



Course Variation Policy and Procedure (Deferral, LOA, Withdrawal, Transfer)

Australian Institute of Digital Technology Pty Ltd

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RTO
45801

CRICOS
03983J

ABN
70 643 935 586

Level 1, 377 Lonsdale Street, Melbourne VIC 3000
support@aidt.edu.au | 0411 441 061 | www.aidt.edu.au



POLICY 7

Course Variation Policy and Procedure

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Policy Owner	Student Support Officer / CEO	Approved By	CEO
Applicable Legislation & Standards	ESOS Act 2000 (ss.19, 21, 22); National Code 2018 (Standards 7, 9, 10); Migration Act 1958; Student Visa Subclass 500 Schedule 8 Conditions		

1. Purpose

This policy governs all circumstances in which a student's enrolment at AIDT may be varied from its original terms, including: deferral of the course commencement date before the student has commenced study; leave of absence (suspension of studies) during an active enrolment; voluntary withdrawal by the student; transfer to another CRICOS-registered provider; and AIDT-initiated suspension or cancellation of enrolment for cause. Each of these variations carries distinct regulatory obligations for AIDT and distinct consequences for the student, and each must be managed carefully, compassionately, and in full compliance with the National Code 2018 and the ESOS Act.

The underlying principle that runs through every course variation decision at AIDT is that any action AIDT takes should be in the student's genuine best interests, consistent with AIDT's regulatory obligations, and accompanied by honest, complete information about the consequences. A student who asks to defer their start date deserves to know what that means for their visa. A student who wants to transfer deserves an honest assessment of whether a transfer is genuinely in their interests. And a student facing AIDT-initiated cancellation deserves a fair process with a genuine opportunity to be heard, regardless of the circumstances that gave rise to the action.

2. Compassionate and Compelling Circumstances — Definition and Assessment

Many of the course variation provisions in this policy require AIDT to assess whether compassionate and compelling circumstances exist. This is not a simple or subjective judgement — it has a specific meaning in the ESOS regulatory context, and AIDT's assessments of claimed circumstances must be consistent, documented, and defensible on review by ASQA or the Overseas Students Ombudsman.

Compassionate and compelling circumstances are personal circumstances that are: (a) involuntary — not the result of the student's own choices, preferences, or planning failures; and (b) genuinely limiting — circumstances that leave the student with limited or no real choice other than the variation they are requesting. The test is not whether the circumstances are difficult, but whether they are genuinely beyond the student's reasonable control and genuinely prevent them from continuing in their current enrolment arrangement.



The following are accepted by AIDT as meeting the compassionate and compelling threshold in the categories of course variation covered by this policy: serious illness or injury of the student requiring medical treatment or recovery time inconsistent with continuing study, supported by a medical certificate specifying the diagnosis, prognosis, and expected impact on study capacity; bereavement of an immediate family member (parent, sibling, spouse, or child), evidenced by a death certificate and, where travel is required, evidence of that necessity; serious illness of an immediate family member requiring the student's care, evidenced by medical documentation; a traumatic event — domestic violence, assault, natural disaster — affecting the student's safety or mental health; a failure in AIDT's delivery of the course that has materially disadvantaged the student and cannot be remedied within the current study period; and documented serious mental health episodes, supported by a treating clinician's statement.

The following do not meet the threshold: a preference to study elsewhere, or dissatisfaction with aspects of AIDT's program that have not been raised through a formal complaint; financial difficulty arising from the student accepting excessive work hours in breach of visa conditions; social and cultural adjustment challenges that, while genuine, do not rise to the level of a clinical or documented crisis; changed personal or career priorities; or any circumstance that the student had the capacity to prevent or manage with reasonable planning. The Student Support Officer documents every compassionate and compelling circumstances assessment in writing, including the circumstances described by the student, the evidence provided, the assessment made, and the conclusion with reasons. This record is placed on the student's file and is available for ASQA review.

3. Deferral of Commencement

A deferral postpones the student's course start date before the course has commenced. A deferral changes the CoE start date and therefore has visa implications — particularly if the new start date extends beyond the student's current visa expiry date. AIDT considers all deferral requests promptly and carefully. A deferral is a significantly less disruptive intervention than a withdrawal, and where circumstances genuinely support it, approving a deferral is generally in everyone's interests.

