer an RMIT UP enrolled student
  - b. not permitted to enrol in any program or course at any RMIT institution (including programs or courses offered by an RMIT institution via another provider)
  - c. not entitled to use the services offered by any RMIT institution to enrolled students.
- (20) A person who has been suspended from an RMIT UP program is, for the period of the suspension:
  - a. not permitted to enrol in any program or course at any RMIT institution
  - b. not entitled to use the services offered by any RMIT institution to enrolled students.
- (21) At the end of a specified period of suspension from an RMIT UP program, a student:

- a. has the right to resume their studies in the same program they were studying when suspended, subject to availability
  - b. is required to meet any conditions for resumption of their studies that have been set by the institution.
- (22) A person who has been excluded from an RMIT UP program:
- a. is not permitted to enrol in any RMIT UP courses during the period of their exclusion
  - b. is not entitled to use the services offered by any RMIT institution to enrolled students
  - c. may apply for admission to another RMIT institution.

## **Attendance**

### **Attendance requirements**

- (23) In accordance with Australian legislation, all student visa holders must maintain a minimum attendance rate of 80% for each study period.

### **Required actions for management of student attendance**

- (24) RMIT UP will establish and maintain an official timetable of contact hours for each accredited program in accordance with program requirements.
- (25) RMIT UP will establish a formal roll of students for each class.
- (26) Students will be provided with the specific requirements of attendance at the time of enrolment.
- (27) The details of RMIT UP's intervention strategy for students who have been absent for more than five consecutive days, or who are at risk of not meeting attendance requirements is prescribed in the RMIT University Pathways (RMIT UP) Student Attendance Instruction.

### **Reporting requirements for students who breach attendance requirements**

- (28) RMIT UP is required to report student visa holders who breach attendance requirements to the Australian government.
- (29) RMIT UP will inform the student in writing of the intention to report their unsatisfactory attendance, including the reason for the decision and details on the appeal process.
- (30) RMIT UP will not report on a student's unsatisfactory attendance until the finalisation of the appeals process.

## **Leave of Absence**

### **Leave of absence eligibility requirements**

- (31) A student who wishes to suspend their studies in RMIT UP and retain their place in the program for a specified period must apply for a leave of absence to retain their rights as a continuing student.
- (32) A leave of absence is not available for prospective students who have been offered a place in RMIT UP and have not yet enrolled but wish to defer their studies. In these instances, applicants may apply to defer their enrolment in the program.
- (33) For international students studying in Australia on a student visa, a leave of absence can only be granted in compassionate or compelling circumstances and students must have documentary evidence to support their application.
- a. Students studying in Australia on a student visa and applying for a leave of absence are advised to seek advice from the Department of Home Affairs regarding the potential impact on their visa.

**Duration of a leave of absence**

- (34) A leave of absence must have a definitive start date and must be for a specified amount of time.
- (35) A leave of absence from an RMIT UP program will normally be restricted to a total maximum duration of 6 months.
- (36) A leave of absence for a total of more than 6 months may be approved in exceptional circumstances by the RMIT UP Chief Executive Officer.

**Approving authority and reporting leave of absence**

- (37) Leave of absence for RMIT UP students must be administratively approved by the RMIT UP Senior Student Services Advisor - Compliance (or delegate).
  - a. If a student is a sponsored student, written approval for the leave of absence is required from the sponsor before the request can be processed.
  - b. If a student is under 18 years of age, written approval for the leave of absence is required from the parent or legal guardian be.
- (38) If a leave of absence is approved for a student studying in Australia on a student visa, RMIT UP will inform the student of the need to seek advice from the Department of Home Affairs regarding the impact on the student's visa.
- (39) If an application for leave of absence is rejected or varied, RMIT UP must inform the student in writing of the reasons for the decision and provide details of the appeal process.
- (40) For international students studying in Australia on a student visa, RMIT UP is required to report the leave of absence to the Australian government.
  - a. Reporting the leave of absence may affect the student's visa.
  - b. Reporting the leave of absence may have the effect that the student is required to leave Australia while they are not actively enrolled in courses.

**Fee implications and entitlements for leave of absence**

- (41) If the leave of absence is approved for a period of:
  - a. more than one week of a 5-week module, the student will be required to repeat the module
  - b. three weeks or more of a 5-week module
    - i. the student will be administratively withdrawn from all courses in the period and will not be liable for tuition during that period
    - ii. sponsored students are required to provide a new financial guarantee letter for any required extension of the student's enrolment.
  - c. less than three weeks of a 5-week module, the student remains liable for the tuition fees for that 5-week module.
- (42) If a leave of absence of any duration causes the student to miss required assessments, the student may be required to repeat the module.
- (43) The student's class placement on return from the leave of absence will be determined in accordance with documented RMIT UP processes.
- (44) If a student requires an extension to the approved period of leave, a new request must be submitted together with supporting documentation.

