



ESOS

Training Manual

ESOS Framework

University of New England CRICOS Provider Number 00003G

UNE ESOS Framework: Training Manual

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Compliance Statement

The University of New England (UNE) is required to maintain full compliance at all times with the Education Services for Overseas Students Framework and relevant sections of the *Migration Act, 1958* (the Migration Act).

The ESOS legislative framework comprises:

- Education Services for Overseas Students (ESOS) Act 2000 (as amended in 2010 and 2015);
- Education Services for Overseas Students (ESOS) Regulations 2001;
- Education Services for Overseas Students (Registration Charges) Act 1997 (as amended in 2007);
- Education Services for Overseas Students (TPS Levies) Act 2012 ; and
- The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (National Code 2007).

The ESOS laws benefit two particular groups:

- They protect international students coming to Australia on student visas*
- They set out clear roles and responsibilities for education institutions wishing to teach overseas students.

** ESOS does not cover international students in Australia on visas other than a student visa, nor does it cover students studying at Australian institutions based in other countries, nor those studying online outside of Australia.*

An active compliance program (including policy, rules, procedures etc.) ensures compliance and commitment to compliance across UNE.

ESOS and associated legislation covers the provision of all course delivery and services to international students enrolled at UNE on a student visa, including programs delivered under an arrangement with other Registered Training Providers.

UNE International has the primary responsibility for the development and maintenance of the UNE ESOS compliance environment.

Academic units, Student Administration and Services, Marketing and Public Affairs, Research Services, the Residential System, Pro Vice-Chancellor External Relations, Pro Vice-Chancellor (Academic Innovation) and UNE International are responsible for ensuring compliance policies are properly administered and resourced.

Self-accrediting registered providers e.g. universities, must undertake an independent external audit every five years including a full inspection of premises. The results of the audit are to be provided to the designated

authority (TEQSA). This is in addition to non-ESOS, Department of Education and Training (DET) and TEQSA audits.

UNE's Vice-Chancellor and CEO is the university's Principal Executive Officer for reporting purposes relating to ESOS and the ESOS legislative framework, CRICOS and PRISMS.

Purpose of Briefing

UNE acknowledges its obligations to “ensure that its staff members who 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.” (Section D Clause 6.7, National Code 2007)

This document is designed to provide information for:

- existing staff members wanting to refresh their knowledge of the ESOS Act and the National Code;
- new staff members unfamiliar with the requirements of the Act and the National Code; and
- staff of UNE’s domestic providers.

The ESOS Framework

The ESOS Act and relevant Acts and Regulations set out the legal framework governing delivery of education to overseas students studying in Australia on a student visa.

The Australian Government, through the Department of Education and Training (DET) administers the ESOS Act and its associated instruments.

The ESOS Act and ESOS (Registration Charges) Act were amended with effect from 1 January 2007 and again from 3 March 2010 and the last amendments took effect on 14 December 2015.

The Education Services for Overseas Students (ESOS) Act 2000 (as amended in 2007, 2010, and 2015) encompasses:

- Registration process;
- Obligations of registered providers;
- Tuition Protection Service; and
- Enforcement and compliance powers.

Education Services for Overseas Students (ESOS) Regulations 2001 encompasses:

- Student details that providers must record; and
- when a provider will be served an infringement notice.

Education Services for Overseas Students (Registration Charges) Act 1997 (as amended in 2007 and 2010)

obliges registered providers to pay an annual fee to remain registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).

Education Services for Overseas Students (TPS Levies) Act 2012 contains provisions to require providers to pay fees and levies to fund the Tuition Protection Service.

The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 encompasses:

- Nationally consistent standards that govern the protection of overseas students and delivery of courses to those students by providers registered on CRICOS. Only CRICOS courses can be offered to international students studying in Australia on a student visa.

National Code 2007

Standard 1: Marketing Information and Practices

How do we control compliance of this standard at UNE?

