



Formalisation of Enrolment Policy & Procedure

Introduction

Australian Technical College Western Australia (ATCWA) ensures that all international student enrolments are subject to a written agreement and are protected under Australian Consumer Law.

Purpose

To ensure that ATCWA has a written agreement with all international students that sets out the services to be provided, the fees payable and all information relevant to complaints and appeals, deferral, suspension and cancellation of enrolment and the refund of course money.

This policy has been developed in accordance with Part B Standard 3 and 8 of the National Code 2018.

Scope

This policy and procedure applies to all international students enrolling in CRICOS registered courses at ATCWA.

Responsibilities

Operations Manager, Admin Officer, Accounts Officer.

Definitions

International student means international students or intending international students on a student visa under the Migration Act 1958.

DHA means Department of Home Affairs.

eCoE means electronic Confirmation of Enrolment.

International student means international students or intending international students on a student visa under the Migration Act 1958.

PRISMS means Provider Registration & International Students Management System.

Alignment

National Code of Practice for Providers of Education and Training to Overseas Students 2018

Part B (Standard)	3.1, 3.2, 3.3.1, 3.3.2, 3.3.3, 3.3.4, 3.3.5, 3.3.6, 3.3.7, 3.3.8, 3.3.9, 3.4.1, 3.4.2, 3.4.3, 3.4.4, 3.4.5, 3.5.1, 3.5.2, 3.5.3, 3.6, 8.5
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Document Control

Version	Date	Author	Change Description
001	6 June 2019	ATCWA	Creation of policy
002	30 August 2019	ATCWA	Review of Policy
003	<Select date>		
004	<Select date>		

Policy Statement

ATCWA will ensure that it enters into a written agreement with all international students, that is signed and otherwise accepted by that international student (or the international student's parent or legal guardian if the international student is under eighteen (18) years of age), concurrently with or prior to accepting course money from the international student. The agreement can take any form provided it meets the requirements of the *ESOS Act 2000* and the *National Code 2018*. The agreement must be in plain English and:

1. Identify the course or courses in which the international student is to be enrolled and any conditions on their enrolment;
2. Provide an itemised list of tuition fees payable by the international student including
 - a) the study periods to which those tuition fees apply; and
 - b) all relevant payment options (including, if permitted under the *ESOS Act 2000*, that the international student may choose to pay more than 50% of their tuition fees before the commencement of the CRICOS registered course);
3. Provide details of any non-tuition fees the international student might incur, including as a result of undertaking reassessment, a deferral of study, late payment fees or any other circumstances for which non-tuition fees might be incurred by the international student;
4. Provide information in relation to refunds of course money;
5. Provide an outline of ATCWA's Complaints and Appeals Policy and Procedure in accordance with National Code 2018, Part B, Standard 10;
6. Set out the circumstances in which personal information about the international student may be shared between ATCWA and the Australian Government, the Tuition Protection Service (TPS) and state and/or territory agencies, in accordance with the *Privacy Act 1988*. This information includes personal and contact details, course enrolment details and changes, and the circumstance of any suspected breach by the international student of a student visa condition;
7. Advise the international student of their obligation to notify ATCWA of their contact details, including any change to their contact details as follows:
 - a) The international student's current residential address, mobile number (if any) and email address (if any);
 - b) Who to contact in emergency situations; and
 - c) Any changes to those details within seven (7) calendar days of the change occurring;
8. Advise the international student of their obligation to maintain a copy of the written agreement with ATCWA, as supplied by ATCWA and receipts of any payments towards tuition and/or non-tuition fees; and
9. Ensure that ATCWA only provides links to information that is supplementary to these minimum requirements.

ATCWA 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:

1. Amounts that may or may not be repaid to the international student (including any tuition and non-tuition fees collected by education agents on behalf of ATCWA);
2. Processes for claiming a refund;

3. The specified person(s), other than the international student, who can receive a refund in respect of the international student identified in the written agreement that is consistent with the *ESOS Act 2000*;
4. A plain English explanation of what happens in the event of a course not being delivered, including the role of the TPS; and
5. A statement that “This written agreement, and the right to make complaints and appeals of decisions and action under various processes, does not affect the rights of the student to take action under the *Australian Consumer Law* if the *Australian Consumer Law* applies”.

A copy of each written agreement between ATCWA and the international student, as well as receipts of payments made by international students under the written agreement must be maintained on the international student’s file for at least two (2) years after the international student ceases to be an accepted student of ATCWA.

Procedure

An International Student Course Acceptance Agreement must be issued to each intending international student with the Letter of Offer and supporting documentation. Each International Student Course Acceptance Agreement that is issued to an intending international student of ATCWA must contain the following information:

- Identify each CRICOS registered course for which the student has been offered a place;
- Any conditions on the student’s enrolment (these may include but are not limited to):
 - Satisfactory completion of ELICOS course;
 - Evidence of attaining a minimum English language proficiency; and
 - Satisfactory completion of a course that has an entry requirement.
- Provides an itemised list of all course money that is compulsory for satisfactory completion of the course (including but not limited to):
 - Non-refundable application fees;
 - Total tuition fees;
 - Fees per study period and the study periods to which each payment applies;
- Intending international students must also be provided with an itemised list of all non-tuition fees (as relevant) including:
 - Tool kit, uniforms or other resources (where relevant);
 - Educational resources including text books, workbooks etc. (where relevant);
 - Any additional charges for photocopying, printing, reassessment, etc.;
 - Licensing and registration fees where these are collected by ATCWA (where relevant); and
 - Where the international student, whether they are under the age of eighteen (18) years or not, have sought, and paid for, through ATCWA, an accommodation service that is provided by or arranged by ATCWA and the international student is required to pay these fees in order to pursue enrolment in the course or courses at ATCWA.

