



ESOS MANUAL 2019

EDUCATION SERVICES FOR OVERSEAS STUDENTS

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1 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Vice-Chancellor and President
Advisory Committee to Approval Authority	ESOS and International Compliance Management Committee
Administrator	Senior Deputy Vice-Chancellor (International and Services)
Next Review Date	7/03/2020

Approval and Amendment History	Details
Original Approval Authority and Date	Department of Immigration and Citizenship Management Committee 02/09/2010
Amendment Authority and Date	Vice-Chancellor and President 02/09/2014; Links updated 29/07/2015; Vice Chancellor and President 14/12/2016; Vice-Chancellor and President 7/03/2018; Minor Amendments Administrator Approved – Senior Deputy Vice-Chancellor (International and Services) 1/11/2018; Minor Amendments Administrator Approved – Senior Deputy Vice-Chancellor (International and Services) 29/11/2018; Minor Amendments Administrator Approved – Senior Deputy Vice-Chancellor (International and Services) 14/06/2019.
Notes	

2 SUMMARY OF CHANGES

This Manual was first developed in 2002 to assist CQUniversity employees in meeting ESOS compliance requirements related to their specific work area. The current update incorporates changes relating to the [Simplified Student Visa Framework](#) (SSVF) arrangements and the [Tuition Protection Service](#) (TPS) and the changes incorporated in the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) (National Code) changes.

This version of the ESOS Manual replaces all previous publications.

3 INTRODUCTION

3.1 The Education Services for Overseas Students (ESOS) legislative framework comprises of the following:

- [Education Services for Overseas Students Act 2000](#) (Cwlth)
- [Education Services for Overseas Students Regulations 2019](#) (Cwlth)
- [Education Services for Overseas Students \(Registration Charges\) Act 1997](#) (Cwlth)
- [Education Services for Overseas Students Legislation Amendment \(Tuition Protection Service and Other Measures\) Act 2012](#) (Cwlth)
- [Education Services for Overseas Students \(TPS Levies\) Act 2012](#) (Cwlth)
- [ELICOS Standards 2018](#) (Cwlth)
- [Migration Act 1958](#) (Cwlth)
- [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) (National Code) (Cwlth)
- [National Vocational Education and Training Regulator Act 2011](#) (Cwlth), and
- [Tertiary Education Quality and Standards Agency Act 2011](#) (Cwlth).

3.2 The Department of Education regulates the education and training sector's involvement with overseas students studying in Australia on student visas. It does this through the ESOS legislative framework (see above). This protects Australia's reputation for delivering quality education services and the interests of overseas students, by setting minimum standards and providing tuition and financial assurance. The legislation mandates a nationally consistent approach to registering education providers so that the quality

of the tuition and care of students remains high. The professionalism and integrity of the industry is further strengthened by the ESOS legislation's interface with immigration law. This imposes visa related reporting requirements on both students and providers.

- 3.3 As ESOS agencies (created under the *ESOS Act 2000*), [Tertiary Education Quality Standards Agency](#) (TEQSA) and [Australian Skills Quality Authority](#) (ASQA) have authority over the registration of courses and providers, and monitoring providers' compliance.
- 3.4 TEQSA is the national regulator and designated authority for the Higher Education sector and has responsibility for the following:
- Higher Education providers registered under the *TEQSA Act 2011*
 - English Language Intensive Courses for Overseas Students (ELICOS) providers if they have an entry arrangement with at least one registered Higher Education provider
 - Foundation program providers.
- 3.5 ASQA is the national regulator for the vocational education and training sector. ASQA seeks to make sure the sector's quality is maintained through the effective regulation of providers and accredited courses.

Annual registration charge

- 3.6 Under Section 23 of the *ESOS Act 2000*, as a Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS)-registered provider, CQUniversity is required to pay an annual registration charge by the last business day of February of the year. Failure to comply will result in automatic suspension of CQUniversity's CRICOS registration.
- 3.7 Suspension is removed (Section 90(2) of the *ESOS Act 2000*) when the provider has paid:
- a) the amount owing
 - b) the associated late payment penalty, and
 - c) the associated reinstatement fee.

Tuition protection service

- 3.8 The Tuition Protection Service (TPS) replaces the ESOS Assurance Fund.
- 3.9 The TPS commenced on 1 July 2012, and is an initiative of the Australian Government to assist international students whose education provider is unable to fully deliver their course of study. The TPS ensures that international students are able to either:
- complete their studies in another course or with another education provider, or
 - receive a refund of their unspent tuition fees
- 3.10 All CRICOS registered providers, including public providers who were previously exempt, must contribute annually to the TPS according to the risk they present to students and the sector.

Tuition protection service levy

- 3.11 TPS levy contributions consist of:
- administrative fee – per provider and per enrolment
 - base fee – per provider and per enrolment
 - risk rated fee – public providers do not have to pay the risk fee as they are considered to present an extremely low risk of closure, and
 - special tuition protection fee – initially set at zero, however, the TPS Director may impose a levy during periods of market buoyancy to bolster the overseas student tuition fund against future periods of market instability

- 3.12 The TPS Director will invoice CRICOS registered providers in January of each year. Levy monies contribute to the overseas student tuition fund, which is used to facilitate the refund of fees and placement of students in the event of a provider default.

Non-payment of tuition protection service levy

- 3.13 Non-payment of the TPS levy will result in an automatic suspension of a provider's CRICOS registration, which will prevent the provider from accepting any international students.

Audit requirements

- 3.14 As a self-accrediting provider, the University must undertake an independent external audit during its period of CRICOS registration. The audit must be undertaken no more than 18 months prior to the renewal of that registration.

4 PURPOSE

- 4.1 The intent of this Manual is to define the requirements for CQUniversity employees, partner organisations and agents to follow in order to comply with the legislative requirements of the [ESOS Act 2000](#), [ESOS Regulations 2019](#), the [National Code](#) and the [Migration Act 1958](#).
- 4.2 This Manual is a living document that will evolve with changes to CQUniversity policies and processes and any legislative changes. It will be reviewed at least every second year (subject to legislative changes). If a user is in doubt as to the currency of any segment of the manual, they should refer to the International Director.

5 Purpose

- 5.1 The CQUniversity ESOS Manual is the document that outlines the processes that underpin the University's implementation of the requirements of the legislation that governs international students studying in Australia.
- 5.2 The ESOS Act 2000 was developed and refined to protect the emerging export industry of education and as a consumer protection for the rights of international students. It aims to improve the accountability of providers through the registration of providers and courses, monitoring services and facilities available to students. It also ensures that students are accepted into courses in which they have a good chance of successful completion. The ESOS Act 2000 therefore protects the education industry, and protects the rights of international students.
- 5.3 The main thrust of the Migration Act is to ensure international students are involved in full time study, that their main purpose of being in Australia is to study, and that they have a goal of completing their course in the minimum time.
- 5.4 The ESOS Act 2000 requires providers to register as providers of courses to overseas students through the CRICOS registration, managed by the relevant regulating body and to maintain records of student address, enrolment, release outcomes, changes, registered agents, and items including notification of lack of progression, through a Provider Registration of International Students Management System (PRISMS database). Inter alia, this ensures that students not satisfying course progression requirements are properly identified and there is a limit to the level of flexibility open to students to extend their duration of study.
- 5.5 The University has complementary policies, such as the [Monitoring Academic Progress \(MAP\) Policy and Procedure – International Students](#) which provides academic units and other advisors with the authority to make choices in the management of a student's course. This ensures individual needs can be met and allows international students the best opportunity to complete their course of study successfully.
- 5.6 It is the responsibility of the student and their School to ensure the flexibility provided allows the student the best opportunity to complete their studies within the CRICOS registered duration of the course, and does not place the student at risk in terms of visa cancellation prior to completion of their studies.

6 DEFINITIONS

- 6.1 Terms not defined in this document may be in the University [glossary](#).

Terms and definitions

Country Education Profiles: The Department of Education manages the Qualifications Recognition Policy and provides an online qualifications recognition tool designed to help organisations understand overseas higher education and post-secondary technical and vocational educational qualifications. This service replaces NOOSR.

eCoE: Electronic Confirmation of Enrolment. Confirms a student's place in a course on the PRISMS database. Completed by CQUniversity employees who have PRISMS access approval, on applicant's acceptance of offer and payment of required fees. Enables an applicant to apply for a student visa.

International student (for the purposes of ESOS legislation): A non-resident of Australia or New Zealand studying in Australia *on a student visa*. International students on a student visa studying in Australia may only enrol in full-time courses that are registered with the government and display a Commonwealth Register for Institutions and Courses for Overseas Students (CRICOS) Code. International students in Australia on a range of other visas have different conditions on their visas, and these are available on the DHA website. In most cases these international students are able to enrol in Distance Education and online courses, part time and with other flexibilities not available to those on a student visa.

iStart: The International Student Application Online Management system provided by Studylink. This system is used to process all applications, generate offer letters and acceptance information for all international students applying to CQUniversity. Data from iStart feeds through to the University's main Student Management system, StudentOne at point of application and at Acceptance status through a systems integration.

MAP: Monitoring Academic Progress. Refers to policies and procedures describing how the university identifies and engages with students who are not achieving satisfactory academic progress and therefore may be at risk of and not achieving academic goals.

National Code of Practice (The National Code): A document developed under the ESOS legislation that provides nationally consistent standards for CRICOS registration and for the conduct of CRICOS-registered providers. Consistent with the *ESOS Act 2000* and considered part of the ESOS legislation.

PRISMS: Provider Registration International Students Management System - Provider registration system used by CRICOS registered providers to submit eCoEs, list registered education agents, Risk Management reports, course amendments and completions/variations in students' study patterns. PRISMS is also accessible by Australian Immigration Officers.

Registered Provider: An education institution registered under CRICOS as having appropriate physical resources, staffing and courses, and appropriate systems and processes to meet standards of compliance with ESOS legislation. Each Registered Provider is allocated a unique CRICOS Provider Code.

Student One: CQUniversity's corporate student system. Application and enrolment data for all student records are recorded on this system.