- Marketing Information Practices Operating Procedure that outlines the processes that must be followed when marketing to prospective international students - http://www.une.edu.au/_data/assets/pdf_file/0006/143358/marketing.pdf
- UNE Advertising Policy at <http://policies.une.edu.au/view.current.php?id=00080>
- UNE Media Policy at <http://policies.une.edu.au/view.current.php?id=00091>
- UNE International Student Transfer Between Registered Providers or Locations Policy and Procedure at <http://policies.une.edu.au/view.current.php?id=00183> and <http://policies.une.edu.au/view.current.php?id=00184>

- Marketing of the provider's education and training services must be professional, accurate, and ethical and maintain the integrity and reputation of the industry.
- No false or misleading claims are permitted.
- Marketing and promotional materials (including electronic forms) must include UNE's name and CRICOS provider number.

UNE Staff

- All marketing material for the recruitment of international students must be approved by UNE International (UNEI). A draft copy of marketing materials should be forwarded to international@une.edu.au

Domestic Partner

- Forward drafts of all marketing and promotional material for the purposes of marketing a UNE course to international@une.edu.au
- Keep a copy of all marketing and promotional material forwarded to UNEI;
- UNEI must brief staff representing UNE in international promotional activities. Staff should provide reports to UNEI at international@une.edu.au.

Standard 2: Student Engagement before Enrolment

How do we control compliance of this standard at UNE?

- The Admission Undergraduate and Postgraduate (Coursework) Rule at <http://policies.une.edu.au/view.current.php?id=00033#s2>
- The Undergraduate Admission for International Students Operating Procedure at http://www.une.edu.au/_data/assets/pdf_file/0015/143241/undergraduate-admission-for-international-students.pdf
- The Postgraduate Admission for International Students Operating Procedure at http://www.une.edu.au/_data/assets/pdf_file/0014/143240/postgraduate-international-student-admission.pdf
- The UNE English Language Requirements for Admission Rule (ELRAR) at <http://policies.une.edu.au/view.current.php?id=00220>
- The Australian Government Department of Education and Training's ESOS Framework at <https://internationaleducation.gov.au/Regulatory-Information/Pages/Regulatoryinformation.aspx>

- Recruitment of students is to be conducted in an ethical and responsible manner.
- Prior to acceptance, students must be provided with accurate up-to-date specified information that enables them to make informed decisions.
- Documented procedures must be in place and implemented to assess academic qualifications and English language proficiency.

UNE Staff

International Admissions are administered by UNEI. Please forward any queries or concerns to Ingrid Elliston, Manager, International Recruitment and Admissions at international.admission@une.edu.au

Domestic Partners

- Enforce UNE's Undergraduate Admission Rules and adhere to UNE Admission Procedures for Undergraduate and Postgraduate Admission.
- Admission Procedures should be set out in the Joint Procedures Manual (JPM).

Standard 3: Formalisation of Enrolment

How do we control compliance of this standard at UNE?

- The Admission Undergraduate and Postgraduate (Coursework) Rule at <http://policies.une.edu.au/view.current.php?id=00033#s2>
- The Undergraduate Admission for International Students Operating Procedure at http://www.une.edu.au/_data/assets/pdf_file/0015/143241/undergraduate-admission-for-international-students.pdf
- The Postgraduate Admission for International Students Operating Procedure at http://www.une.edu.au/_data/assets/pdf_file/0014/143240/postgraduate-international-student-admission.pdf
- The UNE English Language Requirements for Admission Rule (ELRAR) at <http://policies.une.edu.au/view.current.php?id=00220>
- The Australian Government Department of Education and Training's ESOS Framework at <https://internationaleducation.gov.au/Regulatory-Information/Pages/Regulatoryinformation.aspx>

- UNE must enter into a written agreement with the student which is to include: course title, conditions of enrolment, an itemized list of course monies payable and refund conditions (including both student and provider default).
- Students are to be advised of the obligation to notify UNE of a change of address whilst enrolled.

UNE Staff

Formalisation of enrolment is predominately administered by UNEI. Forward any queries or concerns to the Manager, International Recruitment and Admissions at international.admission@une.edu.au

Domestic Partners

- Advise UNE students of refund arrangements.
- Procedures for refunds should be set out in the Joint Procedures Manual (JPM).