- (45) A student's enrolment may lapse if they have failed to return from (or have failed to obtain formal approval to extend) a period of leave of absence by the relevant prescribed date and associated prepaid tuition fees will be forfeited.
- (46) A student who is on an approved leave of absence from their RMIT UP program remains a student of RMIT UP while not actively enrolled in courses. While on leave, such a student is:
  - a. eligible to appeal an RMIT UP decision to suspend, expel or exclude them, or a decision related to alleged student misconduct
  - b. entitled to retain but may not be able to use their RMIT student card
  - c. entitled to have and use a student email account
  - d. entitled to use academic and student support services
  - e. responsible for checking their RMIT student email account and announcements in myRMIT
  - f. responsible for maintaining up-to-date contact details on their student record
  - g. responsible for returning to study at RMIT UP upon expiry of leave period.

## **Transfer of international students to another education provider**

### **Eligibility for transfer of enrolment to another education provider**

- (47) International students studying on a student visa in Australia who have not yet completed six months of study in their principal program require a release from RMIT and/or RMIT UP before they can be enrolled at another education institution.
  - a. Students seeking release from their RMIT formal program should refer to the [RMIT Enrolment Procedure - Discontinuation of Student Program](#).
  - b. Students seeking release from RMIT UP should refer to the RMIT UP Transfer to Another Education Provider Instruction.
- (48) Students must have paid all fees due for their RMIT UP course before any application to transfer providers can be considered.

### **Approving authority and reporting requirements for transfer to another education provider**

- (49) RMIT UP students wishing to transfer to another education provider must seek administrative approval from the Senior Student Services Advisor (English).
  - a. If a student is a sponsored student, written approval for the transfer is required from the sponsor before the transfer can be processed.
  - b. If a student is under 18 years of age:
    - i. written approval for the transfer is required from the parent or legal guardian before the request can be processed
    - ii. an approved Confirmation of Appropriate Accommodation and Welfare (CAAW) from the intended new provider is required before the release can be granted.
- (50) If an application to transfer to another provider is approved, RMIT UP is required to report the release to the Australian government and will advise the student to seek advice from the Department of Home Affairs regarding their student visa.
- (51) If an application to transfer to another education provider is refused, RMIT UP will inform the student, in writing, of the reasons for the refusal and provide details of the internal appeal process, via student email. RMIT UP will not report the refusal until the appeal process is completed.

### **Required actions and entitlements for students wishing to transfer to another education provider**

- (52) Students who apply for transfer and seek a release must remain enrolled and attend classes until their application has been approved.
- (53) If a student cancels their RMIT UP enrolment before receiving permission to transfer to another provider, RMIT UP is required to report the student to the Australian government as a program cancellation.
- (54) Students may be eligible for partial or full refund, as per the [RMIT UP EAP Refund Procedure](#).

## **Change of Program**

### **Change of RMIT formal program**

- (55) RMIT UP students wishing to change from one RMIT formal program to another should refer to the [RMIT Enrolment Procedure](#).

## **Cancellation**

### **Cancellation of enrolment by the student**

- (56) A student who wishes to cancel their enrolment (withdraw from their RMIT UP program) should first
  - a. seek advice from RMIT UP Student Services
  - b. seek advice from the Department of Home Affairs on the impact of cancelling their enrolment on their visa, if they are an international student studying in Australia on a student visa.
- (57) To cancel their enrolment, a student must complete an ELICOS Cancellation form and submit it to RMIT UP Student Services reception, or via email to [rmit.up.studentservices@rmit.edu.au](mailto:rmit.up.studentservices@rmit.edu.au).
  - a. If a student is a sponsored student, written approval for the cancellation is required from the sponsor before the cancellation can be processed.
  - b. If a student is under 18 years of age, written approval for the cancellation is required from the parent or legal guardian before the cancellation can be processed.

### **Cancellation of program enrolment by RMIT UP**

- (58) RMIT UP may cancel a student's enrolment in an RMIT UP program when the student has been suspended, excluded or expelled due to:
  - a. unacceptable behaviour (general misconduct)
  - b. academic misconduct
  - c. failure to pay the required tuition fees by the payment date
  - d. failure to comply with enrolment-related visa conditions, including attendance and academic progress requirements
  - e. allowing their course enrolment to lapse
  - f. providing misleading and/or incomplete information in the enrolment process
  - g. providing misleading and/or incomplete information in the application for admission to the program
  - h. the enrolment being contrary to Australian law
  - i. non-compliance with terms stipulated in third party agreements.
- (59) The process for cancellation due to misconduct is described in the RMIT Student Conduct Policy.

- (60) RMIT UP will inform the overseas student of any intention to cancel their enrolment in writing, including the reasons for doing so and advice on the internal appeal process.
- (61) Cancellation of enrolment initiated by RMIT UP may take effect prior to the completion of the internal appeal process if the overseas student's health and wellbeing, or the wellbeing of others is likely to be at risk.