TEQSA: The Tertiary Education Quality and Standards Agency (TEQSA) is Australia's regulatory and quality agency for higher education. TEQSA's primary aim is to ensure that students receive a high quality education at any Australian higher education provider. TEQSA is a designated ESOS Agency and has responsibility for decision-making in relation to the ESOS suite of legislation, including CRICOS registration and compliance monitoring.

7 RELATED LEGISLATION AND DOCUMENTS

Australian Skills Quality Authority
<https://www.asqa.gov.au/>

Australian Education International (AEI)
<https://internationaleducation.gov.au/Pages/default.aspx>
<https://internationaleducation.gov.au/regulatory-information/pages/regulatoryinformation.aspx>

CQUniversity international student information
<https://www.cqu.edu.au/international-students>

Commonwealth Register of Institutions and Courses for Overseas Students
<http://www.teqsa.gov.au/for-providers/cricos>

Department of Education
<http://education.gov.au>

Department of Industry, Innovation and Science
<http://www.industry.gov.au/Pages/default.aspx>

Department of Home Affairs (DHA)
<http://www.homeaffairs.gov.au/>

PRISMS
<https://prisms.education.gov.au/Logon/Logon.aspx> - requires log-in details.

PRISMS Help Desk:
Telephone: 61 2 6240 7647
Facsimile: 61 2 6123 7558
Email: prisms@education.gov.au

Tertiary Education Quality Standards Agency (TEQSA)
<http://www.teqsa.gov.au/>

LEGISLATION

ELICOS Standards 2018
<https://www.legislation.gov.au/Details/F2017L01349>

ESOS Act 2000
<https://www.legislation.gov.au/Details/C2018C00210>

ESOS Regulations 2019
<https://www.legislation.gov.au/Details/F2016L00571>

ESOS Registration Charges Act 1997
<https://www.legislation.gov.au/Details/C2016C00773>

National Code 2018
<https://www.legislation.gov.au/Details/F2017L01182>

Contacts

DHA Office and Contact Details
<https://www.homeaffairs.gov.au/about/contact/offices-locations>

INTERNAL EMPLOYEES

Questions relating to ESOS Policy and Procedures can be directed to the International Director, the International Compliance and Policies Manager or the International Coordinator, Compliance and Sponsors Contact – internationalcompliance@cqu.edu.au

8 COMPLIANCE, MONITORING AND REVIEW

- 8.1 The internal audit function will be managed by the Manager, Internal Audit who will confirm to the Audit, Risk and Finance Committee
- 8.2 In accordance with the [National Code](#), the University will appoint an external auditor to undertake an ESOS audit at all Australian campuses of CQUniversity, at least every five years. This report is provided to TEQSA.

9 PRISMS



Reporting


- 9.1 CQUniversity has no specific policy statement in this area and as a result will comply with the [National Code](#) and [ESOS Act 2000](#) (Part 3, Division 1, Section 19 (1) and (2)).
- 9.2 The below procedures have been compiled to ensure a consistent and timely approach across all campuses of CQUniversity for relevant notification via PRISMS reporting.

Reporting protocol

- 9.3 Whenever reporting on a student in PRISMS, comments must be added to reflect the specifics of the student circumstance further to that identified by the Student Course Variation (SCV) used. This also applies when creating an electronic confirmation of enrolment (eCOE), for example a shorter duration is explained using comments stating that the student has been granted credit exemptions based on prior study.

Processing

EVENT	AREA	PRISMS PROCESSOR	ACTION DATE *#	COMMENTS
Acceptance of offer of admission	International Admissions	Create CoE	Within 24 hours	Upon receipt of the International Student Contract, all relevant conditions being met and payment received. Process as per ESOS Act 2000 19(1)(a) and (b).
Student did not commence study	International Compliance Student Services Coordinators to ensure non commencements are recorded in Student One	Report student with SCV reason: <i>'Non-Commencement of Studies'</i>	Within *31 days from agreed start date i.e. course start date on CoE	This is used to report new students who have not commenced study and have not arrived to 'check in' and complete the enrolment process. Run the Student One Enrolment report and the 'Check in' report: <ul style="list-style-type: none">  check all cross institutional students and approved leave of absence students have been processed, and  actioned/withdrawn in Student One no later than census date of the relevant study period.
Credit Transfer awarded after visa has been granted	Course Advice Team forward credit transfer list to Student Services for CoE amendments once credit transfers have been processed.	Report student with SCV reason: <i>'Student requests change to existing enrolment'</i> with comment on CoE: <i>'Exemptions/credit transfer from previous study. Duration shortened accordingly'</i>	Within 14 days of credit transfer being granted	Upon acceptance of the credit exemptions, check duration recorded on current CoE and amend if necessary.






EVENT	AREA	PRISMS PROCESSOR	ACTION DATE *#	COMMENTS
Student requests course withdrawal (NOT to be used for students who transfer provider)	International Compliance Student Service Coordinators to ensure withdrawals are actioned in Student One (with appropriate withdrawal reasons)	Report student with SCV reason: <i>'Termination of studies prior to completing course'</i> with reason detail reflecting the withdrawal reason as entered in Student One/cancellation form.	Within *31 days of withdrawal	Used for students who request to cancel/withdraw from their course. Students who elect to withdraw by completing a cancellation form are reported with the appropriate SCV reason detail determined by the reasons recorded in Student One or on the cancellation form.  Use the reason details of <i>'Student notified cessation of studies'</i> and add appropriate comments in PRISMS.
Student did not re-enrol	International Compliance Student Service Coordinators to ensure withdrawals are actioned in Student One	The SCV reason detail <i>'provider decision to cease student enrolment'</i> is not used in these circumstances	Within *31 days from agreed start date i.e. relevant term start date	Students who did not re-enrol or withdraw in a compulsory term are reported using the SCV reason detail <i>'Student notified cessation of studies'</i> with appropriate withdrawal reason comments in PRISMS.
New student requests deferral of commencement (admissions only)	International Admissions. All requests to be sent to International Admissions for processing no later than census date of the commencing term.	Report student with SCV reason: <i>'Non-commencement of studies'</i> NOT to be used for existing students requesting leave of absence	Within *31 days of agreed start date i.e. course start date on CoE	Requests to defer commencement require a new Offer letter, Student Agreement and CoE. When reporting the student add in comments section that student has deferred and the new Term value. Create a new CoE only after the new agreement has been signed. Deferral requests must be received prior to census date of the commencing term.
Prior to enrolling and 'check in' Student requests release to change to another provider. Currently enrolled students request no later than census of the enrolled term.	International Compliance (form and supporting documents)	Report release decision in PRISMS	Within *14 days of release decision	All release decisions will be recorded in PRISMS and CRM. Students granted release will be advised via email and cancelled from CQUniversity accordingly. Comments with new provider name and course are to be entered in PRISMS. Unsuccessful release requests will be advised with decision reasons.

EVENT	AREA	PRISMS PROCESSOR	ACTION DATE *#	COMMENTS
Student has not made satisfactory academic progression	At the end of the appeal period the Academic Progression Officer sends list of students recommended for cancellation to International Compliance	Report student with SCV reason: <i>'Unsatisfactory course progress'</i>	Within *31 days of decision to cancel	Students are not reported until all avenues of appeal are exhausted.
ELICOS student has not met satisfactory attendance	CQUniversity DOS notifies Student Services of students to receive Notice of Intent to Report. At end of appeal period CQUniversity DOS's notify International Compliance of students to be cancelled	Report student with SCV reason: <i>'Non-compliance with student visa conditions'</i> with reason detail of <i>'Unsatisfactory Attendance'</i>	Within *31 days of decision to cancel	Students are not reported until all avenues of appeal are exhausted.
Provider withdraws course from University	Secretary to Academic Board confirms decision to withdraw course. List of affected students notified to International Admissions, Student Services and International Compliance	Provider default actioned in PRISMS Report students as TPS Provider Default	Within *3 working days of decision Within 14 working days	Section 46B of the ESOS Act 2000 requires notification to the Secretary within 3 days of the default occurring. Report student as being placed in a new course same provider, placed in a course elsewhere, OR, no new studies – refunded fees.

EVENT	AREA	PRISMS PROCESSOR	ACTION DATE *#	COMMENTS
Continuing student has applied for deferment of studies (leave of absence)	Student Services to assess and action in Student One all leave of absence requests by census date. Requests received after census date must be actioned under withdrawal without penalty and removal of financial liability guidelines.	Report student with SCV reason: <i>'Deferring/Suspending student enrolment'</i> with reason detail of <i>'Compassionate or compelling circumstances'</i>	Within *31 days of decision	If the approved period of leave will mean an extension to the end date of the CoE, it must be reported and a replacement CoE created with comments indicating the from and to dates for the period of leave. If the approved period of leave does not require a CoE extension, the leave must still be reported.
Student applied to change course with CQUniversity	International Admissions actions online request	Report student with SCV reason: <i>'Student requests change to existing enrolment'</i> with reason detail of <i>'Change the course for this CoE'</i>	Within *31 days of decision	Students must be assessed for entry into the new course. Any credit transfers are to be entered into Student One. The original CoE is reported on and a new CoE created with the duration reflecting any credit transfers granted and accepted by the student.
Student request for an extension to their CoE	Student Services to assess and make recommendation	Report student with SCV reason: <i>'Student requests change to existing enrolment'</i> . See comments for required SCV sub level reasons.	ASAP	This is used to extend the end date of CoE's for students who have been granted LOA, or who have failed grades and are on Monitoring Academic Progress (MAP) only . Students on MAP should have the SCV reason <i>'Implemented intervention strategy'</i> . SCV reason of <i>'Compassionate or compelling circumstances'</i> can only be used where the student has 'demonstrable evidence' of compassionate or compelling circumstances. The new CoE start date will be one day after the end date of the original CoE.