Standard 4: Education Agents

How do we control compliance of this standard at UNE?

- The Admission Undergraduate and Postgraduate (Coursework) Rule at <http://policies.une.edu.au/view.current.php?id=00033#s2>
- The Undergraduate Admission for International Students Operating Procedure at http://www.une.edu.au/_data/assets/pdf_file/0015/143241/undergraduate-admission-for-international-students.pdf
- The Postgraduate Admission for International Students Operating Procedure at http://www.une.edu.au/_data/assets/pdf_file/0014/143240/postgraduate-international-student-admission.pdf
- The UNE English Language Requirements for Admission Rule (ELRAR) at <http://policies.une.edu.au/view.current.php?id=00220>
- The Australian Government Department of Education and Training's ESOS Framework at <https://internationaleducation.gov.au/Regulatory-Information/Pages/Regulatoryinformation.aspx>

- Education agents must have an appropriate knowledge and understanding of the Australian international education industry.
- Providers cannot use education agents who are dishonest and lack integrity.
- UNE must have a written agreement for all agents it engages and these agreements must include responsibilities of each party, need to comply with National Code, processes for monitoring activities of the agent including preventative and corrective action, specified termination conditions.
- Registered providers must ensure agents have and use up-to-date and accurate marketing information.
- Registered providers must take immediate corrective action if they become aware of an education agent being negligent, misleading or false behavior.

UNE Staff

- The appointment, management and termination of UNE agents are administered by UNEI. If a UNE employee has any concerns in relation to agents, in particular information on any possible breach of the National Code 2007 or its amendments, please contact UNEI immediately at international@une.edu.au.
- Publish and update a list of authorised agents on the UNE website.

Domestic Partners

Ensure that they:

- Have in place a UNE-approved Agent's Policy and related procedures for agents recruiting students into a UNE course.
- Use a UNE-approved agent agreement.
- Provide a list of authorised agents on an annual basis and publish and update a list of authorised agents on its website.
- Keep an up-to-date copy of the Agents Policy and Procedures on file.
- Provide a copy of any changes to the documentation as they occur and ensure a current copy is provided as a part of the annual partnership reporting process.

Standard 5: Younger Students

How do we control compliance of this standard at UNE?

- The Admission Undergraduate and Postgraduate (Coursework) Rule at <http://policies.une.edu.au/view.current.php?id=00033#s2>
- The Undergraduate Admission for International Students Operating Procedure at http://www.une.edu.au/_data/assets/pdf_file/0015/143241/undergraduate-admission-for-international-students.pdf
- The Postgraduate Admission for International Students Operating Procedure at http://www.une.edu.au/_data/assets/pdf_file/0014/143240/postgraduate-international-student-admission.pdf
- The UNE English Language Requirements for Admission Rule (ELRAR) at <http://policies.une.edu.au/view.current.php?id=00220>
- The Australian Government Department of Education and Training's ESOS Framework at <https://internationaleducation.gov.au/Regulatory-Information/Pages/Regulatoryinformation.aspx>

UNE will only accept international students under the age of 18 if they are being cared for in Australia by a parent or suitable relative, or as a UNE English Language Centre student who will reach the age of 18 before enrolling in a UNE award-bearing program, at the discretion of the Director, UNE International.

Standard 6: Student Support Services

How do we control compliance of this standard at UNE?

- International Students Support Services Operating Procedure at http://www.une.edu.au/_data/assets/pdf_file/0017/121418/international-student-support-services.pdf
- International Critical Incidents Operating Procedure at http://www.une.edu.au/_data/assets/pdf_file/0018/121419/international-critical-incidents-operating-procedures.pdf
- International Critical Incident Immediate Response Checklist at http://www.une.edu.au/_data/assets/pdf_file/0016/121057/critical-incidents-checklist-.pdf
- Care for and Services to Students Under 18 Operating Procedure at http://www.une.edu.au/_data/assets/pdf_file/0016/121417/care-for-and-services-to-students-under-18.pdf

Students are to be provided with ongoing access to information on the following:

- Adjustment to study and life in Australia.
- A culturally and age-appropriate orientation program.
- Study support services to assist students in meeting course requirements.
- Welfare and accommodation services.
- Safety, student rights and where to seek support in making complaints.
- Any student visa condition relating to course progress and/or attendance as appropriate.
- Member/s of staff designated as official point/s of contact.

