Preamble

This is the University’s Policy Statement on ESOS Compliance. This Policy Statement is applicable to all international students that hold a student visa who are studying a University program at any teaching location onshore in Australia.

Introduction

The Education Services for Overseas Students (ESOS) legislative framework includes the following:

- The ESOS Act 2000;
The ESOS regulatory framework establishes standards and procedures for the provision of education courses to international students in Australia. It regulates what information must be given to existing and prospective international students; what services must be provided to existing students; how financial matters are to be managed; what records are kept and what information is to be given to the Department of Education and Training and the Department of Immigration and Border Protection (DIBP) about international students.

The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (the National Code) provides nationally consistent standards for the conduct of registered providers and the registration of their programs. The standards set out specifications and procedures to ensure that registered providers of education and training programs can clearly understand and comply with their obligations under the National Code.

The National Code comprises of 4 sections, A, B, C & D.

- **Part A** Outlines the principles and guidelines that underpin the National Code.
- **Part B** Describes the roles and responsibilities of the Australian, State and Territory Governments in administering the ESOS regulatory framework. The Department of Education and Training, and the Commonwealth Department of Immigration and Border Protection (DIBP) play key roles in the regulation of the international education industry. State and Territory regulatory authorities have authority over the registration of courses and providers within their respective jurisdictions.
- **Part C** Outlines the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) registration requirements; and
- **Part D** Provides Standards that set out obligations on and procedures for registered providers of education and training to overseas students.

**Note:**

The term Registered Provider refers to the University. The University’s partner providers may also be registered providers in their own right.

Also, the term ‘international student’ refers to students studying onshore in Australia in a CRICOS registered program holding a student visa in a University program regardless of the teaching location.

Where the ESOS Act and National Code refers to a 'Course' this manual will refer to a 'Program' (except where the 'Standards of Registered Providers' are outlined verbatim as per the national code in this manual) and will cover both TAFE and Higher Education.

**The National Code**

"The objectives of the National Code are to:

1. Support the ESOS framework, including supporting the effective administration of the framework by the Australian Government and state and territory governments;
2. Establish and safeguard Australia’s international reputation as a provider of high quality education and training by:
   i. ensuring that education and training for international students meets nationally consistent standards; and
ii. ensuring the integrity of registered providers.

3. Protect the interests of international students by:
   i. ensuring that appropriate consumer protection mechanisms exist,
   ii. ensuring that student welfare and support services for international students meet nationally consistent standards, and
   iii. providing nationally consistent standards for dealing with student complaints and appeals.

4. Support registered providers in monitoring student compliance with student visa conditions and in reporting any student breaches to the Australian Government.

The National Code applies to all providers registered under the ESOS Act to deliver education and training courses to international students who come to Australia to study on a student visa. It is also used by designated government authorities for the purpose of recommending courses for registration on CRICOS.

The National Code complements existing national quality assurance frameworks for sectors of the education and training industry.

Audit Requirements for Universities

The University is a self-accrediting provider. Registered self-accrediting providers must undertake an independent external audit once every five years which must assess its compliance with the National Code and includes a full inspection of the premises including PP teaching locations. Registered self-accrediting providers are also required to provide a declaration of conformity to the designated authority annually that contains the following:

- unique identification of the declaration of conformity;
- the name and contact address of the registered provider;
- the CRICOS number of the registered provider
- a statement that the registered provider conforms with the National Code;
- the date of the declaration of conformity;
- the signature of the principal executive officer;
- reference to the existence of any associated supporting documentation; and
- a report on the implementation of any corrective and preventative actions identified as being necessary.

The annual declaration of conformity is signed by the University’s Principal Executive Officer with overall responsibility for CRICOS compliance and lodged by the Manager, Compliance, Centre for University Partnerships. The University is committed to ensuring compliance with the ESOS Act and the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students.

The ESOS compliance program includes internal audits, audits of partner providers and external audits.

Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) Registration Requirements

Teaching locations and all programs (courses) that are offered to international students must be registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).

The CRICOS register is publicly available for viewing on-line.

CRICOS Program Registration

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CRICOS Provider Number: 00103D
The Manager, Compliance, CUP is responsible for the registration of new programs on CRICOS. It is the responsibility of the awarding Faculty to ensure CUP receives the necessary information to lodge a CRICOS application.

CRICOS registration is not automatic. Applications to register programs on CRICOS could be refused, therefore registration should not be assumed.

**General CRICOS Program Requirements**

General requirements are:

- The program must be conducted by a CRICOS registered provider.
- Registration on CRICOS is for a particular program for a teaching location. A provider wishing to provide programs in more than one location must seek registration for each program for each location where it will be delivered.
- The registration must include the expected duration of the program. The registered duration must not exceed the time required for completing the program on the basis of the normal amount of full-time study. A program will not be registered on CRICOS unless it meets the relevant requirements of the Australian Qualifications Framework requirements or those of any other appropriate quality or accreditation framework.
- Only programs that are undertaken on a full-time basis can be registered on CRICOS.
- The medium of delivery must be primarily face-to-face contact as per Standard 9 (4).

**Specific TAFE Sector Requirements (including TAFE Non-Award Courses)**

To be CRICOS registered, TAFE programs must be:

- Registered for delivery on University's Scope of Registration - as per [Scope of Registration (TAFE) Procedure](#) or internally accredited for delivery within University,
- The default definition of ‘full time’ for a VET sector program is a minimum of 20 contact hours a week taken as an average for each study period,
- To register a TAFE program on CRICOS, refer to the [CRICOS Registration of TAFE Courses Procedure](#).

**Specific Higher Education Sector Requirements**

To be CRICOS registered, Higher Education programs must be:

- Properly accredited within the University and approved by University Council.
- Full time as determined by University policies and procedures, within the confines of the [Australian Qualifications Framework](#).
- To register a Higher Education program on CRICOS, refer to the [CRICOS Registration (Higher Education) Procedure](#).

**Issues to be Identified PRIOR To Registering a Program on CRICOS**

**Work-Based Training (Practical Placement)**

International students can only undertake work-based training if it is a compulsory component of their program. That is, they cannot gain the qualification without it. For the purposes of ESOS, work-based training includes any work type placement (paid or unpaid). It does not include project-based courses where students undertake a project for an employer where they may visit the work-place in furtherance of the project.
Where programs have compulsory work-based training this must be identified when the program is registered on CRICOS. The University will ensure appropriate arrangements for the supervision and assessment of students are in place. The Practical Placements documentation (Policy, Procedure and Associated Documents) is located on the University Policy, Procedure and Forms Website.

Distance or Online Delivery

Under the National Code 2007, providers may allow international students to undertake no more than 25% of their program by distance and/or online learning. Programs with a distance or online component can only be registered on CRICOS where regulators are satisfied that they contain an online/distance component of no more than 25% of the program.

International students must not be enrolled exclusively in distance or online learning in any compulsory study period.

Programs that are delivered entirely online or by distance learning cannot be registered on CRICOS.

Refer to Standard 9 of the National Code for further details.

Exchange / Study Abroad

International students in Australia on a student visa are allowed to participate in an International Exchange or Study Abroad program in another country.

Arrangements with Other Providers

Where more than one provider is to be involved in delivering a program, this must be advised when the application to register the program is submitted.

University is responsible under the ESOS Act 2000 for breaches of the Act or the National Code by the Partner Provider regardless of the contractual arrangements with the other provider.

Tuition Protection Service

The Tuition Protection Service (TPS) has been set up to assist international students whose education providers are unable to fully deliver their program of study.