EVENT	AREA	PRISMS PROCESSOR	ACTION DATE *#	COMMENTS
Student applied for a Campus Transfer to an interstate CQUniversity campus	Student Services to ensure location and exam centres changed in Student One	Change the location on the CoE	ASAP	Change the study location on the CoE for approved students. No new CoE is required.
Student has successfully completed their studies at CQUniversity	<p>Student Governance generates Australian Higher Education Graduation (AHEGS) Statements.</p> <p>Student Governance (regional campuses) and Student Services (metro campuses) generate completion letter.</p> <p>International Compliance to report on CoE.</p>	<p>Report student with SCV reason: <i>'Termination of studies prior to completing the course'</i> with reason detail of <i>'Student completed course early'</i>.</p> <p>To be used only where the student has completed more than 4 weeks prior to the end date on the CoE.</p>	<p>Within *31 days after conferral</p>	<p>AHEGS Statements are distributed upon graduation.</p> <p>When generating completion letters for graduating students use the summary list from the batch process to identify students to be reported.</p> <p>Manual conferrals are to be reported as part of the manual completion letter process.</p>
Student gained Permanent Residency , or Australian Citizenship or visa status other than a student visa	Student provides evidence to Student Services, Student Governance and International Compliance	<p>Report student with SCV reason: <i>'Termination of studies prior to completing the course'</i> with reason details of <i>'Provider decision to cease enrolment'</i> with SCV sub level reason of <i>'No longer holding a student visa'</i>.</p>	Within *31 days of status change	<p>Students who provide proof of Permanent Residency (PR) or Australian Citizenship are reported in PRISMS and continue studies as a domestic student of CQUniversity (dependant on the date PR or citizenship is granted) i.e. where granted prior to census date of the relevant enrolled term.</p> <p>International Compliance will check on CoE and report as required.</p>

EVENT	AREA	PRISMS PROCESSOR	ACTION DATE *#	COMMENTS
Address details in PRISMS when doing any SCV, new or extension CoE or LOA	Student Services, International Admissions, International Compliance	Check/amend address in Student One	As part of all processes above	When reporting regardless of the SCV selected, address details must be checked and amended where necessary.
Refund request received from student who did not commence study nor completed enrolment (new students only) Refund request received from student whose student visa was denied, or student is under 18	International Compliance receives applications, checks and forwards to campus for raising of administration fee, then to Student Fees for processing. As above.	TPS Default to be recorded in PRISMS once refund actioned	Upon receipt of refund request. Within 7 days of refund being paid	International Compliance creates refund case in CRM. This is used to record the date the completed refund request has been received. Continuing/enrolled student refund requests are actioned by Student Services on relevant campus. TPS requires refund reporting for all new student visa refusals and where students are under the age of 18.
Money refunded into nominated account (for all refunds and defaults)	Student Fees, Student Governance, Student Services, International Compliance	Where a TPS default exists, International Compliance to record refund in PRISMS.	Within 7 days of refund being paid for TPS defaults only.	Used to record the actual refund details for TPS defaults. The default outcome is recorded, the date and amount of refund entered into PRISMS. All refunds are to be paid to the student or the person specified in the student agreement (student contract) in accordance with 47D (3a and b) of the ESOS Act 2000

EVENT	AREA	PRISMS PROCESSOR	ACTION DATE *#	COMMENTS
Student is suspended or excluded for misconduct	Student Governance forwards to International Compliance at the end of the internal appeal period	<p>If the student is to be excluded report with SCV reason of: <i>'Termination of studies prior to completing the course'</i> with reason detail of <i>'Provider decision to cease enrolment'</i> with SCV sub level reason of <i>'Disciplinary reasons'</i></p> <p>If the student is to be suspended for a specified period, report student with SCV reason of <i>'Deferring/suspending student enrolment'</i> with SCV sub level reason of <i>'Student misbehaviour'</i></p>	Within *31 days of decision to suspend or cancel	<p>Used when reporting a student for Suspension for a nominated period of time, or for students excluded from CQUniversity.</p> <p>All avenues of internal appeal must be exhausted prior to reporting the student in PRISMS.</p>
Data Cleansing	Student Services, International Compliance	Action appropriately in Student One with reasons	No later than census date of relevant term	<p>Undertake data cleansing of all corporate systems including PRISMS. Check:</p> <ul style="list-style-type: none">  Active enrolled students have valid CoE  Valid CoE but no enrolment in compulsory terms  Active enrolled students have a valid Visa – check for Expiry Date within term  PRISMS course cost comparison  PRISMS course variation (duration)

ACTION DATE *#

ASAP= PRISMS action is to be undertaken as soon as practicable. The PRISMS step is the final step of the process for each listed event.

*31 days = PRISMS SCV action is to be undertaken within 31 days as per Section 19 of the *ESOS Act 2000*.

*14 days = PRISMS SCV action is to be undertaken within 14 days as per Section 19 of the *ESOS Act 2000*.

7 days = PRISMS SCV/TPS action is to be undertaken within 7 days as per Section 19 of the *ESOS Act 2000*.

*3 days = PRISMS TPS action is to be undertaken within 3 days of the event occurring (TPS Director Reporting).

It is compulsory for every new CQUniversity user of PRISMS to complete the inbuilt training in PRISMS, part of which refers employees to the PRISMS Provider User Guide.

10 STUDENT COURSE VARIATIONS

- 10.1 A requirement of the [ESOS Act 2000](#) (sections 19 and 20) and the [National Code](#) is that a registered provider must advise the Department of Home Affairs, via PRISMS, of any change to an accepted student's enrolment, or an accepted student's failure to meet visa conditions. The information input in PRISMS is sent to the Department of Home Affairs for investigation of the student's visa status.
- 10.2 There are a number of options to give information about accepted students. In PRISMS they are known as Student Course Variations (SCVs). Only users with access type eCoE Administrator will be able to create or search for a SCV. Generally speaking, the system will determine the actual SCV to send to the Department of Home Affairs based on the information entered by the provider.

11 PRISMS PROVIDER USER GUIDE

VET courses

- 11.1 Providers must implement a course progress policy and an attendance policy (if required by ASQA) in accordance with 8.11 and 8.12 of the [National Code](#).
- 11.2 Students must attend at least 80% of the scheduled course contact hours for each CRICOS registered course in which they are enrolled.
- 11.3 If a student's attendance is less than 80%, a provider may choose to not report a breach if:
- the student's attendance is at least 70%
 - the student is maintaining satisfactory academic performance, and
 - this is consistent with the provider's documented attendance policies and procedures.
- 11.4 Where a student has been assessed as not achieving satisfactory course progress or attendance, the provider must notify the student of its intention to report the student. The written notice must inform the student that he or she is able to access the registered provider's complaints and appeals process and that the student has 20 working days in which to do so.
- 11.5 If the student accesses the provider's complaints and appeals process and this results in a decision that supports the registered provider, the registered provider must report through PRISMS that the student is not achieving satisfactory course progress or attendance as soon as practicable. The provider does not report until the complaints and appeals process is completed and the outcome supports the provider, or the student has not accessed the provider's complaints and appeals process within 20 days of being notified of the provider's intention to report.

Accredited and non-award ELICOS courses, and accredited schools courses

- 11.6 Providers record attendance and require a minimum attendance of 80%, but may decide not to report a student for breaching 80% if:
- there is documentary evidence demonstrating that compassionate or compelling circumstances apply, or
 - the decision is consistent with the provider's documented attendance policies and procedures with processes to determine the point at which a student has failed to meet satisfactory attendance requirements.

Higher education courses (including higher education non-award and study abroad courses)

- 11.7 Providers must monitor course progress according to their policies and procedures. Providers must identify, notify and assist students at risk of not meeting course progress where there is evidence from the student's assessment tasks, participation in tuition activities or other indicators of academic progress that the student is at risk of not meeting those requirements.

- 11.8 For a full explanation on the requirements for monitoring course progress and attendance, reporting and the use of the SCV options, refer to the [National Code](#) and the [PRISMS Provider User Guide](#).

Student failed to meet course requirements

- 11.9 The provider notifies through PRISMS of the student not achieving satisfactory progress after the appeals process (if actioned) is finalised and upholds the provider's decision to report.

Non commencement of student studies

- 11.10 This SCV reason is used only when a student does not, has not or will not commence their course when expected. This report must be completed within 31 days after the expected commencement date as nominated on the CoE. Under 18 students must be reported within 14 days.

Deferring/suspending student enrolment

- 11.11 This SCV reason is used when a student wishes to defer, suspend or postpone their studies and you agree for the following reason:
- compassionate or compelling circumstances, or
 - where the provider initiates the deferment/suspension for student misbehaviour.
- 11.12 DHA will investigate the student's deferment. This may be to cancel the student's visa if their reason for deferring is unacceptable or the eCoE status may be returned to its previous status. If the student's deferment has not affected their course end date no further action is required.

Student requests change to existing enrolment

- 11.13 The user finds the eCoE that the student wishes to change the enrolment details for, and optionally creates a new, replacement eCoE with the changed enrolment details – all within the one operation.

Enrolment changes covered under 'Student requests change to existing enrolment' are:

Student requests an 'extension' of their eCOE:

- 11.14 This is where the student – or the provider – has identified that the student will not be able to complete their course of study by the proposed course end date indicated on the eCoE. Extensions are only permitted for compassionate or compelling circumstances or where the provider has implemented its intervention strategy, in accordance with Standard 8.16 of the [National Code](#).

Change to a course at a different provider:

- 11.15 Where the student requests a change to a course, the provider needs to advise the student that they will need to contact a Department of Home Affairs office, as there could be a change to the student's visa requirements.
- 11.16 To process this request, the provider should locate (or open) the eCoE concerned and select the SCV report option 'Student left provider – transferred to course at another provider.'

Change to a course in the same sector, possible gap created at either the start or end of the course OR the study period is shorter:

- 11.17 The 'gap' referred to relates to any difference created between the course start and end dates of the new eCoE when compared with the course start and end dates of the original eCoE. For example, if the original eCoE course start date is 15/07/2019 and the course start date on the new, replacement eCoE is 14/08/2019, then a 'gap' has been created. Similarly, if the course end date of the original eCoE was 30/11/2019 and the course end date of the new, replacement eCoE is 30/10/2019, then again, a 'gap' has been created.

- 11.18 The system will automatically identify situations where the student is either just changing some details in regard to their start or end date of their original eCoE enrolment, or changing some enrolment details as well as changing to a different course that is in the same sector as the original course.

Change to a course in the same sector, no gap created but of a longer study duration:

- 11.19 The system will automatically identify these situations based on the data you enter when both creating the SCV report and the new, replacement eCoE. The 'no gap' referred to here is when, for example, the new, replacement eCoE has the same course commencement date as the original eCoE, but the course end date of the new, replacement eCoE is after that on the original eCoE. In this situation, there is no gap – or period not covered when comparing the two eCoEs.