UNE should provide sufficient support personnel to meet needs of students.

All UNE staff interacting with students need to be aware of their obligations under ESOS framework.

Use the International Critical Incidents Policy and checklist to assist students in unforeseen and difficult circumstances.

UNE Staff

International Student Support Services are provided by UNEI. UNEI does the following:

- Provides airport pick-up for new arrivals on request;
- Organises home-stay (with the English Language Centre) and assists students with accommodation issues;
- Organises International Orientation and international student activities throughout the year;

- Assists students to access academic support and pastoral care services offered by the University; and
- Provides advice and support regarding work.

UNE Staff should:

- Refer any international student to the appropriate service regarding any personal and/or academic issue at any time during their time at UNE to [AskUNE](#) or by phoning UNEI on 6773 3192.
- Notify UNEI of the arrival on-campus of Study Tour students and visiting academics.
- **Critical Incidents** - Call Security (02 6773 2099) and UNEI (02 6773 3192) immediately if an incident occurs involving:
 - International students on-campus in Armidale;
 - International exchange students;
 - International short-term non-award students;
 - International Study Tour participants; or
 - International visiting academics.

Domestic Partners

- Must have an up-to-date Critical Incidents Policy and Procedure aligned with the UNE Policy.
- Must provide UNEI with the 24 hour contact details of their Critical Incident Coordinator.
- Must provide to UNE students on their campus:
 - Appropriate orientation;
 - Access to sufficient support personnel;
 - Access to services to assist students in meeting course requirements; and
 - Access to welfare support services.

Standard 7: Transfer Between Registered Providers

How do we control compliance of this standard at UNE?

- International Students Support Services Operating Procedure at http://www.une.edu.au/_data/assets/pdf_file/0017/121418/international-student-support-services.pdf
- International Critical Incidents Operating Procedure at http://www.une.edu.au/_data/assets/pdf_file/0018/121419/international-critical-incidents-operating-procedures.pdf
- International Critical Incident Immediate Response Checklist at http://www.une.edu.au/_data/assets/pdf_file/0016/121057/critical-incidents-checklist-.pdf
- Care for and Services to Students Under 18 Operating Procedure at http://www.une.edu.au/_data/assets/pdf_file/0016/121417/care-for-and-services-to-students-under-18.pdf

- Transfers are permitted after the first six months of the student's principal course.
- Providers must not knowingly enrol transferring students in the first six months unless a formal letter of release is received from the relinquishing provider.
- Registered providers must have and implement a documented student transfer request assessment policy.
- Providers must advise students to seek advice from Department of Immigration and Border Protection (DIBP) if a letter of release is granted.

UNE Staff

- All applications by international students for transfer **to** UNE are administered by UNEI and should be referred to international.admission@une.edu.au
- All requests to transfer **from** UNE within the first six months of study are administered by UNEI. To apply for a letter of release the student must complete the *Request to Transfer Between Registered Provider* form <http://www.une.edu.au/current-students/support/international-students/legislative-compliance-esos-and-national-code-2007> and send to the Manager, International Services and Compliance, UNEI at bgilson2@une.edu.au and include the following:
 - A written explanation of the reasons for the transfer, including any supporting documentation;
 - A letter from another provider confirming that a valid enrolment offer has been made.

Domestic Partners

Students applying to transfer from UNE within the first six months must apply for a letter of release. The student must complete the *Request to Transfer Between Registered Providers* and give this form to the Partner

Administrative staff. The Campus Manager will make a recommendation and forward the form to the Manager, International Services and Compliance, UNEI at bgilson2@une.edu.au. The application must include:

- A written explanation of the reason/s for the transfer, including any supporting documentation;
- A letter from the other provider confirming that a valid enrolment offer has been made.
- A recommendation from the partner Campus Manager.

