Purpose

The University offers its programs to students through a number of partner providers both within Australia and offshore. Partner Provider Education Agreements are legally binding contracts with a partner, university, or institution of learning for the delivery of a University program.

The purpose of this procedure is to identify the operational requirements for both partner providers and the University prior to and after signing an agreement.

Scope

This procedure applies to all University programs which are delivered or administered by partner providers and must be applied by all University staff involved in the delivery and administration of these programs. This includes but is not limited to:

- Academic and general staff of relevant Faculties.
- Staff involved in the approval process and on-going administration of the programs, including the International and Partners' Committee, Finance, Student Management and Systems, and Engagement Portfolio sections as appropriate.

Definitions
<table>
<thead>
<tr>
<th>Term:</th>
<th>Definition:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agreement/Contract:</td>
<td>An Education Agreement between the University and a partner provider.</td>
</tr>
<tr>
<td>Census Date:</td>
<td>The census date is the date on which a student’s enrolment is finalised for</td>
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<tr>
<td></td>
<td>a course and applicable fees and charges are incurred. It is therefore the</td>
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<tr>
<td></td>
<td>last day to withdraw from a course without incurring a financial liability</td>
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<td>for that course, and have it removed from the official academic record.</td>
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<tr>
<td>Course:</td>
<td>A single subject comprising part of a program.</td>
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<td>CSP:</td>
<td>Commonwealth Supported Place.</td>
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<tr>
<td>BAC:</td>
<td>Budget Advisory Committee.</td>
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<tr>
<td>DVCE:</td>
<td>Deputy Vice-Chancellor, Engagement.</td>
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<td>ESOS:</td>
<td>Education Services for Overseas Students (Act).</td>
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<tr>
<td>Intake:</td>
<td>A set of students selected and enrolled to commence a program at the same</td>
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<tr>
<td></td>
<td>time.</td>
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<tr>
<td>Invoice:</td>
<td>University Debtor’s Invoice generated to charge partner provider our</td>
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<tr>
<td></td>
<td>component of Tuition Fee’s.</td>
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<tr>
<td>IPC:</td>
<td>International and Partners’ Committee.</td>
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<td>ITS:</td>
<td>Information Technology Services.</td>
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<tr>
<td>ISA:</td>
<td>International Student Admissions.</td>
</tr>
<tr>
<td>International Student:</td>
<td>A student who is not an Australian citizen or a New Zealand citizen or not a</td>
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<tr>
<td></td>
<td>holder of an Australian permanent residency visa, who is studying a</td>
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<td>University program on-shore in Australia with a student visa, or at an off-</td>
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<tr>
<td></td>
<td>shore location.</td>
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<tr>
<td>Location:</td>
<td>The University partner provider Campus Location.</td>
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<tr>
<td>CUP:</td>
<td>Centre for University Partnerships.</td>
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<tr>
<td>Minimum Numbers:</td>
<td>Number of students required to commence an intake.</td>
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<tr>
<td>MOU:</td>
<td>Memorandum of Understanding.</td>
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<tr>
<td>Organisation:</td>
<td>The partner provider.</td>
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<tr>
<td>Organisation Fee:</td>
<td>The amount payable to the organisation.</td>
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<tr>
<td>Partner Provider:</td>
<td>Educational institution providing courses and programs of the University</td>
</tr>
<tr>
<td></td>
<td>through an approved Education Agreement (also known as Third Party Provider)</td>
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<tr>
<td>Program:</td>
<td>A program of learning based on a curriculum, training package, units of</td>
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<td></td>
<td>study, or structured workplace learning which leads to an award. Non-</td>
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<tr>
<td></td>
<td>award studies include programs for professional development, education</td>
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<td></td>
<td>development, general interest and preparation for study offered by the</td>
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<td></td>
<td>University.</td>
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<tr>
<td>Schedule of Enrolment:</td>
<td>Partner Provider Schedule listing student enrolment details.</td>
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<tr>
<td>Student:</td>
<td>A person enrolled in a FedUni Program.</td>
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<tr>
<td>Student Management System:</td>
<td>The University ‘s Student Information Management System, Campus Solutions.</td>
</tr>
<tr>
<td>Tuition Fees:</td>
<td>The fees payable by students for the Programs as determined by the parties.</td>
</tr>
<tr>
<td>VC:</td>
<td>Vice-Chancellor of Federation University Australia.</td>
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</tbody>
</table>

Warning - Uncontrolled when printed! The current version of this document is kept on the FedUni website.
Actions

In order to ensure consistent and transparent processes, the development of new Partner Provider agreements or the renewal of existing agreements are subject to an International Partner Provider Approval Process. The University has developed a holistic approach that encompasses the following stages:

Planning.