Not an extension and not one of the above situations:

- 11.20 During the process of entering details of the change in enrolment for the student, the system will automatically identify the situation where the change to the enrolment is not an extension and is not one of the previously identified situations. An example may be where there is no change to the proposed course start date or proposed course end date, but the student has changed to a different course in the same sector. In this case, it is necessary for the provider to advise the Department of Home Affairs of the change in enrolment via the SCV process.

12 CRICOS REGISTRATION REQUIREMENTS / OBLIGATIONS ON PROVIDERS / REFUNDS

CQUniversity policy statement

- 12.1 Registration on CRICOS is the formal approval of an education provider by TEQSA to provide education or training to international students. Both the provider and the courses offered to overseas students must be registered on CRICOS.

Legislative extracts

[ESOS Act 2000](#)

- 12.2 Part 2
Division 2 – Offence for providing or promoting a course without a registered provider - refer to section 8
Division 3 – Registration of providers
Subdivision A - Application for registration - refer to sections 9, 10 and 10A
Subdivision B – Conditions of registration - refer to sections 10B and 10C
Subdivision C – Renewal of registration - refer to sections 10D, 10E, 10F and 10G
Subdivision D – Changes to registration - refer to sections 10H, 10J, 10K, 10L and 10M
Subdivision E – Other registration provisions - refer to sections 11, 11A, 11B, 11C, 12, 13 and 14
Division 4 – The Register - refer to sections 14A and 14B
- Part 3 – Obligations on Registered Providers
Division 1 – General Obligations - refer to sections 15, 16, 17, 17A, 18, 19, 20, 21, 21A, 23, 23A, 24 and 26
Division 2 – Tuition fees - refer to sections 27, 28, 29, 30, 31 and 32
- 12.3 The [ESOS Act 2000](#) outlines registration of providers and courses on CRICOS, as amended, TEQSA is now the designated ESOS Agency for higher education providers registered under the [TEQSA Act 2011](#).
- 12.4 TEQSA assesses applications for inclusion on CRICOS and may approve that a provider be registered on CRICOS. Only CRICOS-registered providers can provide courses to overseas students who have Australian student visas.
- 12.5 In addition, to become registered to deliver courses to overseas students an institution needs to have the courses it wishes to deliver to overseas students on its scope of CRICOS-registration. The period of CRICOS registration will be determined by TEQSA at the time of registration.

12.6 The application and fees associated with the following can be found at on the [TEQSA CRICOS registration webpage](#):

- initial CRICOS registration
- CRICOS re-registration
- notification/approval requirements for CRICOS registered providers
- adding one or more courses of study on CRICOS
- withdraw one or more courses of study from CRICOS or cancel CRICOS registration
- other changes to CRICOS registration

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may fail to comply with the ESOS Act 2000 and subordinate regulations because of a lack of awareness of the obligations required. This may lead to the University being unable to provide education or training to international students.	Unlikely	Extreme	HIGH

Procedures

12.7 [National Code](#) Part B – Standards for registered providers

12.8 At the time of seeking initial registration as a provider, or when subsequently seeking registration of a course, a provider must meet all 11 standards set out in Part B. Procedures can be found at the [TEQSA CRICOS registration webpage](#).

12.9 All documentation for CRICOS will be prepared by the International Coordinator, Compliance and Sponsors.

Annual registration charge

12.10 Annual re- registration charges are automatically calculated and generated by the Department of Education , checked by the International Coordinator, Compliance and Sponsors and submitted to the Senior Deputy Vice-Chancellor (International and Services) for payment. Payments are due February each year.

12.11 Significant data cleansing of PRISMS reports is required annually by the International Coordinator, Coordinator and Sponsors, Student Services and International Compliance, to ensure no overpayment of charges.

On-site inspections/audits

12.12 Where on-site campus inspections are a requirement of CRICOS registration, the International Coordinator, Compliance and Sponsors and International Compliance and Policies Manager will:

- liaise with TEQSA and agree on inspection details
- inform the Senior Deputy Vice-Chancellor (International and Services), International Director and relevant Associate Vice-Chancellor/s of inspection details as soon as available, and
- coordinate pre-inspection preparation and be the primary point of contact.

Cancellation or suspension of a course

- 12.13 The University must consider the strategic implications relating to the cancellation or suspension of the CRICOS Code for a course of study. Cancellations or suspensions of the CRICOS code for a course of study must be approved by the Academic Board.
- 12.14 Under CRICOS, suspension of a course will leave the course on the list of CRICOS approved courses, but no new eCoEs will be generated for that course. A course may be suspended if it is not to be supported on campus for a short duration, but may later be reinstated. In the phase-out of a course, it may be useful to suspend a course some time prior to cancellation.
- 12.15 Cancellation of CRICOS registration will remove the course from the CRICOS list of approved courses, and there should be no current eCoEs related to that course (i.e. no currently enrolled students, or students who have paid and not yet arrived).
- 12.16 The Secretary of Academic Board will notify the International Coordinator, Compliance and Sponsor and the International Director of the approval for the cancellation, amendment or suspension of the CRICOS code.
- 12.17 The International Coordinator, Compliance and Sponsors and International Director will complete the appropriate TEQSA applications.
- 12.18 If the University cancels or withdraws a course into which a student has been accepted, the University is liable for penalties related to University default. Refer to TPS legislation for information relating to Provider Default.

Document retention

- 12.19 All documentation of approvals and communications will be stored centrally with the Compliance Coordinator.

Compliance auditing

- 12.20 Responsibility: International Coordinator, Compliance and Sponsors and International Director
- How: Audit CRICOS provider and course (CQUniversity courses) registration documentation and CRICOS course codes
- When: Periodic audit/as required
- Reporting: Senior Deputy Vice-Chancellor (International and Services)

13 CHANGES TO REGISTERED PROVIDER DETAILS

CQUniversity policy statement

- 13.1 CQUniversity has no defined policy in this area and as such will follow the principles set out in the [ESOS Act 2000](#) where applicable.

Legislative extract

[ESOS Act 2000](#)

- 13.2 Part 3
Division 1 – General obligations – refer to section 17A

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may change ownership/management	Unlikely	Major	MODERATE

Procedures

- 13.3 Where the change in ownership or management occurs with a commercial partner, the Senior Deputy Vice-Chancellor (International and Services) as the Principal Executive Officer will:
- ascertain the nature of the change and relevant details of ownership or management
 - obtain CQUniversity Council or other approvals as appropriate, and
 - communicate changes to TEQSA no later than 10 days after the change is made.
- 13.4 The Senior Deputy Vice-Chancellor (International and Services) will submit a report to PRISMS in each of the following operational circumstances:
- relocation of premises, or
 - changes to registered provider details.

Documentation retention

- 13.5 Copies of all correspondence in relation to changes in provider details will be held by the Office of the Senior Deputy Vice-Chancellor (International and Services).

Compliance auditing

- 13.6 Responsibility: Senior Deputy Vice-Chancellor (International and Services)
 How: Reviews records if necessary
 When: Periodically as required

14 ENFORCEMENT AND MONITORING

CQUniversity policy statement

- 14.1 CQUniversity will take all steps to ensure its policies and processes comply with ESOS legislation, and will provide orderly access by monitoring authorities to all required documentation.

Legislative extracts

[ESOS Act 2000](#)

- 14.2 Part 6
 Division 1 – Conditions, suspension and cancellation
 Subdivision A - Sanctions for non-compliance etc – refer to sections 83, 84, 85 and 86
 Subdivision C - Automatic suspension and cancellation – refer to sections 89, 90 and 92
 Subdivision D - Common rules for conditions, suspension and cancellation – refer to sections 93, 94 and 95
 Division 2 – Immigration Minister’s suspension certificate – refer to sections 97, 98, 100, 101, 102 and 103
 Division 3 – Offences – refer to sections 106, 107, 108 and 109
 Division 4 – Enforceable undertakings – refer to sections 110A and 110B

Part 7

Division 1 – Introduction – refer to sections 111 and 112

Division 2 – Notices requiring information and documents

Subdivision A - Production notices – refer to sections 113, 113A, 114 and 115

Subdivision B - Attendance notices – refer to sections 116 and 117

Subdivision C - Common rules for production and attendance notices – refer to sections 118, 120, 121, 122, 122A, 123, 124, 125, 125A, 126, 127, 128, 128A and 129

Division 3 – Monitoring warrants

Subdivision A - Monitoring powers – refer to sections 130, 131, 132, 133, 134, 135 and 136

Subdivision B - Applying for monitoring warrants – refer to sections 137, 138, 139 and 140

Division 4 – Search warrants

Subdivision A - Search powers – refer to sections 141 and 142

Subdivision B - Applying for search warrants – refer to sections 143, 144, 145 and 146

Division 5 - Common rules for monitoring warrants and search warrants

Subdivision A - Common powers etc. under monitoring warrants and search warrants – refer to sections 147, 148, 149, 150, 151, 152, 153, 154 and 155

Subdivision B - Obligations on authorised officers etc. – refer to sections 156, 157, 158, 159, 160, 161, 162 and 163

Subdivision C - Issue of warrants by telephone etc.- refer to sections 164, 165, 166, 167, 168 and 169

Part 7A

Division 2 – Review of Decisions – refer to sections 169AB, 169AC, 169AD, 169AE, 169AF and 169AG

Part 8 – refer to sections 170, 170A, 170B, 170C, 171A, 171, 172, 173, 174, 175, 176B, 176C and 177

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may fail to comply with the ESOS Act 2000 and subordinate regulations because of a lack of awareness of the obligations required	Unlikely	Extreme	HIGH

Procedures

- 14.3 The International Directorate will monitor training and auditing of ESOS compliance matters.
- 14.4 In the event that the University is contacted in relation to non-compliance, the matter will be referred immediately to the Senior Deputy Vice-Chancellor (International and Services), who will form a Response Team to manage the interaction with authorities.

Compliance auditing

- 14.5 Responsibility: Senior Deputy Vice-Chancellor (International and Services)
- How: Reviews records if necessary
- When: Periodically as required
- Reporting: Vice-Chancellor and President

15 THE NATIONAL CODE

Policy statement

- 15.1 CQUniversity recognises that the [National Code](#) has authority under the [ESOS Act 2000](#).