Students applying to transfer between Teaching Locations must complete the *Request to Transfer Between Teaching Locations* and give this form to the Partner Administrative staff. The Campus Manager will make a recommendation and forward the form to the Manager, International Services and Compliance UNEI at bgilson2@une.edu.au. The application must include a written explanation of the reason/s for the transfer.

Standard 8: Complaints and Appeals

How do we control compliance of this standard at UNE?

- Academic Assessment Appeals Policy at <http://policies.une.edu.au/view.current.php?id=00198>
- Academic Assessment Appeals Procedures at <http://policies.une.edu.au/view.current.php?id=00199>
- Compassionate and Compelling Circumstances at http://www.une.edu.au/_data/assets/pdf_file/0014/121424/compassionate-compelling-circumstances.pdf
- Deferring and Suspending International Student Enrolment Operating Procedure http://www.une.edu.au/_data/assets/pdf_file/0018/121428/deferring-and-suspending-enrolment.pdf
- Student (Related) Grievance Handling Policy <http://policies.une.edu.au/view.current.php?id=00251>
- Student (Related) Grievance Handling Procedures <http://policies.une.edu.au/view.current.php?id=00252>
- Student Coursework Academic Misconduct Rule <http://policies.une.edu.au/view.current.php?id=00257>
- Student Coursework Academic Misconduct Procedures <http://policies.une.edu.au/view.current.php?id=00304>
- Student Behavioural Misconduct Rules <http://policies.une.edu.au/view.current.php?id=00215>
- Student Behavioural Misconduct Rules – Behavioural Misconduct Investigation and Penalty Guidelines at <http://policies.une.edu.au/view.current.php?id=00253>
- Residential Colleges Code of Conduct <http://www.une.edu.au/campus-life/une-accommodation/apply/agreement-terms/code-of-conduct>
- Student Rights and Responsibilities – ELC http://www.une.edu.au/_data/assets/pdf_file/0007/79918/elc-procedures.pdf
- Student Complaints and Appeals – ELC http://www.une.edu.au/_data/assets/pdf_file/0006/79917/elc-complaints-appeals.pdf

- Appropriate internal complaints and appeals processes must be in place and students made aware of their existence and have access to procedures.
- Independent and external mediating agency must be available.
- Complaints and appeals processes must be timely, accessible and inexpensive.
- Internal complaints process must begin within 10 working days of receiving a complaint.

UNE Staff

- Must be aware that processing of complaints and appeals lodged by an international student must begin within 10 working days of receipt of the formal complaint.
- UNE staff responsible for administering the relevant policy must maintain comprehensive records of all complaints and appeals and their outcomes including statement of findings in relation to each complaint or appeal that demonstrates the reasons behind the decisions made at each stage of the appeal and evidence that the statement is issued to the student and a copy retained on the student's file.
- International Services must be advised when the complaint or appeal is first lodged, and of the outcome of the appeal.
- If the student is not satisfied with the result or conduct of the internal complaint or appeals process he/she may access an external mediator at minimal or no cost.

Domestic Partners

UNE students at all domestic partner locations are subject to UNE's Complaints and Appeals processes (see links above).

Standard 9: Completion Within the Expected Duration of Study

How do we control compliance of this standard at UNE?

- Duration, Study Load and Mode for International Students in Australia Operating Procedures
http://www.une.edu.au/_data/assets/pdf_file/0015/121425/duration-study-load-and-mode.pdf
- Compassionate and Compelling Circumstances for Full-Time International Students Guidelines
http://www.une.edu.au/_data/assets/pdf_file/0014/108212/compassionate-compelling-guidelines.pdf
- Early Intervention Strategy for International Students Studying in Australia Operating Procedures
http://www.une.edu.au/_data/assets/pdf_file/0016/121426/early-intervention-strategy.pdf
- English Language Centre Intervention Policy and Procedures
http://www.une.edu.au/_data/assets/pdf_file/0009/79929/ELC-Intervention-Policy-and-Procedures-2014.pdf
- English Language Centre Monitoring Course Progress Policy and Procedure
http://www.une.edu.au/_data/assets/pdf_file/0010/79948/elc-progress.pdf

- Through documented course progress policies and procedures, providers must monitor the progress of students to ensure completion within the duration specified on a students' Confirmation of Enrolment (CoE).
Providers may only extend a student's duration of study in limited circumstances. Changes must be administered, recorded on the student file and reported via PRISMS by International Services, UNEI. In monitoring enrolment loads, providers must ensure:
 - that the student is studying at least one unit in any compulsory study period that is not by distance or online learning; and
 - that the student does not exceed 25% of the total course by distance and/or online learning.