Due Diligence and Business Case.

Final Approval.

Implementation of the Agreement.

The above stages are structured as follows:

Planning Stage

1. **Potential partner provider identified:** Members of the Vice-Chancellors’ Senior Team, Executive Dean, Pro Vice-Chancellor (International and Partnerships) or Director, Partnerships and Commercial Engagements will identify or be approached by, a potential partner provider.

2. **Initial Strategic approval to proceed:** The Director, Partnerships and Commercial Engagements will assist in the assessment of the viability of the proposed partnership including matching with the University’s strategic intent and business needs reporting to the identifier, Executive Dean and the DVC(E).

3. **Raise MOU:** Where appropriate an MOU may be prepared by the legal office in consultation.

Due Diligence and Business Case Stage

1. **Proposed partner provider completes – Education Partner Due Diligence Checklist:** The proposed partner provider will be forwarded a Education Partner Due Diligence Checklist by the Director, Partnerships and Commercial Engagements to complete and return to the DVC(E).

2. **School completes Business Case:** Executive Dean of Faculty (or nominee) completes Business Case with the assistance of Finance and the Director, Partnerships and Commercial Engagements. The Business case must include consultation with administrative and support areas where appropriate (such as; Library; Finance; Student Connect; Quality, Surveys and Records; and Student Management and Systems) and a preliminary site visit.

3. **Due Diligence Check:** Due Diligence Report obtained and any follow-up undertaken by DVC(E) office and reports to relevant Executive Dean.

4. **International and Partners’ Committee and DVC(E):** Executive Dean (or nominee) presents the Business Case to the International and Partners’ Committee for discussion in light of risk, reputation and revenue including, an analysis of the proposal against the University’s International Strategic Plan, examination of the business plan and financials, and the fit of academic direction. The DVC(E) makes a determination to approve or not approve the proposal and reports to the VC.

5. **Budget Advisory Committee:** If the proposal is accepted and approved in principle by the International and Partners’ Committee and the DVC(E) the case will be presented by the relevant Executive Dean or the DVC(E) to the Budget Advisory Committee. If approved, the Legal office proceeds to draft the contract as directed by the DVC(E).

Final Approval Process

1. **Site Inspection:** Prior to the official signing of the contract, site inspections will be conducted by the Director, Partnerships and Commercial Engagements, the DVC(E) or the VC.
2. **Contract Negotiation:** The contract will be negotiated through the DVC(E)/Legal office in consultation with the relevant Executive Dean (including start date, teaching location(s), financial arrangements and approved programs for delivery).

3. **Contract and associated documents ready for signature:** The Legal Office will arrange signature of the contract. The executed contract will be entered on the provider data-base, filed in the Legal office, with a signed hard copy provided to the relevant Executive Dean, and Manager, Compliance, CUP, and Council notified.

4. **Operational notifications and registration:** Once the contract has been signed, the Director, Commercial Engagements will notify the relevant sections (including CUP; Finance (Student Fees); Quality, Surveys and Records; Student Management and Systems, and Academic Board).

5. **Executive Dean:** The relevant Executive Dean is to submit a memo to the Associate Director, Financial Planning, Budget and Procurement requesting a schedule be formulated of programs and tuition fees to be offered at the partner provider for approval by the VC and reporting to Council.

### Implementation of the Agreement

Upon receipt of notification of an approved partner provider the following is to occur:

#### Director, Partnerships and Commercial Engagements

The following operational notifications are to be made upon the official signing of the Education Agreement -

- Student Management and Systems.
- Centre for University Partnerships.
- Finance (Student Fees).
- Library.
- Faculties.
- Information Technology Services (ITS).
- Academic Board.
- Quality, Surveys and Records.

#### Deputy Vice Chancellor (Engagement)

has responsibility for the process of approving partner providers, and must report partner provider activities to -

- International and Partners’ Committee;
- University Senior Team; and
- University Council.