The TPS ensures that international students studying at the University are able to either:

• Complete their studies in another program or with another education provider or
• Receive a refund of their unspent tuition fees.

If the University is unable to deliver a program that has been paid for and cannot meet the obligation to offer an alternative program that the student accepts or pays a refund of any unspent prepaid tuition fees, the TPS will assist the student in finding an alternative program or to get a refund if a suitable alternative is not found.

Provider Default:

The University will be considered to have defaulted if it fails to deliver a program to a student at the agreed location on the agreed starting date, or after the program starts but before it is completed, it ceases to teach the program at the agreed location and the student has not withdrawn from the program before the default day.

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The University must notify the Secretary and the TPS Director of the default within 3 working days of the default occurring. Affected students must also be notified in writing.

The University has 14 working days to discharge its obligations under Provider Default i.e. to offer the students a place in a suitable alternative program, or where the student does not accept the alternative program or an alternative program is not available, offer a refund of unexpended tuition fees.

**Changes to CRICOS Registered Programs**

If a faculty is proposing to make changes to a CRICOS registered program, it must receive advice from CUP on the status of overseas student offers/applications made for the program to ensure that changes affecting future delivery can be considered during the transition process.

Changes may include:

- Change to a program title and national code.
- Change to duration of a program. This will require a new CRICOS registration application.
- Change to hours of delivery (TAFE and non-award programs only).
- Change to admission requirements of a program.
- Offering a revised program – If revisions are only limited to course changes there is no need to refer to CUP. However, significant structural changes should be discussed as a new CRICOS program registration may be required.
- Change of location for delivery of the program or any component of the program.
- Change to on-line delivery.
- Change to work-based training/practical placement requirements.
- Change of delivery strategy to include work-based learning.
- Change to arrangements with other providers – proposed changes to arrangements with other providers must be approved by regulators prior to the changes being made.

**Fee Changes**

Higher Education & VET (TAFE) International tuition fees are negotiated by the Senior Management and the Executive Deans of Faculties. The Manager, Student Finance, then updates the fee schedule for each teaching location. The updated schedule requires approval from the Vice Chancellor and Council. Once approved by Council, CUP then advises the Tertiary Education Quality Standards Agency (TEQSA) & Australian Skills Quality Authority (ASQA) of the updated tuition fee and non-tuition fees the students pay directly to the University.

Any other costs to the student undertaking the program, e.g. uniforms, is to be recorded on all University marketing material and in the International Student Offer & Acceptance Agreement.

**Discontinuation or Variation of Program**

If a CRICOS registered program is to be discontinued or varied, CUP must be advised by the relevant faculty in order for the cessation of the program to be negotiated in the event that there are current students enrolled in the program or offers and acceptances for incoming students for future intakes. Refer Tuition Protection Services.

**Registration of a Teaching Location**
When a new teaching location is approved for the delivery of programs to international students, CUP lodges an application with the appropriate regulatory body. The regulatory body may conduct an onsite visit as part of the application process.

Standards for Registered Providers

The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students provides nationally consistent standards to set out the obligations of registered providers in delivering education and training to international students.

The University has a suite of ESOS procedures aligned to the National Code standards.

Standard 1 - Marketing Information and Practices

National Code

Standard 1 – Marketing Information and Practices

"Registered providers ensure that marketing of their education and training services is professional, accurate and maintains the integrity and reputation of the industry.

1. The registered provider must ensure the marketing of its education and training services is undertaken in a professional manner and maintains the integrity and reputation of the industry and registered providers.

2. The registered provider must:
   a. clearly identify the registered provider’s name and CRICOS number in written marketing and other material for students, including electronic form, and
   b. not give false or misleading information or advice in relation to:
      i. claims of association between providers;
      ii. the employment outcomes associated with a course;
      iii. automatic acceptance into another course;
      iv. possible migration outcomes, or
      v. any other claims relating to the registered provider, its course or outcomes associated with the course;

3. The registered provider must not actively recruit a student where this clearly conflicts with its obligations under Standard 7 (Transfer between registered providers)."

Refer to University’s Standard 1- Marketing and Information Practices documents.

Standard 2 - Student Engagement before Enrolment

National Code

Standard 2 – Student engagement before enrolment

"Registered providers recruit students in an ethical and responsible manner and provide information that enables students to make informed decisions about studying with the registered provider in Australia. Registered providers ensure students’ qualifications, experience and English language proficiency are appropriate for the course for which enrolment is sought.

1. Prior to accepting a student, or an intending student, for enrolment in a course, the registered provider must provide, in print or through referral to an electronic copy, current and accurate information regarding the following:
a. the requirements for acceptance into a course, including the minimum level of English language proficiency, educational qualifications or work experience required and whether course credit may be applicable;

b. the course content and duration, qualification offered if applicable, modes of study and assessment methods;

c. campus locations and a general description of facilities, equipment, and learning and library resources available to students;

d. details of any arrangements with another registered provider, person or business to provide the course or part of the course;

e. indicative course-related fees including advice on the potential for fees to change during the student’s course and applicable refund policies;

f. information about the grounds by which the student’s enrolment may be deferred, suspended or cancelled;

g. a description of the ESOS framework made available electronically by DEEWR, and

h. relevant information on living in Australia, including:
   i. indicative costs of living
   ii. accommodation options, and
   iii. where relevant, schooling obligations and options for school-aged dependants of intending students, including that school fees may be incurred.

2. The registered provider must have documented procedures in place, and implement these procedures to assess whether the student’s qualifications, experience and English language proficiency are appropriate for the course for which enrolment is sought."

Student Engagement

The combination of information is available from the University’s:

- International Program Guide
- International Students’ website
- Program Finder, and
- the International Student Offer & Acceptance Agreement

and satisfies the requirements of Standard 2 (1).

Assessing International Students' Qualifications, Experience and English

Standard 2 (2) requires the University to have ‘documented procedures in place, and implement these procedures to assess whether the student’s qualifications, experience and English language proficiency are appropriate’.

This is satisfied by University admissions procedures for international students which are administered by CUP / Partner Providers.

Refer to University’s Student Engagement before enrolment documents.

Accuracy of Information Provided to Students

It is important that all information provided to students is entirely accurate and not misleading. For example, if a program is offered at more than one teaching location, this should be clear on Program Finder and in program guides. If there are additional costs associated with a program, other than tuition fees, this also needs to be made clear on Program Finder and in program guides. Faculties must ensure that their Program Finder entries are up-to-date.
Migration Advice

University staff and partner providers’ staff should not provide any form of migration advice to students unless they are a registered migration agent. Only registered migration agents may provide migration information. The provision of migration advice by an unauthorised person can result in severe penalties. Students who make enquiries about migration issues should be directed to the DIBP website or DIBP Enquiries line (telephone: 131 881) for more information.

Standard 3 - Formalisation of Enrolment

National Code

"Written agreements between registered providers and students set out the services to be provided, fees payable and information in relation to refunds of course money.

1. The registered provider must enter into a written agreement with the student, signed or otherwise accepted by that student (or the student’s parent or legal guardian if the student is under 18 years of age), concurrently with or prior to accepting course money from the student. The agreement must:
   a. identify the course or courses in which the student is to be enrolled and any conditions on his or her enrolment;
   b. provide an itemised list of course money payable by the student;
   c. provide information in relation to refunds of course money;
   d. set out the circumstances in which personal information about the student may be shared between the registered provider and the Australian Government and designated authorities and, if relevant, the Tuition Assurance Scheme and the ESOS Assurance Fund Manager. This information includes personal and contact details, course enrolment details and changes, and the circumstance of any suspected breach by the student of a student visa condition, and
   e. advise the student of his or her obligation to notify the registered provider of a change of address while enrolled in the course.