1	Student submits a written Deferral Request to support@aidt.edu.au, including: the proposed new commencement date; a clear description of the circumstances requiring the deferral; and supporting documentary evidence. Where the student is offshore, the request may be submitted via their education agent, who must forward original documents within 5 business days.
2	AIDT acknowledges receipt of the complete request within 2 business days.
3	The Student Support Officer reviews the request and supporting documentation, assesses whether the circumstances meet the compassionate and compelling threshold, and prepares a written recommendation for the CEO. The recommendation specifically addresses: whether the circumstances are involuntary and outside the student's control; the proposed new start date and its feasibility given AIDT's intake schedule; any conditions the CEO should consider attaching to the approval; and any visa implications that should be communicated to the student.



4	The CEO approves or declines the request. The decision is communicated to the student in writing within 10 business days of AIDT receiving all required documentation. A declined request must include written reasons and information about the right to appeal under AIDT-POL-009 within 20 working days.
5	If approved: AIDT prepares an Amended Letter of Offer confirming the new start date; updates PRISMS within 5 business days; advises the student in writing to contact DHA (131 881) regarding any visa implications; and retains all correspondence on the student's file.

4. Leave of Absence

A Leave of Absence (LOA) is a temporary suspension of a student's enrolment during an active course. Unlike a deferral, it applies to a student who has already commenced their studies and has accumulated some academic credit. An approved LOA extends the student's CoE end date by the approved leave period, effectively pushing out the expected completion date. This has significant implications: the student's visa must cover the new expected completion date; the revised CoE must accurately reflect the new end date; and AIDT must be genuinely satisfied that the extended course duration represents a realistic expectation of completion and not simply an arrangement of administrative convenience.

A LOA will not be approved where outstanding fees remain unpaid. The ESOS Act's fee management provisions require AIDT to maintain appropriate financial relationships with enrolled students, and allowing a student to pause their enrolment while owing fees creates an untenable position. Where a student applies for a LOA with outstanding fees, the Student Support Officer advises them of this barrier and discusses options for fee resolution before proceeding.

1	Student completes the Leave of Absence Application Form (AIDT-FORM-050) and submits it to support@aidt.edu.au with all supporting documentation.
2	Student Support Officer confirms that no fees are outstanding and that the circumstances appear to meet the compassionate and compelling threshold. Where fees are outstanding, the application is placed on hold and the student is advised in writing of what must be resolved before processing can continue.
3	CEO reviews the application within 10 business days of receiving all required documentation and makes a decision. The CEO determines the specific approved leave start and end dates.
4	If approved: AIDT issues a formal LOA Approval Letter confirming the approved dates; updates PRISMS within 5 business days; issues a revised CoE with the extended end date; advises the student in writing to contact DHA regarding any visa implications; and places the student's enrolment in suspended status in AIDT's student management system.
5	If declined: the CEO provides written reasons; the student is advised of the right to appeal under AIDT-POL-009 within 20 working days.
6	Two weeks before the approved return date: the Student Support Officer contacts the student to confirm their intention to return; to identify any



	circumstances that may require further consideration (e.g. if the original circumstances are ongoing); and to arrange re-induction. Where the student indicates they cannot return on the approved date, they must submit a new application if seeking an extension of the LOA.
7	On return: the student is re-inducted to the course; their enrolment is reactivated in AIDT's student management system; and PRISMS is updated within 5 business days to reflect the return to active study.

5. Voluntary Withdrawal

A student may voluntarily withdraw from their enrolment at any time. AIDT does not obstruct voluntary withdrawal. However, AIDT has a genuine duty of care to ensure that every student who intends to withdraw has been given accurate, complete information about the consequences before they finalise their decision — not because AIDT wants to retain the student at all costs, but because a decision made without full information is not truly a free and informed decision. The most significant consequence is that CoE cancellation may trigger DHA's consideration of visa cancellation under section 116 of the Migration Act 1958.

When a student communicates an intention to withdraw, the Student Support Officer is required to: schedule a conversation with the student within 2 business days (in person or via video); explore the reasons for the intended withdrawal and whether any alternative arrangement (LOA, course transfer, reduced load, welfare support) might address the underlying cause; provide clear written information about the visa implications of CoE cancellation; and refer the student to DHA (131 881) and IARC (03 9629 1594) for independent advice. This conversation must occur and must be documented on the student's file regardless of whether the student proceeds with withdrawal.

If, following this process, the student confirms their decision to withdraw, the withdrawal is processed as follows: the student submits a completed Withdrawal Form (AIDT-FORM-051) in writing; AIDT processes the withdrawal within 5 business days; PRISMS is updated within 5 business days; any applicable refund is calculated in accordance with AIDT-POL-008 and communicated in writing within 10 business days; and a Statement of Attainment is issued within 30 calendar days for all units in which the student achieved a Competent result prior to withdrawal.