Legislative extracts

[ESOS Act 2000](#)

- 15.2 Part 4
Division 2 – The National Code – refer to sections 33, 34, 38, 40, 41 and 44

Standards for registered providers

Introduction

- 15.3 The standards for registered providers set out the obligations for registered providers in delivering education and training to overseas students. These standards detail the specific requirements registered providers must meet to comply with their obligations. These obligations need to be met at the point of CRICOS registration and throughout the CRICOS registration period. Obligations and requirements that relate specifically to the registration process for CRICOS purposes are covered under the [ESOS Act 2000](#).

Compliance with the standards for registered providers

- 15.4 Compliance with the [National Code](#) by registered providers is assessed at the point of registration. Compliance of registered providers, other than registered self-accrediting providers, is assessed during the period of registration by TEQSA.
- 15.5 Compliance with the [National Code](#) by registered providers which are self-accrediting, is assessed via an independent external audit report. The external audit must include a full inspection of the premises. The external audit must be undertaken during the period of CRICOS registration and within 18 months prior to the renewal of the TEQSA re-registration. The results of the audit are to be provided to the designated authority.
- 15.6 The designated authority or the Department of Education may still undertake compliance visits to registered self-accrediting providers in the event that the designated authority or the Department of Education deem this necessary.

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may fail to comply with the ESOS Act 2000 and subordinate regulations because of a lack of awareness of the obligations required	Unlikely	Extreme	HIGH

Procedures

- 15.7 The International Directorate will monitor training and auditing of ESOS compliance matters, and changes to the [ESOS Act 2000](#) or the [National Code](#).

15.8 The Senior Deputy Vice-Chancellor (International and Services) or nominee will arrange for an external audit within the 18 months prior to the renewal period.

Document retention

15.9 Update this ESOS Manual as required.

Compliance auditing

15.10 Responsibility: Senior Deputy Vice-Chancellor (International and Services)
 How: Review records if necessary
 When: Periodically as required
 Reporting: Vice-Chancellor and President

16 STANDARDS FOR REGISTERED PROVIDERS (NATIONAL CODE)

Standard 1 – Marketing and information practices

Policy statement

16.1 **Policy Title:** [Marketing and Student Recruitment Policy and Procedure](#)

The purpose of this policy is to provide guidelines to assist the University to:

- produce high quality, effective and consistent marketing and promotional materials
- ensure that all marketing and promotional material complies with the [ESOS Act 2000](#), the [National Code](#), the [Higher Education Standards Framework](#), [TEQSA Act 2011](#) and other consumer legislation and thus provide sufficient information for students to make an informed choice of course, provider and place of campus, and
- ensure that marketing and promotion materials are coordinated and consistent with CQUniversity’s marketing and brand objectives.

Legislative extracts

[National Code 2018 - Standard 1](#)

16.2 This standard sets out that registered providers must uphold the integrity and reputation of Australia’s education industry by ensuring the marketing of their courses and services is not false or misleading.

Documented procedure for distribution of current marketing information and agency training

16.3 Huescape is the online portal containing current procedures, newsletters, marketing materials and updates. All agent visits and agent training is recorded in the CRM.

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may fail to comply with the ESOS Act 2000 and subordinate regulations because of a lack of awareness of the obligations required in the production of accurate marketing and promotional materials which may	Unlikely	Major	HIGH

result in students not being able to make informed decisions			
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Procedures

- 16.4 CQUniversity as the registered provider is responsible for the actions of others acting as its agents in marketing and recruitment, and recruitment agents in provision of information to students.
- 16.5 Marketing materials are defined as any material (both print and/or electronic) that a prospective international student may have access to prior to enrolment, from which the student might deduce that CQUniversity offers programs to international students. This includes marketing material produced in English and in any other language.
- 16.6 Agent in this context is the legal definition of an agent – A person or organisation (in or outside Australia) who recruits overseas students and then refers them to education providers. In doing, so the education agent may provide education counselling to overseas students as well as marketing and promotion services to education providers. Education Agent does not refer to an education institution with whom an Australian provider has an agreement for the provision of education (that is, teaching activities).
- 16.7 All academic or research units and other Divisions and units within the University, as well as all agents and associates that produce marketing materials for students must ensure their materials adhere to the following guidelines.
- 16.8 Marketing materials must identify the registered provider (Central Queensland University (Australia) – known as CQUniversity) and its CRICOS code.
- CRICOS CODE IS: 00219C | National RTO Code 40939**
- 16.9 If a CQUniversity course is marketed in detail – for example, if marketing material includes information on units and the structure of the course - the materials must include the course CRICOS number.

International-specific materials

- 16.10 Materials specifically produced for international student marketing and recruitment purposes must align with agreed CQUniversity strategy and comply with the Written Style Guidelines and Brand Guidelines located on [StaffNet](#) (*available to employees only*). This includes materials produced by educational service providers/educational partners, including:
- educational institutions with joint activity agreements, and
 - other associated provider institutions
- 16.11 Where an educational partner makes specific reference to CQUniversity, the following compliance processes must be adhered to:

Processes
To obtain the logo for use in materials, the online Logo Request Form must be completed for every instance the logo is used by a CQUniversity employee on behalf of the educational partner. Marketing Services (marketingservices@cqu.edu.au) will review the request and, if approved, send the logo to the requester. The online Logo Request Form is available from the Marketing Resource Centre on StaffNet (<i>available to employees only</i>).
Educational partner will provide International Marketing and Recruitment with a draft of all materials (e.g. printed advertisements, program brochures, DVD and website amendments) produced for use in the promotion of CQUniversity courses. If the material is produced in a language other than English, a translation must be attached.
The International Digital Marketing and Content team is responsible for distributing the draft to relevant sections within the University, for example to academic and research units and professional divisions for course information accuracy, Marketing Directorate for compliance with brand guidelines and creative approval, and to International Compliance to ensure compliance.
The Marketing Directorate will be responsible for returning the draft within an agreed timeframe with written approval and comments for required amendments.

The educational partner will make the required amendments and re-send the draft to the International Digital Marketing and Content team for approval. Amendments will then go to the Marketing Directorate for final sign off.

No merchandising materials are to be produced without formal approval from CQUniversity.

The Marketing Directorate will maintain appropriate records for future auditing purposes (e.g. copy of approved material, copy of approval notification).

Preparing marketing materials

16.12 When preparing marketing materials such as the CQUni Handbook, academic course fliers and prospectuses, the Dean, Head of Division or representative will ensure all of the following are either specifically included, or specific web addresses are supplied (as required by Standard 1 and Standard 2 of the [National Code](#)):

- CRICOS provider code
- CRICOS course code
- all information is accurate, clear and unambiguous
- general description of course content
- level of qualification to be attained
- course duration
- teaching methods
- assessment methods
- if a course is jointly provided, both providers are named
- modes of study for the course including any compulsory online or work based/integrated training
- recognition of course (ie professional accreditation)
- inclusion of campus/course specific information on facilities, equipment, library and learning resources
- itemised list of all fees payable to the provider
- the minimum level of English required for admission to the course
- the educational qualification/s or work experience required for entry
- unit credit (exemptions) that may or may not apply
- an accurate representation of the local environment, including location of campuses, accommodation options and indicative cost of living
- advice that as a general rule any school dependants accompanying international students to Australia may be required to pay full fees if they are enrolled in either a government or non-government school. Some Australian Government and University scholarship holders are exempt from payment. This exemption may vary from state to state.

Any of the above information, except course and provider codes, can be provided in electronic form; however the link/s must be included.

Promotion of non-approved courses

16.13 No promotion of CQUniversity course/s shall be undertaken if that course has not been approved through Academic Board and its sub-committees, and the course/s have not received CRICOS approval.

Advertising Checklist

16.14 When preparing marketing materials such as print advertisements, the officer responsible will ensure all of the following:

- the CRICOS provider code is included
- the CRICOS course code is included if a specific course is being promoted

- all information is accurate, clear and unambiguous
- the advertisement clearly states the target audience if it is not applicable to international students. For example: "This course is not available to international students"
- reference is made to the CQUniversity web site for more information and a contact telephone number or email address is provided

16.15 No claims will be made about the course leading to employment or migration outcome. When preparing marketing materials such as print, radio, video or television advertisements, the officer responsible will ensure all of the following:

- all scripts are approved by the International Digital Marketing and Content team and the Marketing Directorate
- the CRICOS provider code is included
- the CRICOS course code is included if a specific course is being promoted
- all information is accurate, clear and unambiguous
- the advertisement includes the CQUniversity telephone number, enquiries email or website address to direct prospects to gain more information.

16.16 All information or marketing material displayed on the University website will be subject to the [ESOS Act 2000](#) and [National Code](#). A University web page is any document or image that is:

- hosted on a University owned server or computer
- served over any domain owned or controlled by the University, or
- provided by any subsidiary, business partner, or agent of the University.

A marketing page is any University web page that includes any of the following types of information:

- information about courses of study that are made available to students
- information about services, amenities, or facilities that are or may be made available to students, or
- information about locations at which the University offers courses or units.

16.17 No unauthorised changes will be made to any web page that includes information given special treatment in the [National Code](#). This information includes:

- fees
- accrediting bodies
- course content
- course duration
- refund of fees
- English language proficiency
- required bridging units
- attendance requirements
- prior educational or work experience requirements
- assessment criteria for intending students
- grounds on which enrolment may be deferred, suspended or cancelled
- campus facilities and resources.

16.18 This policy does not apply to web pages which:

- are password protected such that only an authorised employee or a current student can access them and have been appropriately adjusted such that they will not be accessed by search engines, or

- contain only information which may be based on work done at the University, of general community interest and is not specifically linked to units, courses and policies.

Obligations on web publishers

- 16.19 Anyone who publishes a University marketing page, not otherwise excluded must:
- ensure that the information is current, accurate and truthful
 - include the CRICOS provider number **in the text of the web page**
 - include either as text or as meta tag, the author and last review date of web page
 - once every 12 months, review the web page to ensure that the information is still current, accurate and truthful at that point, updating the last review date of the web page
 - remove any page when it is no longer current.
- 16.20 In addition to meeting the requirements for publishing a University marketing page, anyone publishing a restricted marketing page must:
- consult with Marketing Directorate on the appropriateness of any statements made,
 - link to the relevant CQUniversity web site, rather than replicating information.