2. The registered provider must include in the written agreement the following information, which is to be consistent with the requirements of the ESOS Act, in relation to refunds of course money in the case of student and provider default:
   a. amounts that may or may not be repaid to the student (including any course money collected by education agents on behalf of the registered provider);
   b. processes for claiming a refund;
   c. a plain English explanation of what happens in the event of a course not being delivered, and
   d. a statement that “This agreement, and the availability of complaints and appeals processes, does not remove the right of the student to take action under Australia’s consumer protection laws”.

Application

Students can apply online for entry into a University campus. Students wishing to study at a partner location will apply directly to their preferred partner provider teaching location. Applications must be submitted with all required supporting documentation.

Application information is available from the University's International Student website or Partner Provider’s website.
Application forms for University postgraduate research degrees are available from the Research Services Office.

Assessment of Application / Program Offer

International Admissions and partner providers are responsible for the issue of the International Student Offer & Acceptance Agreement to international students for all University CRICOS registered programs subject to the student meeting entry requirements agreed to by the awarding faculty.

International Student Offer & Acceptance Agreement

The International Student Offer & Acceptance Agreement template must be approved by the Manager, Compliance, CUP to ensure it meets National Code requirements.

An International Student Offer & Acceptance Agreement issued to a prospective student must be on University official letterhead or approved partner provider letterhead. The International Student Offer & Acceptance Agreements are valid only when signed by an authorised University staff member or authorised representative.

To accept an offer from University, international students are required to submit the signed International Student Offer & Acceptance Agreement. By completing the acceptance process, the student is provided with information which University is required to provide to the student by Standard 2 and Standard 3 of the National Code and the student agrees to the terms and conditions of the International Student Offer & Acceptance Agreement.

Conditional Offers

An offer may be made to a student where the student must satisfy certain conditions prior to enrolment. Such conditions may include satisfactory completion of the student’s previous program, and/or minimum English language required.

A student cannot be enrolled on a conditional offer until information is provided to satisfy the conditions at which time an enrolment can occur.

Deposits and Acceptance of Program Money

The International Student Offer & Acceptance Agreement must be signed concurrently with, or prior to, accepting program tuition fee from the student.

The University will contact the student or agent to inform them the payment will not be processed until the signed International Student Offer & Agreement is received.

Fees Payable in Advance

The International Student Offer & Acceptance Agreement provides details of the amount of deposit required. The University is not allowed to accept more than 50% of a program's total tuition fee in advance.

Exemption and Recognition of Prior Learning (RPL) and Credit Transfer

When exemptions or RPL are approved at the time of the student’s application for a program, any reduction in program duration must be reflected in the International Student Offer & Acceptance Agreement. Refer to University’s Standard 12 Course Credit documentation for further information.
Refund Policy

The Refund for International Students Policy, the Refund for International Students Procedure and the Tuition Fees Payment Terms for International Students Guidelines can be found on the University Policy and Procedure website.

Overseas Student Health Cover

It is a condition of student visas that international students maintain Overseas Student Health Cover (OSHC) for the duration of their student visa.

It is the student's responsibility to ensure that they maintain a valid OSHC membership for the duration of their visa. Where requested International Admissions and partner providers will apply for OSHC membership for students for the length of their student visa.

Electronic Confirmation of Enrolment (CoE) and Student Visa Application

Students are responsible for obtaining their own student visa. The University will provide an electronic Confirmation of Enrolment (CoE) to a student upon confirmation of program(s) acceptance and subject to the student meeting all condition(s) of their offer. A student must submit their CoE as part of their student visa application. University students' visa applications are assessed under DIBP's Streamlined Visa Process.

Student Visa

Overseas residents intending to study in Australia are required to apply for a student visa. While on a student visa, they are only permitted to enrol in CRICOS registered programs and must comply with any conditions attached to their visa.

Students will require a new visa if they exceed the expected length of their program, usually due to course fails. The granting of new visas is not automatic.

Student visas allow students to work while studying. The number of hours allowed to work during a semester depends on the type of student visa granted to the student.

Residential Address

International students are required to advise of any change in their residential address within seven days of the change occurring. University students at all teaching locations must change their address via My Student Centre.

Student Dependents

Depending on the program duration, DIBP may permit the student to bring their dependent(s) with them to Australia. Like the primary visa holder, student dependents must comply with the visa conditions attached to their dependent visas. Student dependent visas can only be extended if the primary visa holder receives a visa extension (new visa). Likewise, the cancellation of the primary visa holder’s student visa will result in the cancellation of any dependent visas issued for that student. School age dependents must be enrolled in school.

Standard 4 - Education Agents

National Code

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Review Date: 09/09/2020 | Policy Code: CG1504
CRICOS Provider Number: 00103D
Standard 4 – Education agents

"Registered providers take all reasonable measures to use education agents that have an appropriate knowledge and understanding of the Australian international education industry and do not use education agents who are dishonest or lack integrity.

1. The registered provider must enter into a written agreement with each education agent it engages to formally represent it. The agreement must specify the responsibilities of the education agent and the registered provider and the need to comply with the requirements in the National Code. The agreement must also include:
   a. processes for monitoring the activities of the education agent, including where corrective action may be required, and
   b. termination conditions, including providing for termination in the circumstances outlined in Standard 4 (4).

2. The registered provider must ensure that its education agents have access to up-to-date and accurate marketing information as set out in Standard 1 (Marketing information and practices).

3. The registered provider must not accept students from an education agent or enter into an agreement with an education agent if it knows or reasonably suspects the education agent to be:
   a. engaged in, or to have previously been engaged in, dishonest practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (Transfer between registered providers);
   b. facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her student visa;
   c. using Provider Registration and International Students Management System (PRISMS) to create Confirmations of Enrolment for other than bona fide a student, or
   d. providing the immigration advice where not authorised under the Migration Act 1958 to do so.

4. Where the registered provider has entered into an agreement with an education agent and subsequently becomes aware of, or reasonably suspects, the engagement by that education agent, or an employee or subcontractor of that agent, of the conduct set out in Standard 4 (3), the registered provider must terminate the agreement with the education agent. This paragraph does not apply where an individual employee or subcontractor of the education agent was responsible for the conduct set out in Standard 4 (3) and the education agent has terminated the relationship with that individual employee or subcontractor.

5. The registered provider must take immediate corrective and preventative action upon the registered provider becoming aware of an education agent being negligent, careless or incompetent or being engaged in false, misleading or unethical advertising and recruitment practices, including practices that could harm the integrity of Australian education and training."

The University uses education agents, both in Australia and overseas, to help promote University programs to prospective students. They also assist prospective students with enquiries, program applications, acceptances, payments and visa applications.

The ESOS Act provides that a registered provider is accountable for the actions of its education agents and is liable for any non-compliance by its agents.

The appointment of an authorised University agent within or outside Australia is the responsibility of the Centre for University Partnerships.

Refer to University's Standard 4 - Education Agents documents

Standard 5 - Younger Students

National Code

Standard 5 – Younger students

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"Where students under the age of 18 are not being cared for in Australia by a parent or suitable nominated relative, registered providers ensure the arrangements made to protect the personal safety and social well-being of those students are appropriate.

