

# Factsheet – Opting Out

## How do I 'opt out' of a LCA course (not transfer) and what are the implications?

### Before coming to Australia

**Example Scenario.** Your circumstances change and you decide to 'opt out' (not transfer) of your studies at Lawson College Australia **before** coming to Australia. 'Opting out' before you come to Australia means that you do not wish to pursue study at Lawson College Australia in the courses outlined on your valid eCoE.

### Actions to be taken by you

- 1. You have not yet been issued a student visa (either refused or have not submitted an application)**
  - a. You are strongly advised to discuss your options and implications of 'opting out' with Student Support Services, Lawson College Australia by emailing [support@lawsoncollege.edu.au](mailto:support@lawsoncollege.edu.au) . Should you continue to 'opt out':
  - b. You must complete a Lawson College Australia Student Course Variation Form (SCV) – noting cancellation of enrolment, and forward to [support@lawsoncollegeaustralia.edu.au](mailto:support@lawsoncollegeaustralia.edu.au) .
  - c. As you are not in the possession of an overseas student visa, you do not have to notify the Department of Home Affairs.
  - d. You will be subject to the Policy and Procedure – (Refund) <https://lawsoncollege.edu.au/international-student-policies/>
- 2. You have been issued a student visa by the Department of Home Affairs (DoHA)**
  - a. You are strongly advised to discuss your options and implications of 'opting out' with Student Support Services, Lawson College Australia (for example deferral of studies) by emailing [support@lawsoncollege.edu.au](mailto:support@lawsoncollege.edu.au) . Should you continue to 'opt out':
  - b. You must complete a Lawson College Australia Student Course Variation Form (SCV) – noting cancellation of enrolment, and forward to [support@lawsoncollegeaustralia.edu.au](mailto:support@lawsoncollegeaustralia.edu.au) .
  - c. You must access the Department of Home Affairs (DoHA) website to ensure you follow the correct procedure to cancel your student visa.



#### Lawson College Australia

RTO Number: 40679  
CRICOS: 03406J

#### Location address:

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#### Postal Address:

PO Box 7155  
Dandenong  
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#### Contact Us:

Phone: +61 3 9791 2211  
Email: [info@lawsoncollege.edu.au](mailto:info@lawsoncollege.edu.au)  
Website: [www.lawsoncollege.edu.au](http://www.lawsoncollege.edu.au)

## Implications of cancellation of your eCoE's on PRISMS as a 'Non-Commencer'

- If you wish to pursue studying at Lawson College Australia, you will need to undertake the complete process of applying.
- There is no guarantee that you will be offered a place to study, or that the course that you wish to study is still offered.
- You will be subject to the Policy and Procedure – (Refund)  
<https://lawsoncollege.edu.au/international-student-policies/>

## Immediately after arriving in Australia, and before the scheduled enrolment and orientation session or attending classes

**Example scenario.** Your friend has also been issued an overseas student visa to study in Australia. Before leaving, your friend states: "I saw a post from someone on Facebook that said if you have a student visa, you can go to Australia and just work on a farm. No need to go to classes, or submit assessment tasks, we'll just work instead."

You have some concerns with this plan as it the opposite of the clear advice provided by Lawson College Australia about your responsibilities relating to your overseas student visa conditions including, attendance, course progress, course duration and financial obligations.

However, despite this knowledge and signing the Lawson College Australia Written Agreement and the Declaration as evidence of you understanding your obligations in relation to ESOS requirements you choose to take your friend's advice and ignore all aspects relating to ESOS and overseas student visa: [Education Services for Overseas Students \(ESOS\) Framework - Department of Education, Skills and Employment, Australian Government \(dese.gov.au\)](https://www.dese.gov.au/education-services-for-overseas-students-esos-framework)

By accepting the friend's advice as outlined above, you will not meet your overseas student visa conditions by:

- not presenting for orientation as advised, or
- not attending classes for training and assessment as per timetabled when they either commence as listed on your eCoe, *or at some stage into* the course, prior to completing 6 months of the Principal Course.  
And
- This type of 'opting out' of study may lead to this student being assessed at risk of either unsatisfactory course progress through lack of attendance or/ and unsatisfactory course progress and in breach of OSV Conditions; and
- If the student does not rectify this critical situation as advised, reporting to DESE (cancellation of eCoEs on PRISMS) will occurs and cancellation of eCoEs on PRISMS leads to automatic notification to the Department of Home Affairs (DoHA).



## Actions to be taken to immediately rectify this critical situation

This ill-advised student is strongly advised to:

- Review Lawson College Australia policy and procedure – (Non-Commencement of studies) <https://lawsoncollege.edu.au/international-student-policies/>
- Seek counsel with Lawson College Australia Student Support Services [support@lawsoncollege.edu.au](mailto:support@lawsoncollege.edu.au) to ensure you understand the significance of your decision to 'opt out' of study to work, and to discuss any welfare or support that may be provided. You must do this before your eCoEs are cancelled on PRISMS.
- Discuss the implications of 'opting out' (not transfer) with Student Support Services, Lawson College Australia by contacting [support@lawsoncollege.edu.au](mailto:support@lawsoncollege.edu.au). Should you decide to continue to 'opt out':
- Complete a Lawson College Australia Student Course Variation Form (SCV) – noting cancellation of enrolment, and forward to [support@lawsoncollegeaustralia.edu.au](mailto:support@lawsoncollegeaustralia.edu.au) *along with evidence of leaving Australia*. (Policy & Procedure – Deferring, Suspending or Cancelling the overseas student enrolment) <https://lawsoncollege.edu.au/international-student-policies/>
- Access the DoHA website [Department of Home Affairs](http://www.homeaffairs.gov.au) to ensure you follow the correct procedure to cancel your student visa.