#### **Cancellation of enrolment for unpaid fees**

- (62) Students who do not pay the required tuition fees by the due date will be provided 20 working days' notice that they are liable to have their enrolment cancelled. During this period a student may:
  - a. pay the outstanding fees; or
  - b. contact RMIT UP Student Services to appeal the decision.
- (63) If the student has not paid the outstanding fees within 20 working days of the notice being sent, they will be withdrawn from any classes in their RMIT UP program.
- (64) To be considered for reinstatement, a student must pay all overdue fees and provide evidence to RMIT UP Student Services of the payment within six (6) working days from the date of withdrawal.
- (65) Students who have not paid the outstanding fees prior to the class withdrawal, or within the reinstatement period of six (6) days will have their enrolment in the RMIT UP program cancelled.
- (66) Cancellation due to unpaid fees may take effect at the completion of the internal appeal process, before the external appeal process is completed, but not before the current pre-paid tuition period ends.

#### **Reporting requirements for enrolment cancellation**

- (67) For international students studying in Australia on a student visa, RMIT UP Student Services is required to report the cancellation of enrolment to the Australian government:
  - a. within 14 days for students under 18 years of age
  - b. within 31 days for all other students.

#### **Entitlements for enrolment cancellation**

- (68) If a student's enrolment has been cancelled by RMIT UP for a reason other than expulsion, they may re-apply after one year.
- (69) Any application for a refund of fees will be administered according to the RMIT UP Refund Procedure.

### **Appeals**

#### **Eligibility and submission of appeals**

- (70) A student may request a review of the following:
  - a. RMIT UP's decision to report the student's unsatisfactory attendance
  - b. a decision by RMIT UP to deny their application for leave of absence or approval of leave of absence for a different period than requested
  - c. a decision by RMIT UP not to release the student to transfer to another education provider
  - d. a decision by RMIT UP to cancel the student's enrolment (for reasons other than misconduct).
    - i. The appeal process for a student whose enrolment has been cancelled due to misconduct is described in the [RMIT Student Conduct Policy](#).
- (71) A student may appeal a decision by RMIT UP if they can provide evidence that:

- a. significant relevant circumstances have not been considered in the decision
  - b. there was an error in process or breach of policy that had a significant impact on the decision
  - c. there is new, relevant evidence that was not available at the time of the decision, which would have had a significant impact on the decision.
- (72) The student must submit their appeal in writing within 20 working days of the date the decision was emailed to them, to:
- a. the RMIT UP Associate Director, Quality and Assurance for attendance or refund decisions. The appeal may be submitted in person at RMIT UP Student Services reception or via email to [pathways.compliance@rmit.edu.au](mailto:pathways.compliance@rmit.edu.au)
  - b. the RMIT UP Chief Executive Officer for transfers to other education providers, enrolment cancellation and leave of absence decisions. The appeal may be submitted in person at RMIT UP Student Services reception or via email to [rmit.up.studentservices@rmit.edu.au](mailto:rmit.up.studentservices@rmit.edu.au).

### Appeal review

- (73) The reviewing officer, or delegate, will commence assessment of the appeal within 10 working days of submission of the appeal and will finalise the outcome as soon as practicable.
- (74) The student is entitled to be accompanied by a support person to any relevant meetings.
- (75) The student will be given a written statement of the outcome within 10 working days of the conclusion of the internal review, including detailed reasons for the outcome and advice on the external review process.
- (76) Students who are not satisfied with the outcome of the internal appeal may apply for an external review of the decision within 10 working days:
- a. For student visa holders, the student may contact the Commonwealth Ombudsman at <https://www.ombudsman.gov.au/How-we-can-help/overseas-students>
  - b. If the student is not a student visa holder, they may contact the Victorian Ombudsman for an external review of the decision at <https://www.ombudsman.vic.gov.au/complaints/other-ombudsman/>.

## Section 5 – Compliance

- (77) Compliance with this procedure is monitored by the Quality Assurance and Standards team who investigate all identified breaches.

## Ownership

<b>Owner of Parent Policy</b>	Deputy Vice-Chancellor Education RMIT
<b>Procedure Owner if different to Policy Owner</b>	RMIT UP Chief Executive Officer
<b>Procedure Author</b>	RMIT UP Associate Director Quality Assurance and Standards
<b>Document Author</b>	RMIT UP Policy and Risk Specialist
<b>Enquiries Contact</b>	RMIT UP Quality Assurance and Standards <a href="mailto:rmit.up.policy@rmit.edu.au">rmit.up.policy@rmit.edu.au</a>



## Associated Information

### Website Links

- [RMIT Enrolment Policy](#)
- [RMIT University Pathways \(RMIT UP\) EAP Refund Procedure](#)
- [RMIT Student Conduct Policy](#)
- [RMIT Enrolment Procedure](#)
- Commonwealth Ombudsman  
<https://www.ombudsman.gov.au/How-we-can-help/overseas-students>
- Victorian Ombudsman  
<https://www.ombudsman.vic.gov.au/complaints/other-ombudsman/>