UNE Staff

Ensure students are aware of the expected duration of their course (i.e. one which will enable them to complete their studies in the time specified on their Confirmation of Enrolment).

Domestic Partners

The provisions of Standard 9 are administered by internal process at UNE.

Standard 10: Monitoring Course Progress

How do we control compliance of this standard at UNE?

- Early Intervention Strategy for International Students Studying in Australia Operating Procedures http://www.une.edu.au/_data/assets/pdf_file/0016/121426/early-intervention-strategy.pdf
- Course Progression Rule <http://policies.une.edu.au/view.current.php?id=00293>
- Course Progression Procedure <http://policies.une.edu.au/view.current.php?id=00294>
- English Language Centre Intervention Policy and Procedures http://www.une.edu.au/_data/assets/pdf_file/0009/79929/ELC-Intervention-Policy-and-Procedures-2014.pdf
- English Language Centre Monitoring Course Progress Policy and Procedure http://www.une.edu.au/_data/assets/pdf_file/0010/79948/elc-progress.pdf

- Providers must have and implement documented course progress policies and procedures and provide these to staff and students.
- Course progress is to be assessed at the end point of each study period. Providers must have a documented intervention strategy, specifying procedures for identifying and assisting students at risk of not meeting course requirements.
- At a minimum, the intervention strategy must be activated when the student has failed 50% or more of the units in any one study period.
- Students who do not meet satisfactory course progress requirements must be reported to DET via PRISMS.

UNE Staff

Where the student is determined to be at serious risk of not making satisfactory course progress UNEI will advise the student on behalf of the Course Coordinator in writing, that they are at risk of not making satisfactory course progress, and all correspondence kept on the student file in TRIM.

In conjunction with the supervising academic of the individual unit the Course Coordinator is to counsel the student, as appropriate to the unit, to undertake corrective action as specified in the *Early Intervention Strategy for International Students Studying in Australia*.

A file note of the actions taken above is kept on the student file in TRIM by either the supervising academic or Course Coordinator (as appropriate).

A copy of the file note is also forwarded to the Manager, International Services and Compliance, UNEI at bgilson2@une.edu.au.

Domestic Partners

Implement an Early Intervention Strategy, based on the UNE *Early Intervention Strategy for International Students Studying in Australia* for counselling students at risk.

Standard 11: Monitoring Attendance

How do we control compliance of this standard at UNE?

- English Language Centre Monitoring Student Attendance
http://www.une.edu.au/_data/assets/pdf_file/0011/79949/elc-attendance.pdf
- Compassionate and Compelling Circumstances for Full-Time International Students Guidelines
http://www.une.edu.au/_data/assets/pdf_file/0014/108212/compassionate-compelling-guidelines.pdf

This standard relates to VET and ELICOS providers. Monitoring of International Student attendance is mandatory as part of activating the Early Intervention Strategy (see Standard 10).

At UNE, the English Language Centre is required to monitor attendance under this Standard. Also some academic areas do choose to monitor attendance at tutorials and laboratory sessions as an integral part of their unit requirements.

Standard 12: Course Credit

How do we control compliance of this standard at UNE?