## Implications of cancellation of your eCoe's on PRISMS as a 'Non-Commencer'

- Cancellation of your eCoEs will be recorded on PRISMS and this subsequently alerts DoHA [Department of Home Affairs](http://www.homeaffairs.gov.au)
- You will be required to follow the DoHA requirements regarding eCoE's, that may include the need to leave Australia within a certain timeframe and supply evidence of same.
- If in the future you wish to pursue studying at Lawson College Australia, you will need to undertake the complete process of applying.
- There is no guarantee that you will be offered a place to study, or that the course that you wish to study is still offered.
- You will be subject to the Policy and Procedure – (Refund) <https://lawsoncollege.edu.au/international-student-policies/>; and
- For further clarification of your individual student status, options, and implications you are strongly advised to consult with the DoHA.

## After commencing study in the course enrolled

**Example scenario:** Your friend is studying on an overseas student visa and been progressing in her course and her Principal Course starts in 12 months' time. She has been asked by her employer to increase her work from 20 hours to 50 hours per week. She decides to accept this offer and 'opt out' of the course as per her eCoE. During the term, she is identified 'at risk' of course progress that if continues, will lead to a breach in course progress and



subsequent, if the situation is not rectified as per requirements of her overseas student visa and her Written Agreement, Lawson College Australia will be obliged to take action in accordance with policy and procedure.

### Outcome of above

The student has 'opted out' and breached policy and procedure as outlined in: – (Policy & Procedure – Overseas Student Transfers) <https://lawsoncollege.edu.au/international-student-policies/> and – (Policy & Procedure – Overseas student visa requirements) <https://lawsoncollege.edu.au/international-student-policies/>.

This type of 'opting out' of study may lead to the student being assessed at risk of either unsatisfactory course progress through lack of attendance or/ and unsatisfactory course progress and in breach of OSV Conditions.

If the student does not rectify this critical situation as advised, reporting to DESE (cancellation of eCoEs on PRISMS) will occur and cancellation of eCoEs on PRISMS leads to automatic notification to the Department of Home Affairs (DoHA).

### Actions to be taken by you

You are strongly advised to:

- Review Lawson College Australia policy and procedure – (Policy & Procedure – Non – Commencement of Studies) <https://lawsoncollege.edu.au/international-student-policies/>.
- Seek counsel with Lawson College Australia Student Support Services [support@lawsoncollege.edu.au](mailto:support@lawsoncollege.edu.au) to ensure you understand the significance of your decision to 'opt out' of study to work, and to discuss any welfare or support that may be provided. **You must do this before your eCoEs are cancelled on PRISMS.**
- Discuss the implications of 'opting out' (not transfer) with Student Support Services, Lawson College Australia by contacting [support@lawsoncollege.edu.au](mailto:support@lawsoncollege.edu.au). Should you decide to continue to 'opt out':
- Complete a Lawson College Australia Student Course Variation Form (SCV) – noting cancellation of enrolment, and forward to [support@lawsoncollegeaustralia.edu.au](mailto:support@lawsoncollegeaustralia.edu.au) along with evidence of leaving Australia, such as a flight boarding pass – (Policy & Procedure – Deferring, Suspending or Cancelling the overseas student enrolment) <https://lawsoncollege.edu.au/international-student-policies/>.
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- b. You will be required to follow the DoHA requirements regarding eCoE's, that may include the need to leave Australia within a certain timeframe and supply evidence of same.
- c. If in the future you wish to pursue studying at Lawson College Australia, you will need to undertake the complete process of applying.
- d. There is no guarantee that you will be offered a place to study, or that the course that you wish to study is still offered.
- e. You will be subject to the Policy and Procedure – (Refund)  
<https://lawsoncollege.edu.au/international-student-policies/>; and
- f. For further clarification of your individual student status, options, and implications you are strongly advised to consult with the DoHA.

## The special case of visa refusals International students

The *Education Services for Overseas Students Act 2000* says that education providers must give refunds to international students who withdraw because their visa was refused. The amount of the refund may be different depending on which situation below applies to you:

- If your visa is refused before you start your course, your provider should give you a full refund of your course fees, except for an administrative fee of no more than 5 percent or \$500 (whichever is lower).
- If your visa is refused after you start your course, your provider should give you a refund of the fees paid for the part of your course after the date of your withdrawal. Your provider can also keep an administrative fee of no more than 5 percent or \$500 (whichever is lower).

This law applies for all visa refusals regardless of the reasons that your visa was refused.



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