Implementation

- 16.21 Web publishers will work with the Information and Technology Directorate to establish automated monitoring procedures to assure implementation and maintenance of these requirements.
- 16.22 Owners of apparently non-compliant web pages will be notified of required modifications.
- 16.23 Pages that are grossly non-compliant or whose owners do not adjust them in a reasonable time will be subject to removal from CQUniversity servers.

Document retention

- 16.24 The Marketing Directorate will maintain records of approved materials.

Compliance auditing

- 16.25 Responsibility: International Digital Marketing and Content Manager, Marketing Directorate
- How: On-site campus inspections and random sampling of documents and web pages
- When: Audit commencement: twice annually in June and December
 Audit completion: twice annually in July and January.
 In accordance with Corporate Governance Directorate audit timelines.
- Reporting: Senior Deputy Vice-Chancellor (International and Services)

Standard 2 – Recruiting an overseas student

Policy statement

16.26 **Policy Title:** [Marketing and Student Recruitment Policy and Procedure](#)

The purpose of this policy is to provide guidelines to assist the University to:

- produce high quality, effective and consistent marketing and promotional materials
- ensure that all marketing and promotional material complies with the [ESOS Act 2000](#), the [National Code](#), the [Higher Education Standards Framework](#), [TEQSA Act 2011](#) and other consumer legislation and thus provide sufficient information for students to make an informed choice of course, provider and place of campus, and
- ensure that marketing and promotion materials are coordinated and consistent with CQUniversity's marketing and brand objectives.

16.27 **Policy Title:** [Admission to CQUniversity Coursework Courses Policy and Procedure](#)

The policy and procedure outline the processes which will be followed in making direct offers of admission and offers of admission to postgraduate coursework and undergraduate courses at CQUniversity.

16.28 **Policy Title:** [English Language Proficiency Requirements Policy and Procedure](#)

The English Language requirements outlined on this page are the minimum levels determined by CQUniversity's Academic Board for admission to its various degrees. The University also has approved English Pathways refer to [Appendix A](#) or the [English Language Proficiency Requirements Policy and Procedure](#).

16.29 **Policy Title:** [Student Refund and Credit Balance Policy and Procedure](#)

This policy and procedure aims to provide guidance to students, employees and others on the circumstances whereby CQUniversity will refund fees or overpayments to international applicants and students who have a credit balance on their account.

16.30 **Policy Title:** [Code of Conduct](#)

CQUniversity has a Code of Conduct applicable to all employees, which outlines specific protocols related to student admission to ensure that all students are treated with the same respect and all are subjected to the same policies and standards.

16.31 **Policy Title:** [Younger Overseas Students Under 18 Policy and Procedure](#)

Australian Government regulations ([National Code](#)) and the Department of Home Affairs (student visa conditions) require students under the age of 18 to have appropriate accommodation and welfare arrangements. CQUniversity is committed to protecting the safety and well-being of students under 18 at all times. It therefore requires each student under 18 to be placed in the care of a responsible guardian. Designated employees at relevant CQUniversity campuses will ensure that parents are aware of the role and location of the guardian and that regular contact is maintained between the guardian and the student's parents.

16.32 **Policy Title:** [Articulation Policy and Procedure](#), and, [Credit for Prior Learning in Higher Education Policy and Procedure](#)

Qualifications certify the knowledge and skills a person has achieved through study, training, work and life experience. They are a measure of our 'intellectual capital' and are increasingly important to the continuous up-skilling required in all forms of work and in day-to-day life.

The development of structured arrangements to link qualifications across the sectors represents a key process in building closer inter-sectoral relationships.

Qualification linkages enable individual learners to move from one qualification to another in more efficient and effective learning pathways. Course credit provides a mechanism for creating a more open, accessible and relevant post-compulsory education system and a vehicle for implementing lifelong learning.

Course credit may be granted to students who are able to demonstrate appropriate prior learning or experience. In the interests of ensuring students are fully informed, registered providers are to give students a copy of the course credit for their records. Where course credit is granted, the duration in which the student is expected to complete the course must reflect any consequent reduction in the period of study.

CQUniversity must be cognisant of the [Higher Education Standards Framework](#), the Australian Qualifications Framework (AQF) and National Office for Overseas Skills Recognition (NOOSR) or National Academic Recognition Information Centres (NARIC) assessments of course/unit equivalences, in conjunction with the [National Code](#), when granting course credit.

Resources

Applications for credit transfer: Lodged via [iStart](#).

Predefined Credit assessment: Articulation Agreements

Credit transfer units noted: via Student One

PRISMS User Manual (available from [PRISMS website](#))

Legislative extracts

[National Code 2018 – Standard 2](#)

- 16.33 This standard sets out that registered providers must recruit responsibly by ensuring that students are appropriately qualified for the course for which they seek enrolment, including having the necessary English language proficiency, educational qualifications and work experience. Students must have sufficient information to enable them to make informed decisions about studying with their chosen registered provider in Australia.

Procedures

- 16.34 Applicants may apply for course credit upon lodging an Application for Admission. The Offer of Admission is to provide the applicant with a clear indication of the number of unit credit/s which can be granted upon enrolment in the course.

Processes
Applicant indicates on the Application for Admission Form that they seek credit/exemptions based on previous studies; AND
The Assessor accesses the Articulation Agreements and assesses course credit.
When the database does not include the required articulation information, the Assessor will forward the enquiry to the Academic Pathways Team for consideration on a case-by-case basis. International qualifications are to be reviewed in-line with the Department of Education's International Education Country Education Profiles (CEP) guidelines and NARIC database guidelines.
Academic Pathways Team will advise International Admissions of credit/exemption details for inclusion in the letter of offer and adjusted course duration as appropriate for eCoE (Standard 5); AND
The student may acknowledge acceptance of credit/exemptions granted on the International Student Acceptance Contract.
OR
Upon enrolment in the course the student is required to sign the Application for Credit Transfer Form to formalise the acceptance of course credit/s.

16.35 Students seeking course credit based on recognition of previous studies undertaken must request an assessment at the time of application. Students seeking credit transfers/exemptions are encouraged to apply prior to enrolling in the first term of study.

Processes
Student applies for unit credit/s on application with supporting documentation, indicating the unit/s for which they seek credit; AND
Certified copies or <u>original</u> supporting documentation, including transcripts and unit outlines/synopsis are photocopied (the copies are then signed and dated by the assessing officer);
The Assessor accesses the Articulation Agreements and assesses unit credit.
When the database does not include the required articulation information, the Assessor will consider applications on a case-by-case basis. International qualifications will be reviewed in line with Country Education Profile (CEP) guidelines and/or NARIC database guidelines.
If the student is present during the assessment process, the Assessor must provide the student with a copy of approved unit credit, which must be signed by the student.
If the student is not present during the assessment process, the credit outcome will be forwarded to International Admissions. A new Letter of Offer will be generated and emailed to the student. The student must confirm acceptance by accepting electronically or signing and returning their Offer Letter Acceptance Contract. Once the student has accepted their revised Offer letter, a new/revised eCoE will be generated with the correct duration listed.
The Academic Pathways team will upload approved unit credit/s to the student's academic record on Student One and generate a communication to the student for their records.

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may fail to comply with the ESOS Act 2000 and subordinate regulations because of a lack of awareness of the obligations required which may lead to students being provided incorrect assessment and information prior to enrolment	Unlikely	Extreme	HIGH

Procedures

Prospective students

- 16.36 Where a request for information on study options is received from a prospective international student, the student must be provided with:
- the web address of the “International Students” page
 - a hardcopy of the prospectus, or
 - an email with a PDF file of the prospectus, and
 - an email embedded with relevant links on study options on the CQUniversity website.
- 16.37 Students who may not have received a CQUniversity prospectus or equivalent documentation will be given the required information via the CQUniversity Application Forms, Letters of Offer, and the International Student Contract.
- 16.38 It is important to note that applications or tuition fees cannot be accepted from applicants for places in courses which are not CRICOS approved.

Application forms

- 16.39 All international student application forms must have a statement that reads:
- CQUniversity courses are offered to international students in accordance with the [Education Services for Overseas Students \(ESOS\) Act 2000](#) – Students must complete a full-time load each academic year and study on campus in a CRICOS registered course.
 - Accreditation is not guaranteed upon completion of a course; refer to specific details in the [CQUni Handbook](#) and the accrediting body.
 - Prior to enrolment, it is important that all prospective international students read specific course information, which outlines course and unit content (including modes of study), accreditation, duration, teaching, and assessment methods, facilities, equipment and learning resources utilised. This information is available at <https://handbook.cqu.edu.au/>. Additionally students need to have knowledge of associated fees and required English language proficiency, available at <https://www.cqu.edu.au/international-students>.

Assessing an application for admission

- 16.40 CQUniversity International Admissions controls the processes of assessment and offering of places. They ensure that all employees responsible for undertaking and preparing Offer of Admission letters have undergone appropriate training. The International Coordinator, Admissions will be consulted if International Admission Officers are in doubt as to the appropriateness of entry qualifications.
- 16.41 Entry requirements for courses are set by the academic employees in the teaching or research unit, and approved through the Academic Board approval process. Specific requirements for individual courses can be obtained from the [CQUni Handbook](#).
- 16.42 English language requirements are similarly approved through the Academic Board approval process. International students will be assessed as per the [Admission to CQUniversity Coursework Courses Policy and Procedure](#).
- 16.43 Successful applicants will be issued with an Offer of Admission pack, which includes an Offer of Admission letter and an International Student Contract.
- 16.44 Offer of Admission Letters must include:
- name, date of birth and home address of student
 - student reference number
 - name and address of agent (if relevant)
 - name of the course the student is being offered admission into as well as the course's CRICOS code
 - campus of attendance
 - attendance mode
 - commencement date of admit term
 - duration of course as recorded on the CRICOS register
 - modes of study including any compulsory online or work based/integrated learning requirements
 - orientation dates
 - tuition and non-tuition fees payable
 - cost of overseas student health cover
 - any special conditions applicable to the student
 - details of any transfer credit arrangements and the amended course duration
 - CRICOS provider number
 - information on making tuition fee payments, and

- details of where further information can be located.