- Advanced Standing Policy <http://policies.une.edu.au/view.current.php?id=00210>
- Advanced Standing Procedures <http://policies.une.edu.au/view.current.php?id=00211>
- Advanced Standing Application Guidelines
<http://policies.une.edu.au/view.current.php?id=00212>
- Assessment Rule <http://policies.une.edu.au/view.current.php?id=00228>
- Admission Undergraduate and Postgraduate (Coursework) Rule
<http://policies.une.edu.au/view.current.php?id=00033#s2>
- Undergraduate Admission for International Students Operating Procedure
http://www.une.edu.au/_data/assets/pdf_file/0015/143241/undergraduate-admission-for-international-students.pdf

- Registered providers must have documented procedures for granting and recording course credit. The Confirmation of Enrolment (CoE) must reflect net duration of course if credit is granted before a student visa.
- If credit is granted after approval of a student visa, change of course duration must be reported via PRISMS.
- Students must accept a record of course credit granted. This record is recorded on Trim.
- Students are to maintain full study load in order to complete course in net duration.

UNE Staff

Applications for Course Credit are made through UNE Student Services. Information is available at: <http://www.une.edu.au/study/applying-to-une/transfer-and-advanced-standing> .

If the applicant is an international student, the outcome of the application is to be forwarded immediately to the Manager, International Recruitment and Admissions, UNEI at international.admission@une.edu.au.

Domestic Partners

Applications for Course Credit are made through UNE Student Central. Information is available at: <http://www.une.edu.au/study/applying-to-une/transfer-and-advanced-standing>.

Standard 13: Deferring, suspending or cancelling the student's enrolment

How do we control compliance of this standard at UNE?

- Deferring and Suspending International Student Enrolment Operating Procedures
http://www.une.edu.au/_data/assets/pdf_file/0018/121428/deferring-and-suspending-enrolment.pdf
- Compassionate and Compelling Circumstances for Full-Time International Students Guidelines
http://www.une.edu.au/_data/assets/pdf_file/0014/108212/compassionate-compelling-guidelines.pdf
- English Language Centre Student Rights and Responsibilities – Guidelines and Procedures
http://www.une.edu.au/_data/assets/pdf_file/0007/79918/elc-procedures.pdf
- English Language Centre Student Complaints and Appeals

- Providers must have documented procedures in place for assessing, approving and recording a deferment or suspension of study.
- Providers may only defer or temporarily suspend enrolment on the grounds of compassionate or compelling circumstances and misbehaviour (see Policy link above).

- Students are to be notified that deferring, suspending or cancelling may affect their visa. Provider must notify DET via PRISMS where the student's enrolment is deferred, suspended or cancelled.
- Provider must notify the student of the intention to suspend or cancel and that he/she has 20 working days to access the internal appeals and complaints process.
The provider must maintain the student's enrolment until the internal appeals process is resolved.

UNE Staff

Refer any application for deferment after commencement of studies to the Manager, International Services and Compliance through [AskUNE](#).

Domestic Partners

Refer any application for deferment after commencement of studies to the Manager, International Services and Compliance through [AskUNE](#).

Standard 14: Staff capability, education resources and premises must adequately support student achievement.

How do we control compliance of this standard at UNE?

- Advanced Standing Policy <http://policies.une.edu.au/view.current.php?id=00210>
- Advanced Standing Procedures <http://policies.une.edu.au/view.current.php?id=00211>
- Advanced Standing Application Guidelines
<http://policies.une.edu.au/view.current.php?id=00212>
- Assessment Rule <http://policies.une.edu.au/view.current.php?id=00228>
- Admission Undergraduate and Postgraduate (Coursework) Rule
<http://policies.une.edu.au/view.current.php?id=00033#s2>
- Undergraduate Admission for International Students Operating Procedure
http://www.une.edu.au/data/assets/pdf_file/0015/143241/undergraduate-admission-for-international-students.pdf

- Adequate course quality assurance frameworks must be in place.
- Providers must notify designated authority and students at least 20 working days in advance of intention to relocate premises.

UNE Staff and Domestic Partners

UNE will conduct annual audits of domestic partners.

Standard 15: Changes to Registered Provider's Ownership or Management

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

UNE Staff and Domestic Partners

UNE will conduct annual audits of domestic partners.