1. Where the registered provider has taken on responsibility under the Migration Regulations for approving the accommodation, support and general welfare arrangements for a student who has not turned 18, the registered provider must:
   a. nominate the dates for which the registered provider accepts responsibility for approving the student’s accommodation, support and general welfare arrangements using the specified PRISMS pro forma letter;
   b. advise DIAC in writing of the approval using the specified PRISMS pro forma letter;
   c. have documented procedures for checking the suitability of the student’s accommodation, support and general welfare arrangements, and
   d. advise DIAC as soon as possible in the event that the under 18 year old student has changed his or her living arrangements or the registered provider no longer approves of the arrangements for the student using the specified PRISMS pro forma letter.

2. Where Standard 5(1) applies and the student is under 18 with a student visa that covers multiple courses, the registered provider with whom the student is currently enrolled is responsible for approving arrangements for the student’s accommodation, support and general welfare during that nominated period.

3. Where Standard 5(1) applies and the registered provider terminates, suspends or cancels the enrolment of the student, the registered provider must continue to check the suitability of arrangements for that student until:
   a. the student is accepted by another registered provider and that registered provider takes over responsibility for approving the student’s accommodation, support and general welfare arrangements;
   b. the student leaves Australia;
   c. other suitable arrangements are made that satisfy the Migration Regulations, or
   d. the registered provider reports under Standard 5(1d) that it can no longer approve of the arrangements for the student."

Students Under 18

The University does not accept enrolments from international students under the age of 18 at the time of issuing of the CoE.

Standard 6 - Student Support Services

National Code

Standard 6 – Student support services

"Registered providers support students to adjust to study and life in Australia, to achieve their learning goals and to achieve satisfactory progress towards meeting the learning outcomes of the course.

1. The registered provider must assist students to adjust to study and life in Australia, including through the provision of an age and culturally appropriate orientation course that includes information about:
   a. student support services available to students in the transition to life and study in a new environment;
   b. legal services;
   c. emergency and health services;
   d. facilities and resources;
   e. complaints and appeals processes, and
   f. any student visa condition relating to course progress and/or attendance as appropriate."
2. The registered provider must provide the opportunity for students to participate in services or provide access to services designed to assist students in meeting course requirements and maintaining their attendance.

3. The registered provider must provide the opportunity for students to access welfare-related support services to assist with issues that may arise during their study, including course progress and attendance requirements and accommodation issues. These services must be provided at no additional cost to the student. If the registered provider refers the student to external support services, the registered provider must not charge for the referral.

4. The registered provider must have a documented critical incident policy together with procedures that covers the action to be taken in the event of a critical incident, required follow up to the incident, and records of the incident and action taken.

5. The registered provider must designate a member of staff or members of staff to be the official point of contact for students. The student contact officer or officers must have access to up to date details of the registered provider’s support services.

6. The registered provider must have sufficient student support personnel to meet the needs of the students enrolled with the registered provider.

7. The registered provider must ensure that its staff members that interact directly with students are aware of the registered provider’s obligations under the ESOS framework and the potential implications for students arising from the exercise of these obligations."

**International Student Support**

Student Connect and partner providers will appoint international student support staff with specific responsibility for the provision and coordination of support services to international students. University and its partners have a range of services including counselling service, academic assistance program, English language assistance and student mentors. These services are provided at no additional cost to the student. If it is necessary to refer a student to an external support service e.g. medical practitioner, University and its partners do not charge for the referral.

Students are made aware of the support staff and services available during the orientation program.

Refer to [University's Standard 6 Student Support Services](#) documents.

**Arrival Services**

Commencing international students may have access to arrival services which may include:

- Airport pick-up service. There may be a fee depending on teaching location.
- Arrangement for temporary accommodation by request. There may be a fee depending on teaching location.

International Admissions and partners will specify the arrival services to students for the student's chosen teaching location in pre-arrival information packs.

**The Orientation and Enrolment Program**

Standard 6(1) of the National Code requires that University must assist students to adjust to study and life in Australia, including through the provision of an age and culturally appropriate orientation program that includes information on:

- student support services available to students in the transition to life and study in a new environment;
- legal services;
• emergency, health and safety services;
• facilities and resources;
• complaints and appeals processes, and
• any student visa condition relating to program progress and/or attendance as appropriate.

For students at University campuses, information is included in the International Student Handbook. Partner providers will provide similar information for their teaching locations.

Students must attend orientation at their teaching location. If a student does not attend an orientation, Student Connect and partner provider must ensure the student has access to the information provided at orientation.

Critical Incident Procedure

Standard 6 specifies that registered providers must have a documented critical incident policy together with procedures that cover the action to be taken in the event of a critical incident, required follow-up to the incident, and records of the incident and action taken.

The University has a Incident and Emergency Management Procedure which applies to incidents involving staff and students.

In addition the following applies to international students studying at a University program at any teaching locations in Australia. The University recognises that in most cases international students do not have close family available to care and provide support to them in Australia. It is imperative that the University responds in a practised and timely way with any critical incident involving an international student, that timely and regular information is relayed to families abroad, that ongoing support is provided to a student in need, and comprehensive records are maintained.

Refer to University’s Standard 6 -Critical Incident Management - International Student Procedure

Dissemination of ESOS Compliance Information to Staff

Standard 6(7) of the National Code provides that the ‘registered provider must ensure that its staff members that interact directly with students are aware of the registered provider’s obligations under the ESOS framework and the potential implications for students arising from the exercise of these obligations.’

Staff at all teaching locations are made aware of University’s obligations under the ESOS framework and the potential implications for students arising from the exercise of these obligations in the following ways:

• ESOS Compliance Manual, Policy and Associated Procedures on the University's website
• Staff induction – ESOS information will be provided to relevant staff at the time of local induction
• ESOS training sessions

Standard 7 - Transfer Between Registered Providers

National Code

"Registered providers assess requests from students for a transfer between registered providers within the first six months of the commencement date of the principal course of study in accordance with their documented procedures."
1. The receiving registered provider must not knowingly enrol the student wishing to transfer from another registered provider’s course within the first six months of the commencement date of that student’s principal course of study except where:
   a. the original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered;
   b. the original registered provider has provided a written letter of release;
   c. the original registered provider has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing his or her principal course, or
   d. any government sponsor of the student considers the change to be in the student’s best interest and has provided written support for that change.

2. The registered provider must have and implement its documented student transfer request assessment policy and procedure, which is available to staff and students. The policy must specify:
   a. the circumstances in which a transfer will be granted;
   b. the circumstances the registered provider considers as providing reasonable grounds for refusing the student’s request, including when a transfer can be considered detrimental to the student, and
   c. a reasonable timeframe for assessing and replying to the student’s transfer request having regard to the restricted period.

3. The registered provider must grant a letter of release only where the student has:
   a. provided a letter from another registered provider confirming that a valid enrolment offer has been made, and
   b. where the student is under 18;
      i. the registered provider has written confirmation that the student’s parent or legal guardian supports the transfer, and
      ii. where the student is not being cared for in Australia by a parent or suitable nominated relative, the valid enrolment offer also confirms that the registered provider will accept that responsibility for approving the student’s accommodation, support and general welfare arrangements as per Standard 5 (Younger students).

4. A letter of release, if granted, must be issued at no cost to the student and must advise the student of the need to contact DIBP to seek advice on whether a new student visa is required.

5. Where the registered provider does not grant a letter of release, the student must be provided with written reasons for refusing the request and must be informed of his or her right to appeal the registered provider’s decision in accordance with Standard 8 (Complaints and appeals).