#### Director, Strategic Planning

- Where the partner is a TAFE Institute, and with authorisation from the Deputy Vice Chancellor, Academic, seek approval from the Commonwealth Government for the provision of CSP funded domestic student programs to be delivered by the partner. No contract for the provision of CSP funding at TAFE partner delivery locations can be entered into without prior approval by the Commonwealth Government via this process.
- The University will not seek approval for CSP funding of domestic students at international partner provider locations.

#### Associate Director, Finance
The Associate Director, Financial Planning, Budget and Procurement will have oversight of the following process:

**Off-shore**

- Determine the requirement for a separate project account code.
- Complete a Master Data Change-Projects form together with a hard copy of the budget and forward to Manager, Business Development - Finance.
- Arrange an electronic version of the budget to the Manager, Business Development – Finance.
- Finance Department will activate the project code upon receiving the two documents described above.
- Upon receipt of a schedule of enrolment from the partner provider, prepare a pre-invoice.
- Raise an adjustment invoice or credit note for the University’s fee share based on enrolments by confirmation from the Student Management System at the conclusion of the enrolment period, i.e.: after the last day to withdraw without financial penalty.
- If funds have been received from the partner provider in advance, student fees will process the appropriate transactions through the University’s finance system to transfer the fees upon confirmation of the invoice amount by the partner provider.
- If the Agreement does not stipulate for fees to be received in advance, the invoice will be forwarded to the partner provider for payment.
- A final reconciliation of tuition fees will be performed at the completion of the teaching period, when results have been published. An adjustment invoice or credit note will be raised for any variation.
- Raise monthly reports showing all transactions for each off-shore partner provider and forward to the Director, Partnerships and Commercial Engagement who will monitor amounts outstanding which are outside of the terms of the Agreement.
- Ensure compliance with the University debt collection policy.

**On-shore**

- Receipt and import external payment files.
- Generate Partner Provider Funds Receive Before Enrolment report.
- Generate student invoices once enrolments are processed.
- Allocate payments to students account accordingly
- Pay partner provider its component of enrolled student load fees as per the terms of the Education Agreement based on after enrolment report.
- Outstanding student fees follow up and cancellation.
- Final reconciliation at applicable term census date.
- Final reconciliation payment to partner provider owing as per the terms of the Education Agreement.
- Generate financial reports for partner provider.
- Match student load to dollars for Commonwealth Government reporting.
- Ensure compliance with the University debt collection policy.

**Manager, Compliance, CUP**

- Upon receipt of a copy of the signed legal agreement, where delivery involves international students, initiate CRICOS registration as required.
- Provide template of Letter of Offer and Acceptance Agreement.
- Initiate contact with the Partner Provider for approval processing of marketing materials and agent briefs.
- Initiate training and access as required for PRISMS.
Associate Director, Student Management and Systems

- Upon receipt of the Request for New Provider Codes from the Legal Office (on signing of contract), initiate registration of the partner provider on the Student Management System and make relevant notifications once completed.
- Upon receipt of the signed contract, configure the Student Management System appropriately for delivery of programs and associated courses at the partner location, as identified in the contract.

Manager, Partner Relations, CUP

- Forward a copy of the Partner Operational Manual to the partner provider.
- Provide training and resources in accordance with the Partner Operational Manual.

Program Administration

The Agreement sets out the legal responsibilities of both parties. The Provider Responsibilities Statement details the responsibilities of the University which will lie within the appropriate Faculty and across the portfolios.

Partner Provider -

The administrative requirements of the Partner Provider are:

- Recruitment: assisting students in the enrolment process, providing appropriate facilities and delivering either part or all of a course. The Partner Provider is responsible for all costs it incurs as per the Agreement. Specific expectations exist in relation to the process around the enrolment and administration of student information and fees.
- Students are recruited in accordance with applicable government regulations and providing all appropriate university information such as the Refund for International Students Policy and Procedure, Tuition Fees Payment Terms for International Students, and the Student Agreement.
- Raise the Letter of Offer and Acceptance Agreement.
- For On-shore students: forward to Student Finance the Student Pre-payment advice for continuing students only.
- For Off-shore students: forward to Student Finance the Schedule of Enrolment.
- Forward all relevant documentation to the University (relevant Faculty, Finance and/or Student Management as directed), to include:
  - Enrolment documentation
  - Evidence of Tuition Fee Payment which can be made by any of the following methods:
    - Bank Draft;
    - Telegraphic Transfer;
    - Credit Card; or
    - B-pay.
- Enrolment process: Assist students with enrolment, including change of courses, withdrawal from study and leave of absences, ensuring all necessary documentation is forwarded to the relevant area within the required time frames.
- Appointing local lecturing and teaching staff: Ensure all lecturers and tutors have been approved by the relevant Faculty prior to employing the lecturer or tutor.
- Provide lecturers, tutors and administrative support for students in the delivery of the program.
- Assess student assignments and exams which are to be forwarded to the relevant school for moderation and ratification prior to release of grades.
- Assist with the appropriate graduation event with the assistance of the University.
University -

The administrative requirements of the University are:

• The relevant Faculty and the Partner Provider to determine whether minimum cohort numbers have been achieved prior to commencing enrolment.
• Schedule of courses for each cohort is developed and agreed between the relevant school and Partner Provider.
• Executive Dean to assess and either approve or not approve nominated lecturers and tutors.
• Relevant Faculty upon receipt of enrolment documentation ensure it is processed and entered onto the relevant information systems.
• Process all requests for refund in accordance with the Refund for International Students Policy and Refund for International Students Procedure.

Responsibilities

The Administrative Requirements are set out within the Actions Section. Individual functional areas are responsible for the development of their own procedures relating to the relevant identified areas below:

• **International and Partners' Committee (IPC):** is responsible for assessing and considering the strategic alliance as presented by the relevant Executive Dean and the Director, Partnerships and Commercial Engagements and making a recommendation to the DVC(E) for determination and reporting to the Vice-Chancellor.
• **Vice-Chancellor:** maintains oversight of University international activities, may participate in contractual negotiations, conduct site inspections and has sole authority to sign international Education Agreements as specified under the University’s Delegations - Contract, Financial, Staffing and Tender Policy.
• **Deputy Vice-Chancellor (Academic):** has the responsibility to assess and assist the relevant Faculty where possible throughout the assessment process, particularly as part of the IPC and BC. The Deputy Vice-Chancellor (Academic) may also be required to negotiate on behalf of the University with potential partners.
• **Legal Office:** Upon notification from the DVC(E):
  • Raise an MOU
  • Raise an International Education Agreement.

Policy Base

• ESOS Act 2000.
• Delegations - Contract, Financial, Staffing and Tender Policy

Associated Documents

• Due Diligence Checklist.
• Business Case.
• ESOS Compliance Framework Policy.
• ESOS Compliance Framework Manual.
• Request to Raise a General Ledger Project Code Account Form C.
• Request to Raise a General Ledger Project Code Account Form D.
• CRICOS Registration Form.
• Request for New Provider Codes.
Records Management

<table>
<thead>
<tr>
<th>Title</th>
<th>Location</th>
<th>Responsible Officer</th>
<th>Minimum Retention Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business Case</td>
<td>DVC(E) Office</td>
<td>DVC(E) or nominee</td>
<td>5 years from expiry of agreement</td>
</tr>
<tr>
<td>Due Diligence Checklist</td>
<td>DVC(E) Office</td>
<td>DVC(E) or nominee</td>
<td>5 years from expiry of agreement</td>
</tr>
<tr>
<td>MOU</td>
<td>Legal office</td>
<td>Manager, Governance</td>
<td>5 years from expiry of agreement</td>
</tr>
<tr>
<td>Signed Contract</td>
<td>Legal office</td>
<td>Manager, Governance</td>
<td>5 years from expiry of agreement</td>
</tr>
</tbody>
</table>

Implementation

The [Operational Requirements for Partner Provider Agreements Procedure](#) will be implemented throughout the University via:

1. an Announcement Notice under ‘FedNews’ on the ‘FedUni’ website and through the University Policy - ‘Recently Approved Documents’ webpage to alert the University-wide community of the approved Procedure;
2. inclusion on the University Policy, Procedure and Forms website;
3. inclusion of Procedure within the Partner Provider Manual distributed to Schools and Partner Providers; and
4. training of staff upon request by the Manager, International Providers & ESOS Compliance.