Every student who submits a Withdrawal Form must receive written advice before processing that CoE cancellation may trigger visa cancellation by DHA. This advice must be placed on the student's file. Processing a withdrawal without this step is a compliance failure.

6. Transfer to Another CRICOS Provider

Under National Code 2018 Standard 7, AIDT must not release a student from their enrolment to transfer to another CRICOS provider before they have completed 6 months of their principal course, unless specific and documented grounds for release exist. This 6-month rule protects students from being moved between providers for commercial rather than educational reasons, and protects the integrity of the CRICOS



system. AIDT takes this obligation seriously and does not issue Letters of Release simply because a student or agent requests one.

The 6-month period is calculated from the date the student commenced their course (not the date of visa grant or arrival in Australia). Where a student's enrolment has been suspended for a period, that period does not count toward the 6 months. The calculation is documented on the student's file whenever a transfer request is assessed.

6.1 Grounds for Approving a Transfer Request Within 6 Months

AIDT may approve a transfer request within the first 6 months only where one or more of the following grounds are clearly supported by documentary evidence: AIDT has been unable to deliver the course as specified in the Written Student Agreement, and this failure is material and cannot be remedied; the student was materially misled about a significant aspect of the course or AIDT's operations — whether by AIDT directly or by an AIDT-authorized agent — and would not have enrolled had they been given accurate information; compassionate and compelling circumstances exist (as defined in Section 2 of this policy) that make continuation at AIDT genuinely impossible rather than merely inconvenient; or the transfer is demonstrably in the student's genuine best academic or personal interests, having regard to all the circumstances, and the risks of granting the transfer are outweighed by the harm of refusing it.

6.2 Grounds for Declining a Transfer Request

AIDT will decline a transfer request within the first 6 months where: the student has not provided credible and sufficient evidence to support the claimed grounds; the student has not engaged with the Intervention Strategy offered by AIDT in relation to any academic concerns; the student has outstanding fees; the proposed receiving provider is not registered on CRICOS or appears unsuitable; or AIDT genuinely believes the transfer is not in the student's best interests (for example, because the student has been misled by an agent acting contrary to AIDT's policies, or because the new course appears poorly matched to the student's goals).

1	Student submits a written transfer request with: stated grounds; a copy of the Letter of Offer from the proposed CRICOS receiving provider; and all supporting evidence.
2	AIDT acknowledges receipt within 2 business days. Student Support Officer conducts an initial assessment of credibility and completeness.
3	CEO reviews the full request and all supporting material and makes a decision within 10 business days.
4	If approved: Letter of Release is issued; PRISMS is updated (CoE cancellation) within 5 business days; applicable refund is calculated under AIDT-POL-008; Statement of Attainment issued within 30 days.
5	If declined: CEO provides written reasons. Student is advised of the right to appeal under AIDT-POL-009 within 20 working days. During the appeal process, the student's enrolment is maintained.



7. AIDT-Initiated Suspension or Cancellation of Enrolment

AIDT may initiate suspension or cancellation of a student's enrolment in the following circumstances: (a) a serious or repeated breach of the Student Code of Conduct (AIDT-POL-011) that warrants formal disciplinary action; (b) persistent failure to make satisfactory course progress after the full Category 1 and Category 2 intervention process has been completed in accordance with AIDT-POL-004; (c) non-payment of fees after all recovery and communication steps have been exhausted; (d) provision of materially false or fraudulent information in the enrolment process; or (e) conduct that poses an ongoing risk to the safety, health, or wellbeing of other students, staff, or workplace participants.

AIDT's process for AIDT-initiated cancellation must satisfy the requirements of procedural fairness at every step. Before a final decision is made to cancel or suspend enrolment, AIDT must: issue the student with a written Notice of Intended Action specifying the grounds, the evidence, and the proposed action; give the student a minimum of 5 business days to respond in writing; genuinely consider the student's response before making a final decision; obtain the CEO's written approval for the action; and communicate the final decision to the student in writing with full reasons and information about the right to appeal under AIDT-POL-009. Where the student appeals an AIDT-initiated cancellation, the cancellation is stayed until the appeal (including any external review) is concluded.

8. Related Documents

AIDT-POL-004	Course Progress Monitoring Policy
AIDT-POL-006	Student Visa Compliance Policy
AIDT-POL-008	Fees, Charges and Refunds Policy
AIDT-POL-009	Complaints and Appeals Policy
AIDT-FORM-050	Leave of Absence Application Form
AIDT-FORM-051	Student Withdrawal Form
AIDT-FORM-052	Transfer Request Form
AIDT-FORM-053	Notice of Intended Action (AIDT-Initiated) Template