6. The registered provider must maintain records of all requests from students for a letter of release and the assessment of, and decision regarding, the request on the student’s file.”

Standard 7 requires the University to have a documented policy on how it will assess applications to transfer from its own students and sets out minimum content for the policy.

Refer to University's Standard 7 - Transfer Between Registered Providers documents.

Standard 8 - Complaints and Appeals

National Code

Standard 8 – Complaints and appeals

"The National Code recognises that both internal and external complaint and appeals processes play a role in ensuring that grievances are appropriately heard and addressed for both the student and the registered provider. These processes will enable students to firstly seek recourse using the registered provider’s internal processes,
and then if needed, through an independent, external person or body. The complaints and appeals requirements stipulated in Standard 8 may be satisfied by the processes established by the registered provider to satisfy other regulatory requirements. As the student's stay in Australia is subject to the period of his or her student visa, the timeliness of decision making is a consideration in the development of appropriate complaints and appeals policies, procedures and practices.

Registered providers' complaints and appeals processes are independent, easily and immediately accessible and inexpensive for the parties involved.

1. The registered provider must have an appropriate internal complaints handling and appeals process that satisfies the following requirements, or can use its existing internal complaints and appeals processes as long as it meets these requirements:
   a. a process is in place for lodging a formal complaint or appeal if the matter cannot be resolved informally, which requires a written record of the complaint or appeal to be kept;
   b. each complainant or appellant has an opportunity to formally present his or her case at minimal or no cost to him or herself;
   c. each party may be accompanied and assisted by a support person at any relevant meetings;
   d. the complainant or appellant is given a written statement of the outcome, including details of the reasons for the outcome, and
   e. the process commences within 10 working days of the formal lodgement of the complaint or appeal and supporting information and all reasonable measures are taken to finalise the process as soon as practicable.

2. The registered provider must have arrangements in place for a person or body independent of and external to the registered provider to hear complaints or appeals arising from the registered provider’s internal complaints and appeals process or refer students to an existing body where that body is appropriate for the complaint or appeal.

3. If the student is not satisfied with the result or conduct of the internal complaint handling and appeals process, the registered provider must advise the student of his or her right to access the external appeals process at minimal or no cost.

4. If the student chooses to access the registered provider’s complaints and appeals processes as per this standard, the registered provider must maintain the student’s enrolment while the complaints and appeals process is ongoing.

5. If the internal or any external complaint handling or appeal process results in a decision that supports the student, the registered provider must immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.

University Complaints and Appeals Policies

The University has a Student Appeal Policy and Student Appeal Procedure, which cover the requirements of Standard 8 of the National Code 2007.

External Appeal

The University uses the Victorian Ombudsman as its external appeal body. The Victorian Ombudsman’s office will usually require that a student has exhausted all their internal avenues of appeal before it will review the student's case.

Maintaining Student's Enrolment and Reporting Student

The University must maintain the international student's enrolment throughout the internal appeals process for all types of complaints or appeals. However, whether the University must maintain the enrolment throughout the
external appeals process depends on the type of appeal. By enrolment, ESOS means not cancelling the international student's CoE which connects the University to their student visa.

If the appeal is against the provider’s decision to report the student for: Unsatisfactory course progress (see Standard 10) or Unsatisfactory attendance (see Standard 11) the University must maintain the student’s enrolment (i.e. not report the student for unsatisfactory progress or attendance) until the external complaints process is complete and has supported the University’s decision to report.

If the appeal is against the University’s decision to: Suspend or cancel a student’s enrolment due to misbehaviour (see Standard 13) the University only needs to await the outcome of the internal appeals process (supporting the University) before notifying DIBP through PRISMS of the change to the student’s enrolment.

Standard 8 does not require providers to continue to offer learning opportunities throughout the complaints or appeals process, however, the University allows a student to continue attending classes while appealing under academic progress or unsatisfactory attendance due to if the student wins his/her appeal the University is required to assist the student to catch up all missed classes.

**Standard 9 - Completion Within Expected Duration of Study**

**National Code**

**Standard 9 – Completion within expected duration of study**

"Registered providers monitor the workload of students to ensure they complete the course within the duration specified in their CoE and do not exceed the allowable portion of on-line or distance learning. Registered providers only enable students to extend the expected duration of study for the course through the issuing of a new COE in limited circumstances.

1. The registered provider must have and implement documented policies and procedures for monitoring the progress of each student to ensure that at all times the student is in a position to complete the course within the expected duration as specified on the student's COE. In monitoring this enrolment load, the registered provider must ensure that in each compulsory study period for a course, the student is studying at least one unit that is not by distance or on-line learning.

2. The registered provider may only extend the duration of the student’s study where it is clear that the student will not complete the course within the expected duration, as specified on the student’s COE, as the result of:
   a. compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student was unable to attend classes or where the registered provider was unable to offer a pre-requisite unit);
   b. the registered provider implementing its intervention strategy for students who were at risk of not meeting satisfactory course progress, or
   c. an approved deferment or suspension of study has been granted under Standard 13 (Course credit).

3. Where there is a variation in the student's load which may affect the student’s expected duration of study in accordance with 9.2, the registered provider is to record this variation and the reasons for it on the student file. The registered provider must correctly report the student via PRISMS and/or issue a new COE when the student can only account for the variation(s) by extending his or her expected duration of study.

4. The registered provider may allow the student to undertake no more than 25 per cent of the student’s total course by distance and/or on-line learning. However, the registered provider must not enrol the student exclusively in distance or on-line learning units in any compulsory study period.

5. Except in the circumstances specified in 9(2), the expected duration of study specified in the student’s COE must not exceed the CRICOS registered course duration."

Under the National Code 2007, international students are required to complete their studies within the required duration of their offer and acceptance agreement and subsequent CoE. This only allows students to reduce their workload in limited circumstances if, for example, they are on an intervention strategy due to failing courses.
Standard 9 requires that providers have policies and procedures in place to ensure that students complete within the time specified on their original CoE. The Completion Within the Expected Duration of Study Procedure and Monitoring Course Progression Procedure ensure these requirements are met.

These procedures provide for an early intervention strategy for students who are at risk of not making satisfactory progress in their program. These procedures cover all University international students, including non-award students.

**Extensions to Program Duration**

Extending an international student’s program duration is not automatic. The University can only grant an extension to the duration of an international student’s study in limited circumstances specified in Standard 9(2). That is, where a student has to extend due to compassionate or compelling circumstances; where University has implemented an early intervention strategy (refer Standard 10); or the international student has had an approved break in their studies. (Refer to Standard 13).

Students need to be made aware that a visa extension (new student visa) is not automatic and should be provided with this information prior to enrolment and during orientation.

When students seek to extend the duration of their program they must complete an Application to Extend Student Visa form. CUP/PP staff will review the student’s file to ascertain if they have compassionate or compelling circumstances, or whether University has implemented an early intervention strategy or whether they have had an approved break in their studies. To issue a new CoE to extend the duration of the student’s study, reporting staff will need to provide a reason for the extension that equates to one of the three allowed reasons and they will have to provide details.

**Online / Distance Units**

Standard 9(4) provides that University may allow a student to undertake no more than 25 per cent of the student’s total program by distance and/or online learning. Faculties must monitor the percentage of online/distance units undertaken by international students to ensure that they do not undertake more than 25 per cent of their total program by online/distance.

Students cannot study entirely online or by distance in any compulsory study period. This means each student must study at least one ‘face-to-face’ course in every compulsory study period.