16.45 Offer of Admission packs sent to successful applicants must contain the following documents or a hyperlink:

- offer of Admission letter including the International Student Contract (the Contract includes information on CQUniversity's refund policy, ESOS Framework, Department of Home Affairs Student Visa conditions, complaints and appeals process, acceptance of credit transfers if applicable, and other student responsibilities) and CQUniversity payment details information.
- where the student is also undertaking a companion/pathway course with a CQUniversity language centre for course packaging with CQUniversity, the following documents or a hyperlink are also to be included along with the above:
 - relevant course information.

Document retention

16.46 Employee training records will be kept on employee files.

16.47 Documentation of English and course entry requirements are detailed in the [CQUni Handbook](#) on the University website.

Compliance auditing

16.48 Responsibility: Deputy Director International, Future Students; International Business Development Managers; International Coordinator, Admissions

How: Student file/Letter of offer template audits, and inspection of staff training records

When: Periodic audits

Reporting: International Director

Standard 3 – Formalisation of enrolment and written agreement

Policy statement

16.49 **Policy Title:** [Admission to CQUniversity Coursework Programs Policy and Procedure](#)

This policy and procedure outlines the processes which will be followed in making direct offers of admission and offers of admission to postgraduate coursework and undergraduate courses at CQUniversity.

16.50 **Policy Title:** [Student Refund and Credit Balance Policy and Procedure](#)

This policy and procedure aims to provide guidance to applicants, students, employees and others on the circumstances whereby CQUniversity will refund fees or overpayments to international applicants and students who have a credit balance on their account.

Legislative extracts

[National Code 2018 – Standard 3](#)

16.51 This standard sets out that registered providers must formalise their enrolment of overseas students through written agreements with overseas students. The written agreement protects the rights and sets out the responsibilities of each party, as well as the courses and related education services to be provided, tuition and non-tuition fees payable, and refund policies.

CQUniversity tuition fees

16.52 <https://www.cqu.edu.au/student-life/student-finances>

Offer of admission - international student contract/agreement

16.53 The International Student Contract/Agreement must contain at minimum, the following:

- name and mailing address of the student
- student reference number
- outline the course/s the student is being offered admission into, including expected and agreed start date, location, study modes for the course including compulsory online and/or work based/integrated learning requirements
- outline any necessary pre-requisites including English language requirements and any other conditions imposed
- outline requirements to achieve satisfactory course progress, and where applicable, attendance in each study period (now included in the offer letter).
- information on the requirement to accept electronically or sign and return the contract with payment of tuition and overseas student health cover – if applicable.
- information regarding refund processes, including amounts payable and details of the specified person/s (other than the student) to whom a refund can be paid in respect of the student
- link to the ESOS framework
- circumstances in which personal information may be shared with the Australian government and designated authorities
- acceptance of any credit transfer offered by CQUniversity
- outline the requirement that the student must notify the University of their current onshore residential address, mobile phone number and email address, emergency contact details, on arrival and, any changes to these details must be notified to the University within seven days of the changes.
- acknowledgement to meet the policies and rules of CQUniversity
- acknowledgement to ensure correct enrolment, arrival on campus for orientation

- outline the internal and external complaints and appeals processes
- details of length of each study period for the course
- indicate that the student is responsible for keeping a copy of the written agreement, receipts for any tuition and non-tuition payments made
- details of tuition fees (including non tuition fees) payable for the course, the study periods to which the fees relate, payment options, and that the student may choose of their own volition to pay more than 50% of their tuition fees before course commencement
- explanation of tuition protection service and what happens if the university is not able to offer the course in its entirety.
- a statement that 'This written agreement, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the right of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies'.

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may fail to comply with the ESOS Act 2000 and subordinate regulations because of a lack of awareness of the obligations required which may lead to students being provided inaccurate information prior to and during enrolment	Unlikely	Major	MODERATE

Procedure

- 16.54 Upon receipt of an application for admission to a course offered by the University the application will be assessed in accordance with the Department of Home Affairs requirements for Genuine Student, Genuine Temporary Entrant to Australia, and financial ability to sustain their studies in Australia.
- 16.55 If the student meets these requirements, they will then be assessed in relation to University course entry and English requirements. All applicants will receive written notification of the outcome of their application.
- 16.56 Standard 3 of the [National Code](#) specifically relates to the written agreement between the student and the university.

Acceptance of offer

- 16.57 The Deputy Director International, Future Students is responsible for the administration of all international student applications and records. Applicants wishing to accept the Offer of Admission are required to accept electronically or return the signed International Student Contract with tuition payment.
- 16.58 Where an international student accepts the offer of admission to a course of the University:
- CQUniversity receives payment and acceptance electronically or signed International Student Contract from the student
 - International Admissions 'Admit' the application record in iStart which flows through to StudentOne to 'admit' the student
 - International Admissions generates an eCoE through the PRISMS database. An eCOE cannot be generated without receipt of payment, and electronic acceptance or signed Student Contract
 - The University has thus reported the admission to the Department of Home Affairs, as the Department of Home Affairs is able to access the appropriate areas of the PRISMS database.

- 16.59 Where a student accepts an offer of admission, makes payment, and eCOE is generated but the student requests deferral of commencement of studies:
- International Admissions reports the non-enrolment to the Department of Home Affairs through PRISMS, and includes the comment that a new offer and an eCOE will be issued for a future study period
 - Upon receiving the acceptance or signed International Student Contract from the student for the new term commencement date a revised eCOE will be generated through the PRISMS database.
- 16.60 Where a student accepts an offer of admission, makes payment, and an eCOE is generated but the student fails to arrive and enrol in the stated course:
- International Student Support will compile a list of all students who have been issued with an eCoE but who have not checked-in (arrived in person on campus), after the last day to add units for each study period.
 - International Student Support will effect procedures for the withdrawal of enrolment records in Student One no later than census date, and the student may then apply for refund.
 - International Compliance will report the non-commencement of studies to the Department of Home Affairs through the PRISMS database within 14 days of the agreed start date for TPS reporting (applicable to visa refusals and under 18 students only) and within 31 days of the agreed start date of the course commencement for SCV reporting (applicable to all other circumstances).
 - Student refund details for under 18 students and visa refusals will be reported via the PRISMS database within seven working days after the end of the provider obligation period.

Document retention

- 16.61 A copy of all Offer of Admission letters issued, signed/accepted International Student Contracts, eCOE and any variations will be retained in iStart/PRISMS. Cancellation documents will be filed on the student's electronic TRIM file.

Compliance auditing

- 16.62 Responsibility: Deputy Director International, Future Students; International Coordinator, Admissions; International Compliance and Policies Manager; International Coordinator; Compliance and Sponsors; International Student Support
- How: Audit through online or onsite campus inspection and random sampling of records to ensure enrolled students have submitted the accepted/signed International Student Contract. Audit of PRISMS.
- When: Audit commencement: annually in August
 Audit completion: annually in September
 In accordance with Corporate Governance Directorate audit timelines.
- Reporting: Senior Deputy Vice-Chancellor (International and Services)

Standard 4 – Education agents

Policy statement

- 16.63 CQUniversity has an International Agent Appointment Contract (Agent Agreement) document that forms the basis for all terms and conditions between the University and an agent.

Legislative extracts

[National Code 2018 - Standard 4](#)

- 16.64 This standard sets out that registered providers must ensure that their education agents act ethically, honestly and in the best interests of overseas students as well as uphold the reputation of Australia's international education sector.

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may fail to comply with the ESOS Act 2000 and subordinate regulations because of a lack of awareness of the obligations required which may lead to an agent (or agents) not accurately representing the University or students	Unlikely	Extreme	HIGH

Procedures

- 16.65 CQUniversity will only accept student applications from agents identified as contracted, and listed in Student One, for all offshore and onshore agents.
- 16.66 Agent Management strategy, principles and processes are documented in CQUniversity's Customer Relationship Management System (CRM).
- 16.67 Studylink/iStart enables onshore and offshore agents to view details in relation to the application lodgement process.
- 16.68 CQUniversity will supply contracted agents with approved promotional information and documents each year and engage with the agents to provide training in ESOS responsibilities, CQUniversity products, campus location details, and any relevant changes to legislation.
- 16.69 Where it is alleged an agent is engaged in false or misleading advertising or recruitment practices or is in breach of contract:
- Any breach identified by the International Directorate or through external complaints will be logged through the CRM. If there is suspicion of misconduct the International Director must be notified immediately, prior to further investigation.
 - The International Business Development Manager will investigate the claim and send a detailed non-conformance report, with relevant evidence/documentation, to the International Director. This must be done as quickly as possible, respect the confidentiality of the allegation, and be based on established facts.
 - The International Director will assess each claim on an individual basis. If the agent is found to be negligent or acting in a fraudulent manner CQUniversity will cancel the agent's contract and will notify the agent in writing of this decision.

- The International Director will:
 - action recording of the agent on Student One and CRM as a banned agent, if applicable
 - notify TEQSA of the breach, and
 - notify the International Business Development Manager and International Coordinator, Admissions of this decision.
- The International Business Development Manager will advise the Recruitment team of the decision.
- CQUniversity will not accept any applications from an agent whose contract has been cancelled.

Document retention

- 16.70 Offshore and onshore contracted agent files and related documentation will be stored electronically in Student One with the International Directorate for audit purposes.
- 16.71 All correspondence with cancelled agents will be stored electronically in Student One. Agent commission invoices will be verified/authorised in the Agent Commission Portal.
- 16.72 All interactions with contracted agents are recorded in the CRM.

Compliance auditing

- 16.73 Responsibility: International Director; Deputy Director International, Future Students; International Coordinator, Compliance and Sponsors; International Compliance and Policies Manager
- How: Inspection of agent contracts, compliance documentation
- When: Audit commencement: annually in December
 Audit completion: annually in January
 In accordance with Corporate Governance Directorate audit timelines.
- Reporting: Senior Deputy Vice-Chancellor (International and Services)

Standard 5 – Younger overseas students

Policy statement

16.74 Policy Title: [Younger Overseas Students Under 18 Policy and Procedure](#)

CQUniversity is committed to protecting the safety and well-being of students under 18 at all times. It therefore requires each student under 18 to be placed in the care of a responsible guardian.