Other Useful Information: CRICOS and PRISMS

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

- CRICOS and the CRICOS process is set out in sections 3-12 of the National Code 2007.
Any provider of education and training that seeks to recruit, enrol or teach overseas students, or advertise its ability to do so, **MUST** be registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) or must do so in accordance with an arrangement it has with a registered provider for the relevant course, in which case the registered provider is responsible for all obligations under the Act.
- The provider must be registered for each course it offers to overseas students and for each State or Territory in which it offers the course.
- Only full-time courses can be registered on CRICOS.
- Full-time distance education and part-time courses are not to be registered on CRICOS.
- Courses with a distance or online component can only be registered on CRICOS where the designated authority is satisfied that these courses meet the minimum requirements as specified in Standard 9.
- Where more than one provider is involved in the provision of one course, **only one provider is to be registered to provide that course**. The relevant State Authority will decide which provider is to be registered.
- The involvement of other providers in the provision of the course must be under an arrangement with the registered provider, and with the approval of the State or Territory.
- A provider must comply with all registration requirements under relevant State Legislation, and with all the requirements of the National Code, before it is registered on CRICOS
- Any work-based training that is necessary in order to obtain the qualification is to be included in the course duration and appropriate arrangements for the supervision and assessment of overseas students in place. Optional work experience not approved as necessary in order to obtain the qualification must be excluded.

- CRICOS registration of a provider must specify the number of overseas students the provider can teach.
- If a course is planned but not yet registered on CRICOS, promotion of the course is possible but the provider must not:
 - claim to provide the course;
 - offer the planned course; or
 - invite applications for the planned course.
- The National Code 2007 clearly states that CRICOS registration is not transferable. If a change in ownership results in a change of legal entity, the new entity must seek CRICOS registration.

Provider Registration and International Students Management System (PRISMS)

- PRISMS is a computer system developed by DET in cooperation with DIBP for the purposes of the ESOS ACT and the Migration Act. **It provides a secure system for providers registered on CRICOS to comply with legislative requirements by:**
 - creating and authorising Confirmation of Enrolments (CoEs) for overseas students enrolling (either from offshore or onshore) with the provider (as required under the ESOS Act); and
 - reporting changes in course enrolment and student non-compliance with visa conditions relating to attendance and academic performance (required under the ESOS Act).
- CoEs were introduced in 2000 to improve the integrity and efficiency of confirmation of enrolment for the purposes of student visa issue. They can only be generated through PRISMS. **DIBP requires a CoE as “evidence of enrolment” in a registered full-time course before it will issue a student visa.**
- Access to PRISMS is only granted to those people nominated by the Principal Executive Officers (PEOs) of providers registered on CRICOS. PEOs and delegates will also have the discretion to nominate their staff levels of access. The different levels allow staff to:
 - only **create** CoEs, or
 - **create and authorise** CoEs and report on students.
- PEOs are also able to nominate agents to **create** CoEs for them, but **only** the provider’s staff is able to **authorise** forms created by agents.
- Student enrolment information is entered into PRISMS in order to create an enrolment record and thus print out a Confirmation of Enrolment (a CoE) letter to give to the student.
- The information entered is transmitted to DIBP who forward it to their visa processing offices so that, when a student applies for a student visa, the DIBP officer is able to authenticate the CoE letter.
- DIBP transmit student visa grants, visa refusals and student movements to DET where this data is used to determine the status of the student, that is, have they arrived, are they studying, should their CoE be cancelled, etc.
- When a provider reports a student via PRISMS for non-compliance, the information is transmitted to DIBP who will investigate the student and will respond to DET with the outcome of their investigation.

Contacts for Further Information

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Useful Web Addresses

<https://internationaleducation.gov.au/regulatory-information/pages/regulatoryinformation.aspx>

<http://www.une.edu.au/current-students/support/international-students/legislative-compliance-esos-and-national-code-2007>

http://www.une.edu.au/od/hos/section_04.php

<http://www.border.gov.au/>

Definitions

CRICOS:	Commonwealth Register of Institutions and Courses for Overseas Students
ELC:	English Language Centre
ESOS:	Education Services for Overseas Students
DET:	Department of Education and Training
DIBP:	Department of Immigration and Border Protection
UNEI:	UNE International
PRISMS:	Provider Registration and International Students Management System

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