Students may study entirely online/distance courses in a non-compulsory study period. However, the online/distance study undertaken in the non-compulsory study period is included in the 25 per cent allowed of the total enrolment load by online or distance learning for the program.

A student can return home and complete the rest of their program by online/distance study. The 25 per cent limit to online/distance study only applies to student visa holders. If the student no longer holds a student visa, the student may study as much of the program on-line or by distance as the University will allow.

**Standard 10 - Monitoring Course Progress**

**National Code**

**Standard 10 – Monitoring course progress**

"Registered providers systematically monitor students’ course progress. Registered providers are proactive in notifying and counselling students who are at risk of failing to meet course progress"
requirements. Registered providers report students, under section 19 of the ESOS Act, who have breached the course progress requirements.

1. The registered provider must monitor, record and assess the course progress of each student for each unit of the course for which the student is enrolled in accordance with the registered provider’s documented course progress policies and procedures.

2. The registered provider must have and implement appropriate documented course progress policies and procedures for each course, which must be provided to staff and students, that specify the:
   a. requirements for achieving satisfactory course progress;
   b. process for assessing satisfactory course progress;
   c. procedure for intervention for students at risk of failing to achieve satisfactory course progress;
   d. process for determining the point at which the student has failed to meet satisfactory course progress, and
   e. procedure for notifying students that they have failed to meet satisfactory course progress requirements.

3. The registered provider must assess the course progress of the student in accordance with the registered provider’s course progress policies and procedures at the end point of every study period.

4. The registered provider must have a documented intervention strategy, which must be made available to staff and students, that specifies the procedures for identifying and assisting students at risk of not meeting the course progress requirements. The strategy must specify:
   a. procedures for contacting and counselling identified students;
   b. strategies to assist identified students to achieve satisfactory course progress, and
   c. the process by which the intervention strategy is activated.

5. The registered provider must implement the intervention strategy for any student who is at risk of not meeting satisfactory course progress requirements. At a minimum, the intervention strategy must be activated where the student has failed or is deemed not yet competent in 50% or more of the units attempted in any study period.

6. Where the registered provider has assessed the student as not achieving satisfactory course progress, the registered provider must notify the student in writing of its intention to report the student for not achieving satisfactory course progress. The written notice must inform the student that he or she is able to access the registered provider’s complaints and appeals process as per Standard 8 (Complaints and appeals) and that the student has 20 working days in which to do so.

7. Where the student has chosen not to access the complaints and appeals processes within the 20 working day period, withdraws from the process, or the process is completed and results in a decision supporting the registered provider, the registered provider must notify the Secretary of DEEWWR through PRISMS of the student not achieving satisfactory course progress as soon as practicable.

The University monitors, records and assesses the program progress of each student for each course of the program for which the student is enrolled and where required activates an intervention strategy in accordance with its procedures. Refer to University's Standard 10 - Monitoring Academic Progress documents.

Reporting Students

All international students who the University determines have not performed satisfactorily must be reported via PRISMS to DIBP.

CUP will monitor students up for academic exclusion or suspension through the University's student management systems. CUP will liaise with the faculties before reporting excluded students, as late show cause applications and late appeals are sometimes permitted. CUP will confirm with the relevant staff member whether any appeals have been received prior to reporting students.

Where a decision has been made, the student has the right to appeal this decision. Refer to the Student Appeal Policy and Student Appeal Procedure.
Where the student does not access the appeals process, withdraws from the process or the process is completed and results in a decision supporting the University, the University is obliged to report the student as not achieving satisfactory program progress as soon as practicable to DIBP via PRISMS.

If the University is reporting a student for unsatisfactory progress, it must allow the student to access the external complaints and appeals process. If a student elects to appeal to the Ombudsman, the University must await the outcome of this process before reporting the student through PRISMS. University’s policies provide that a student should be notified of their right to appeal to the Victorian Ombudsman once they have exhausted all avenues of internal appeal and that they be advised to notify CUP if they have appealed to the Ombudsman. They will be required to provide the unique identifier number of their appeal in order that University staff can check with the Ombudsman’s office that a genuine appeal has been lodged. If a student does appeal to the Ombudsman, their enrolment must be maintained until the outcome of their appeal is known (see section on Complaints and Appeals).

**Standard 11 - Attendance**

**National Code**

**Standard 11 – Monitoring attendance**

"Registered providers systematically monitor students’ compliance with student visa conditions relating to attendance. Registered providers are proactive in notifying and counselling students who are at risk of failing to meet attendance requirements. Registered providers report students, under section 19 of the ESOS Act, who have breached the attendance requirements."

1. The registered provider must record the attendance of each student for the scheduled course contact hours for each CRICOS registered course in which the student is enrolled which is:
   a. an accredited vocational and technical education course (unless Standard 11(2) applies);
   b. an accredited school course;
   c. an accredited or non-award ELICOS course, or
   d. another non-award course.

2. Where the registered provider implements a DEEWR and DIAC approved course progress policy and procedures for its vocational and technical education courses, Standard 11 does not apply.

3. For the courses identified in 11(1), the registered provider must have and implement appropriate documented attendance policies and procedures for each course which must be provided to staff and students that specify the:
   a. requirements for achieving satisfactory attendance, which at a minimum, requires overseas students to attend at least 80 per cent of the scheduled course contact hours;
   b. manner in which attendance and absences are recorded and calculated;
   c. process for assessing satisfactory attendance;
   d. process for determining the point at which the student has failed to meet satisfactory attendance, and
   e. procedure for notifying students that they have failed to meet satisfactory attendance requirements.

4. For the courses identified in 11(1), the registered provider’s attendance policies and procedures must identify the process for contacting and counselling students who have been absent for more than five consecutive days without approval or where the student is at risk of not attending for at least 80 per cent of the scheduled course contact hours for the course in which he or she is enrolled (i.e. before the student’s attendance drops below 80 per cent).

5. For the courses identified in 11(1), the registered provider must regularly assess the attendance of the student in accordance with the registered provider’s attendance policies and procedures.

6. Where the registered provider has assessed the student as not achieving satisfactory attendance for the courses identified in 11(1), the registered provider must notify the student in writing of its intention to report the
student for not achieving satisfactory attendance. The written notice must inform the student that he or she is able to access the registered provider’s complaints and appeals process as per Standard 8 (Complaints and appeals) and that the student has 20 working days in which to do so.

7. Where the student has chosen not to access the complaints and appeals processes within the 20 working day period, withdraws from the process, or the process is completed and results in a decision supporting the registered provider, the registered provider must notify the Secretary of DEEWR through PRISMS that the student is not achieving satisfactory attendance as soon as practicable.

8. For the vocational and technical education and non-award courses identified in 11(1a) and 11(1d), the registered provider may only decide not to report the student for breaching the 80 per cent attendance requirement where:
   a. that decision is consistent with its documented attendance policies and procedures, and
   b. the student records clearly indicate that the student is maintaining satisfactory course progress, and
   c. the registered provider confirms that the student is attending at least 70 per cent of the scheduled course contact hours for the course in which he or she is enrolled.

9. For the ELICOS and school courses identified in 11(1), the registered provider may only decide not to report a student for breaching the 80 per cent attendance requirement where:
   a. the student produces documentary evidence clearly demonstrating that compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student is unable to attend classes) apply, and
   b. that decision is consistent with its documented attendance policies and procedures, and
   c. the registered provider confirms that the student is attending at least 70 per cent of the scheduled course contact hours for the course in which he or she is enrolled."

Higher Education Programs

For higher education programs, the University is not required to monitor attendance but must monitor program progress in accordance with Standard 10.