Where the fees are not compulsory but optional, these should be detailed on the International Student Course Acceptance Agreement also and clearly marked as optional.

All costs associated with reassessment charges, charges for replacement academic records or statements of attainment etc. must be itemised in the written agreement or a link to supplementary material that contains it; in the case of ATCWA, this information is included in the International Student Fees Policy and, where appropriate, some fees are itemised also in the Student Handbook. This information must be made available to students as part of the supporting documentation to be issued with the Letter of Offer.

Receiving International Student Course Acceptance Agreements

ATCWA may receive International Student Course Acceptance Agreements by a range of methods including the following:

- In person;
- Via email;
- Via an education agent or other representative; and
- In traditional post (hard copy).

Where the Operations Manager receives the International Student Course Acceptance Agreement electronically, any Confirmation of Enrolment (CoE) issued from PRISMS on behalf of the organisation must be conditional on the receipt of, or satisfactory clearance of any bank cheques/bank draft for payment of course money to be indicated on the CoE.

Where Operations Manager receives an International Student Course Acceptance Agreement, they must confirm that:

- It is completed entirely and accurately;
- The student has acknowledged receiving the ESOS Framework by placing a tick in the relevant box;
- Where the student is under the age of eighteen (18) years, a parent or legal guardian has also signed the agreement;
- The International Student Course Acceptance Agreement details remain the same as those issued on the Letter of Offer;
- All signatures match across all documentation; and
- It is entered, scanned and uploaded into RTO Manager within twenty-four (24) hours of receipt. Any CoE should only be issued in accordance with the ATCWA Issuing an CoE on PRISMS Policy and Procedure.

Receipt of Course Money

Admin Officer/Accounts of ATCWA must only accept fees from an international student or intending international student after ATCWA has issued to the student a Letter of Offer with all supporting documentation including an International Student Course Acceptance Agreement and that international student has had *sufficient time* to consider their options and make an informed decision about studying in Australia with ATCWA. It should be noted that 'sufficient time' for a potential international student who is offshore for example would be considered that the Operations Manager (or other employee of ATCWA) has:

- Received an application for enrolment from the international student;
- Assessed the international student's eligibility for enrolment;
- Emailed the international student, education agent or other representative the acceptance of the application with all supporting documentation and the International Student Course Acceptance Agreement; and
- The international student, education agent or other representative after having had an opportunity to speak with and confirm the details with the international student, returns the completed International Student Course Acceptance Agreement.

Where Admin Officer/Accounts Officer receives a copy of a bank cheque / draft cheque with the International Student Course Acceptance Agreement, they must ensure that this is noted:

- On the international student file;
- On the international student's CoE; and
- In their calendar as an item for follow up in fourteen (14) days to confirm that it has successfully cleared.

Where the International Student Course Acceptance Agreement or accompanying documentation states that a direct deposit has been paid into the ATCWA banking account using the details provided by ATCWA, the Operations Manager must confirm with the Admin Officer/Accounts Officer that the payment has been received prior to issuing an CoE in accordance with ATCWA Issuing a CoE on PRISMS Policy and Procedure.

Where the international student has requested to be enrolled in multiple courses with ATCWA, for example a Certificate IV in Business and a Diploma of Business, the Operations Manager must:

- Issue a separate CoE for each course that the student has requested enrolment in;
- Ensure that the commencement and end dates of each course are based on the end dates of the previous course.
- Where course credit has been approved, the course duration of any courses enrolled in is adequately reduced from the relevant CoE.

Issuing the CoE

When the Operations Manager has finished creating the CoE(s) they must print a copy for the International Student File, as well as create a PDF version to be sent to the international student (or provided in hard copy if the international student is in person).

Where the International Student Course Acceptance Agreement was provided electronically, the PDF version of the CoE must be attached to the originating email and sent to the person requesting it (either the international student or the international student's representative).

Commencement of Study Period

At the commencement of each study period, the Operations Manager must confirm the study commencement on PRISMS by clicking on '*Confirm Study Commencement*' for each relevant international student in each relevant CoE. The Operations Manager must also run a report from the PRISMS database to confirm each student who is due to commence on the specified date. Where an international student fails to attend the compulsory orientation session and/or commence their course within fourteen (14) days of the course commencement date and the international student, parent, legal guardian, education agent or other representative has provided no notification of a delay, the Operations Manager must notify the Director of Operations or Chief Executive Officer immediately before the end of the fourteenth (14th) day.

Reporting Non-Commencement

Where ATCWA becomes aware of an international student failing to attend the compulsory orientation session and/or commence their course within fourteen (14) days of the course commencement date as specified on the student's CoE and no notification of a delay due to student visa processing or a request for deferral under Standard 9 of the National Code 2018 has been provided by the international student, parent, legal guardian, education agent or other representative, the Operations Manager must report this to the Department of Home Affairs (DHA) via PRISMS in accordance with Section 19 of the ESOS Act 2000 within fourteen (14) days.

Related Documents

- Complaints and Appeal Policy and Procedure;
- Completion within the Expected Duration Policy & Procedure;
- Letter of Offer – International Students;
- Course Acceptance Agreement;
- Course Progress Policy & Procedure;
- Deferment, Suspension and Cancellation Policy & Procedure;
- Education Agent Policy & Procedure;
- Enrolment form;
- Student Fees and Charges Policy;
- International Student Handbook;
- Issuing a Confirmation of Enrolment (CoE) on PRISMS Policy & Procedure;
- Marketing and Promotional Materials Policy & Procedure;
- Monitoring Attendance Policy & Procedure;
- Recognition of Prior Learning, Credit Transfer and Course Credit Policy & Procedure;
- Refund Policy;
- Student Engagement Before Enrolment Policy & Procedure; and
- Younger Students Policy & Procedure.