If it comes to the attention of an academic staff that an international student is not attending any classes during a teaching period, the International Student Adviser or equivalent should be notified. An intervention strategy could be put in place requiring the student to attend classes.

TAFE Programs

From commencement of Semester 2, 2008, the DIICCSRTE-DIAC Course Progress Policy was implemented negating the need to monitor attendance to the same degree. Attendance should be monitored according to course/program requirements.

ELICOS

Students enrolled in an ELICOS registered program must have their attendance monitored. Any period of approved leave or suspension should not be included in attendance calculations.

Please refer to University's Standard 11- Monitoring attendance documents.

Standard 12 - Course Credit

National Code

Warning - Uncontrolled when printed! The current version of this document is kept on the FedUni website.
Standard 12 – Course credit

"Registered providers appropriately recognise course credit within the ESOS framework.

1. Where the registered provider grants course credit, the registered provider must:
   a. have documented procedures for the granting and recording of course credit, and
   b. provide a record of the course credit to the student, which must be signed or otherwise accepted by the student, and place it on the student’s file.

2. If the registered provider grants the student course credit which leads to a shortening of the student’s course, the registered provider must:
   a. if the course credit is granted before the student visa grant, indicate the actual net course duration (as reduced by course credit) in the confirmation of enrolment issued for that student for that course, or
   b. if the course credit is granted after the student visa grant, report the change of course duration via PRISMS under section 19 of the ESOS Act."

Scope of Program Credit

Program Credit covers all circumstances in which a student is granted credit from the requirements to undertake a course within a program by way of:

- Credit transfer / Credit transfer
- Recognition of Prior Learning / Current Competencies
- Advanced standing

The University regulations relating to entry quota’s, admissions and enrolment establish the framework for the granting of credits, recognition of prior learning and credit transfers to University programs.

For processing international student credit applications Refer to University’s Standard 12 - Course Credit documents

Standard 13 - Deferring, Suspending or Cancelling the Student's Enrolment

National Code:

"Registered providers may only enable students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through formal agreement in certain limited circumstances.

1. The registered provider must have in place documented procedures for assessing, approving and recording a deferment of the commencement of study or suspension of study for the student, including keeping documentary evidence on the student’s file of the assessment of the application.

2. The registered provider can only defer or temporarily suspend the enrolment of the student on the grounds of:
   a. compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student is unable to attend classes), or
   b. misbehaviour by the student.

3. The registered provider must:
   a. inform the student that deferring, suspending or cancelling his or her enrolment may affect his or her student visa, and
   b. notify the Secretary of DEEWR via PRISMS as required under section 19 of the ESOS Act where the student’s enrolment is deferred, temporarily suspended or cancelled.
4. The registered provider must inform the student of its intention to terminate, suspend or cancel the student’s enrolment where the termination, suspension or cancellation is not initiated by the student and notify the student that he or she has 20 working days to access the registered provider’s internal complaints and appeals process as per Standard 8(1). If the student accesses the registered provider’s internal complaints and appeals process, the termination, suspension or cancellation of the student’s enrolment under this standard can not take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply."

Deferral / Change of Intake

For information on assessing, approving and recording a deferment, leave of absence, suspension or cancellation of studies refer to University's Deferment, Suspension or Cancellation of a Student's Enrolment (ESOS Specific) Procedure.

Program Withdrawal

The ESOS Act requires the University to report to DIBP via PRISMS any termination of studies by an international student before the student’s program is complete.

Where an international student withdraws prior to completing their program of study, the Withdrawal Form must be signed by the relevant faculty and CUP/PP before being processed by Student Management. CUP will take a photocopy of the Withdrawal Form and provide it to the reporting staff, who will report the student via PRISMS within the required timelines. Failure to report within timelines may result in a fine.

A student who withdraws from study must leave Australia (unless special circumstances exist) or enrol in another CRICOS registered program.

Cross Institutional Study

If an University international student studies at another institute as a cross-institutional student, the University is still responsible for monitoring the academic progress of the student.

International students from other institutions can enrol in single courses. The University is not required to issue a CoE to international students studying at the University as cross institutional students.

Exchange / Study Abroad Programs

International students in Australia on a student visa are allowed to participate in an international exchange program in a third country provided:

- the study or training to be undertaken is an assessable part of the student's program in Australia
- the exchange is no more than 12 months in duration; and
- dependants of the student who are in Australia may stay in Australia up to two months whilst the student is outside Australia on exchange.

University remains responsible for reporting any non-compliance relating to attendance and satisfactory academic performance, and any cessation of studies.

International students participating in exchange programs with overseas partner institutions are provided with a letter from CUP advising:

- that the student is going on exchange;
• the student’s name;
• the student’s date of birth;
• the student’s program of study including CRICOS code;
• the student’s CoE number; and
• the student’s expected dates of departure from and return to Australia.

The student is then required to present the original letter and their passport in person at the nearest DIBP office at least 28 days before their departure from Australia. DIBP will enter the relevant information on its systems, facilitating the student’s departure and return to Australia.

Re-enrolments

The awarding Faculty is responsible for the re-enrolment of international students into their programs subject to satisfactory progress.

CUP/PPs will run reports from the University student information system showing international students who are enrolled and compare this to students with a ‘Studying’ status on PRISMS, and report students to DIBP who have failed to re-enrol.

This report will also pickup students who completed their studies early e.g. due to studying over a summer semester. These students are reported to DIBP for early completion.

Standard 14 - Staff Capability, Educational Resources and Premises

National Code:

Standard 14 – Staff capability, educational resources and premises

"The staff of registered providers are suitably qualified or experienced in relation to the functions they perform for students. The educational resources of registered providers support the delivery of courses to students. The premises of registered providers, including the floor space available for each student, support students to achieve their course outcomes.

1. The registered provider must have and implement policies and procedures to ensure its staffing resources are adequate and have the capabilities as required by the quality assurance framework applying to the course. Where the course provided by the registered provider is not subject to an appropriate quality assurance framework, the registered provider must have and implement appropriate documented policies and processes for the recruitment, induction, performance assessment and ongoing development of members of staff involved with the recruitment or delivery of education or client services to students.

2. The registered provider must have adequate education resources, including facilities, equipment, learning and library resources and premises as required by the quality assurance framework applying to the course. Where the course provided by the registered provider is not subject to an appropriate quality assurance framework, the registered provider must ensure it has adequate education resources, including facilities, equipment, learning and library resources, and premises, including ownership or tenancy arrangements for the premises, as are needed to deliver the registered course to the students enrolled with the registered provider.

3. The registered provider must notify the designated authority and the students enrolled with the registered provider of any intention to relocate premises (including the head office and campus locations) at least 20 working days before the relocation."

Staffing Policy and Procedures
University has comprehensive policies and procedures on the appointment, qualifications and promotion of University staff. These are located at the University Policies, Procedures and Forms website.

The University requires that teaching staff appointments at any partner provider are authorised by the relevant University faculty and are approved to teach specific elements of programs.

The partner provider is responsible for employment of all other staff and for having in place policies and practices that ensure adequate employer and staff management outcomes.

**Resource Procedures and Allocations**

University has comprehensive practices and guidelines on education resources, including facilities, equipment, learning and library resources and premises which are regularly reviewed to ensure adequacy. The Timetabling Coordinator ensures the appropriate floor space is allocated for each student via the allocation of appropriate rooms for classes to be held.

Partner provider locations are approved by the University, TEQSA and/or ASQA.

**Relocation of Teaching Location**

The University will inform the designated authority of any intention of teaching location relocation at least 20 working days prior to the relocation. Any change of location is approved by Senior Management. The notification is lodged by the Manager, Compliance, CUP.

**Standard 15 - Changes to Registered Provider Ownership or Management**

**National Code:**

**Standard 15 – Changes to registered providers’ ownership or management**

"Registered providers are required to advise the designated authority where there is a change to the registered provider’s ownership or management. If changes during the period of registration affect the legal entity of the registered provider, the new owner or entity must seek a new CRICOS registration. In these situations the designated authority is to be notified as soon as possible prior to the change taking place. Where the change of ownership does not result in a new legal entity, any new owners or managers will be subject to the ‘fit and proper person’ test required under section 9(6) of the ESOS Act (Standard 15).

**Outcome of Standard 15**

Registered providers proactively inform the designated authority of prospective ownership and/or management changes.

1. The registered provider must advise the designated authority in writing of:
   a. any prospective changes to the ownership of the registered provider as soon as practicable prior to the change taking effect, and
   b. any prospective or actual change to the high managerial agents (as defined in section 5 of the ESOS Act) of the registered provider as soon as practicable prior to the change taking effect or within 10 working days of the change taking effect where the change cannot be determined until it takes effect.

2. The registered provider must provide the designated authority with information on the new owner or high managerial agent for the purpose of making an assessment under section 9(6) of the ESOS Act."
Changes to Ownership

The University is a statutory body. It has perpetual ownership by the State. Under the ESOS Act, the University is responsible for the compliance of its partner providers.

For partner providers, notification to TEQSA or ASQA of changes to ownership are only required to be made by the University when there is a change in ownership to a partner provider that is so significant that it requires a new agreement to be written. The University will advise TEQSA and/or ASQA of the changes via the Material Change Procedure.

Appendix 1 - Glossary of Definitions, Abbreviations and Acronyms

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Actual Attendance:</td>
<td>This is physical attendance in class. This is calculated by dividing the total number of hours students have attended class by the total number of hours the class has met. If the student is not present FOR ANY REASON, they are marked as absent.</td>
</tr>
<tr>
<td>Agent, Education Agent:</td>
<td>A person (whether within or outside Australia) who represents or acts on behalf of the University in dealing with international students or prospective international students.</td>
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<tr>
<td>AQTF:</td>
<td>Australian Quality Training Framework</td>
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<td>ASQA:</td>
<td>Australian Skills Quality Authority</td>
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<tr>
<td>Program Finder:</td>
<td>University’s program and course database.</td>
</tr>
<tr>
<td>CRICOS:</td>
<td>Commonwealth Register of Institutions and Courses for Overseas Students.</td>
</tr>
<tr>
<td>Critical Incident:</td>
<td>Is a traumatic event, which is likely to cause extreme physical and/or emotional distress involving the University, its staff and/or students.</td>
</tr>
<tr>
<td>CoE:</td>
<td>Confirmation of Enrolment (CoE), required to apply for a student visa.</td>
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<tr>
<td>Compassionate or compelling circumstances:</td>
<td>Circumstance beyond the control of the student and which have an impact upon the student’s program progress or wellbeing.</td>
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<tr>
<td>CUP:</td>
<td>Centre for University Partnerships</td>
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<td>DIBP:</td>
<td>Department of Immigration and Border Protection.</td>
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<td>ESOS:</td>
<td>Education Services for Overseas Students</td>
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<tr>
<td>Faculty:</td>
<td>Faculty or School delivering programs to international students.</td>
</tr>
<tr>
<td>International student:</td>
<td>A person holding an Australian student visa, enrolled in a CRICOS registered program, at the University or its Partner Providers, studying on shore in Australia. Students on other classes of visa are not included.</td>
</tr>
<tr>
<td>ISA:</td>
<td>International Student Adviser</td>
</tr>
<tr>
<td>International Student Offer &amp; Acceptance Agreement:</td>
<td>Letter of offer notifying international student of a place in a program with the University.</td>
</tr>
<tr>
<td>National Code:</td>
<td>National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students, established pursuant to Part 4 of the ESOS Act, as amended from time to time.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Nominated Officer:</td>
<td>University staff member in the case of Students enrolled at and attending the University; or The nominated staff member in the case of University students enrolled at and attending a Partner Provider.</td>
</tr>
<tr>
<td>PP/Partner Provider:</td>
<td>Educational institution providing courses and programs of the University through an education agreement.</td>
</tr>
<tr>
<td>PRISMS:</td>
<td>Provider Registration and International Students Management System.</td>
</tr>
<tr>
<td>Principal Program:</td>
<td>The main program of study to be undertaken by an overseas student where a student visa has been issued for multiple programs of study. The principal program of study would normally be the final program of study where the overseas student arrives in Australia with a student visa that covers multiple programs.</td>
</tr>
<tr>
<td>Projected Attendance:</td>
<td>Projected attendance is what the attendance will be at the end of the trimester assuming that the students attend each and every class from that time onwards.</td>
</tr>
<tr>
<td>Release Application:</td>
<td>Application by a Student for a Release Letter</td>
</tr>
<tr>
<td>Release Letter:</td>
<td>A letter issued by the University approving a student to transfer to another registered provider's program before the completion of six calendar months of the student's course at the University.</td>
</tr>
<tr>
<td>NVR:</td>
<td>National Vet Regulations</td>
</tr>
<tr>
<td>Student:</td>
<td>Student studying in Australia on a student visa.</td>
</tr>
<tr>
<td>Traumatic Event:</td>
<td>A traumatic event is not limited to, but could include:</td>
</tr>
<tr>
<td></td>
<td>• missing students;</td>
</tr>
<tr>
<td></td>
<td>• any fatality or serious injury;</td>
</tr>
<tr>
<td></td>
<td>• a serious traffic collision;</td>
</tr>
<tr>
<td></td>
<td>• murder or suicide;</td>
</tr>
<tr>
<td></td>
<td>• physical / sexual assault or domestic violence;</td>
</tr>
<tr>
<td></td>
<td>• severe verbal or psychological aggression;</td>
</tr>
<tr>
<td></td>
<td>• fire;</td>
</tr>
<tr>
<td></td>
<td>• explosion or bomb threat;</td>
</tr>
<tr>
<td></td>
<td>• a hold up or attempted robbery;</td>
</tr>
<tr>
<td></td>
<td>• serious threats of violence, and</td>
</tr>
<tr>
<td></td>
<td>• storms or natural disasters;</td>
</tr>
<tr>
<td></td>
<td>• drug or alcohol abuse.</td>
</tr>
<tr>
<td>Teaching Location:</td>
<td>University campus or Partner Provider teaching location.</td>
</tr>
<tr>
<td>TPS:</td>
<td>Tuition Protection Service</td>
</tr>
<tr>
<td>University:</td>
<td>Federation University Australia</td>
</tr>
<tr>
<td>Unsatisfactory attendance:</td>
<td>International students who will not be able to achieve 80% attendance per semester or International students who are not meeting the minimum requirements of the course and therefore at risk of not successfully completing their course.</td>
</tr>
</tbody>
</table>
Implementation

The ESOS Compliance Framework Manual will be implemented throughout the University via the following strategies:

1. An Announcement Notice under ‘University Communicate’ on the ‘myUniversity Gateway’ website and through the University Policy - ‘Recently Approved Documents’ webpage to alert the University-wide community of the approved Manual.
2. Inclusion on the University Policy, Procedure and Forms website.