Designated employees at relevant CQUniversity campuses will ensure that parents are aware of the role and location of the guardian and that regular contact is maintained between the guardian and the student's parents.

16.75 Reference material

Australian Government regulations ([National Code](#)) and the Department of Home Affairs (student visa conditions) require students under the age of 18 to have appropriate accommodation and welfare arrangements.

Legislative extracts

[National Code 2018 – Standard 5](#)

- 16.76 This standard sets out that registered providers of overseas students aged under 18 must meet legislative or other regulatory requirements relating to child welfare and protection. Registered providers of overseas students aged under 18 must provide the students with emergency contact information about how to report actual or alleged abuse. Where the registered provider has taken on responsibility for the approval of welfare arrangements for a student who is under 18 years of age (for the purposes of the [Migration Regulations 1994](#)), the registered provider must ensure the arrangements for the younger students are suitable, ongoing and appropriately managed until the student turns 18 years of age.

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may fail to comply with the ESOS Act 2000 and subordinate regulations because of a lack of awareness of the obligations required which may lead to the safety and well-being of under 18 students being jeopardised	Unlikely	Major	MODERATE

Document retention

- 16.77 The Student Experience team will maintain a record of student accommodation and welfare arrangements (including guardian contact details).
- 16.78 Documentation relating to parental authorisations, communications with the parent and/or guardian and the Department of Home Affairs notification through PRISMS will be filed on the student's file in TRIM.

Compliance auditing

- 16.79 Responsibility: Student Experience; International Student Support; International Coordinator, Compliance and Sponsors; International Compliance and Policies Manager
- How: My Simple Enquiries (MSE) in Student One to identify international students under the age of 18 years. TRIM or on-site campus inspection and random sampling of records
- When: Audit commencement: annually in August
Audit completion: annually in September
In accordance with Corporate Governance Director audit timelines.
- Reporting: Director, Student Experience

Standard 6 – Overseas student support services

Policy statement

CQUniversity has a range of student support services available to international students including counselling, job placement and career advice.

16.80 **Policy Title:** [First Year Orientation Policy and Procedure](#)

CQUniversity will provide a structured orientation and transition period for all new students commencing throughout the academic year. The objective of this policy is to identify and provide for the needs of incoming students such as through relevant academic and support service orientation programs.

16.81 **Policy Title:** [Student Feedback – Compliments and Complaints Policy and Procedure](#)

This document has been formulated to provide a clear statement of CQUniversity's processes for handling student complaints and appeals regarding both academic and non-academic matters.

16.82 **Policy Title:** [Student Welfare and Support Policy](#)

CQUniversity is committed to assisting students to persist and achieve in their academic endeavours and succeed in their career ambition. The University considers that welfare and support services are important sources of easing students into tertiary life, helping them adjust to their new living environment and enabling them to achieve their academic goal. This policy document has been developed to provide a clear statement on the welfare and support services at CQUniversity.

16.83 **Policy Title:** [Monitoring Academic Progress \(MAP\) Policy and Procedure – International Students](#)

CQUniversity understands that its students come from a diversity of educational, cultural, social and economic backgrounds and experiences and with differing motivation and achievement levels. Some students will require assistance comprising personal and academic support and counselling services ('support options') to overcome areas of lack of preparedness, and to achieve positive learning and development outcomes.

CQUniversity values the diverse backgrounds of its students and provides support services to assist students achieve their full potential. At the same time, CQUniversity has an obligation to maintain the credibility of the University and the integrity of its units and courses by maintaining and insisting upon appropriate levels of achievement from its students in their academic study.

16.84 **Policy Title:** [Student Critical Incident Policy and Procedure](#)

The Student Critical Incident Policy and Procedure is intended to facilitate the management of a crisis within CQUniversity, to minimise the risk to personnel, to protect property, to protect the reputation of the University and to implement business recovery procedures. This policy document presents CQUniversity's domestic and international campuses strategy for meeting requests that are made for psychological support and assistance following a critical incident within the University.

Legislative extract

[National Code 2018 – Standard 6](#)

- 16.85 This standard sets out that registered providers must assist overseas students to adjust to study and life in Australia and have appropriate orientation programs that help overseas students to access the information and services they require.

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may fail to comply with the ESOS Act 2000 and subordinate regulations because of a lack of awareness of the obligations required which may lead to students not being provided adequate or appropriate support services	Unlikely	Extreme	HIGH

Procedures

- 16.86 Student Services employees are the designated first point of contact officers for international students when they require assistance to resolve problems (personal or academic), which could impact on their ability to successfully complete their course. Refer to [Appendix B](#) for Student Services employee contact details.
- 16.87 In case of an emergency or after hours contacts refer to the [Student Critical Incident Policy and Procedure](#).
- 16.88 Upon accepting an Offer of Admission, students will be required to electronically accept or sign an International Student Contract, to indicate that they have been advised of a range of information relating to undertaking studies in Australia with CQUniversity.
- 16.89 When an international student enrolls with the University the Student Services employees will provide the student with specific information about:
- date, time and location of orientation program
 - contact information for the nominated first point of contact officers
 - support services to help students adjust to study and life in Australia
 - English language and study assistance programs
 - legal services
 - emergency health services
 - accommodation placement services
 - student counselling services
 - facilities and resources
 - complaints and appeals processes
 - course attendance and progress requirements including study loads
 - how students can access information on employment rights and conditions, how to resolve workplace issues (such as through the Fair Work Ombudsman).
 - all other available services, policies and procedures
 - any additional services which may be offered from time to time, at the point of Orientation
- 16.90 Each international student will be informed of Orientation activities and their importance, and be encouraged to participate in the Orientation program prior to commencing studies, as well as being provided with Orientation materials in either electronic or print-based form.

Document retention

- 16.91 Student Services employees will maintain a record of student attendance at Orientation Programs and copies of Orientation packs.
- 16.92 Students are required to sign a Student Contract/Agreement, which will be held in iStart.
- 16.93 Training records to reflect ESOS training for staff who interact directly with international students, will be held on employee file by the People and Culture Directorate.

Compliance auditing

- 16.94 Responsibility: International Coordinator, Admissions; Director, Student Experience; International Coordinator, Compliance and Sponsors; International Compliance and Policies Manager
 - How: Onsite campus inspection and random sampling of records
 - When: Audit commencement: annually in June
Audit completion: annually in July
In accordance with Corporate Governance Directorate audit timelines.
 - Reporting: International Director

Standard 7 – Overseas student transfers

Policy statement

16.95 **Policy Title:** [Overseas Student Transfer Policy and Procedure](#)

Under the terms of the [National Code](#), the University is restricted from enrolling transferring students within the first six months from the commencement of the student's principal course, except in limited circumstances. This policy outlines the circumstances under which the University will allow both the enrolment of transferring students and the release of students from the University to another provider.

Students applying for release must submit an appropriately documented Request for Release Form (available online) to Student Services. An exit interview will be conducted with the student prior to the application being assessed by International Compliance. Requests for Release Forms and accompanying documentation will be stored in TRIM. Associated notes will be made in CRM.

Legislation extract

[National Code 2018 – Standard 7](#)

16.96 This standard sets out that registered providers must not knowingly enrol an overseas student wishing to transfer from another registered provider's course prior to the student completing six months of his or her principal course (or for the school sector, until after the first six months of the first registered school sector course), except in certain circumstances.

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may fail to comply with the ESOS Act 2000 and subordinate regulations because of a lack of awareness of the obligations required which may lead to students being provided with inaccurate information relating to provider transfer	Unlikely	Major	MODERATE

Compliance auditing

16.97 **Responsibility:** International Coordinator, Student Support and Monitoring Academic Progress; International Coordinator, Compliance and Sponsors; International Compliance and Policies Manager

How: Review of online or onsite campus inspection and random sampling of records

When: Audit commencement: annually in August
Audit completion: annually in September
In accordance with Corporate Governance Directorate audit timelines.

Reporting: International Director

Standard 8 – Overseas student visa requirements

Policy statement

- 16.98 **Policy Title:** [Monitoring Academic Progress \(MAP\) Policy and Procedure – International Students](#)

This policy and procedure applies to all international CQUniversity students other than those enrolled in research higher degrees, bridging courses and ELICOS courses.

- 16.99 **Policy Title:** [Monitoring ELICOS Course Progress - Unsatisfactory Academic Progress Policy and Procedure](#)

This policy and procedure applies to all ELICOS students.

- 16.100 **Policy Title:** [ELICOS Course Attendance Policy and Procedure](#)

This policy and procedure establishes the processes for monitoring ELICOS course attendance.

- 16.101 **Policy Title:** [Full Time Student – Duration of Study Policy and Procedure](#)

A full time student status is determined by the study load undertaken in each study period over an academic year.

The academic requirements for research students are available in the [CQUni Handbook](#) under 'The Rules for the Degree of Doctor of Philosophy'.

Legislative extract

[National Code 2018 – Standard 8](#)

- 16.102 This standard sets out that registered providers must safeguard the integrity of Australia's migration laws by supporting overseas students to complete their course within the required duration and fulfil their visa requirements for course attendance and course progress. Standard 8 sets flexible provisions to allow online learning while maintaining appropriate standards for overseas students to comply with student visa conditions.

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may fail to comply with the ESOS Act 2000 and subordinate regulations because of a lack of awareness of the obligations required which may lead to a higher than anticipated number of students failing and breaching visa requirements	Unlikely	Extreme	HIGH

Procedures

- 16.103 The University follows the principles set out in the [National Code](#), which exempts Universities from record keeping for the purposes of monitoring attendance. (Note: With the exception of registered courses provided through the CQUniversity English Language Centre and TAFE.)
- 16.104 There is an informal requirement (in accordance with the [National Code](#)) for the University to maintain some indication of a student's attendance record to ensure support mechanisms, including intervention programs, are initiated as may be required and as a duty of care towards the welfare of students.

16.105 It is a requirement of the [ESOS Act 2000](#), Department of Home Affairs and [National Code](#) that all international students complete their studies within the duration of their course (and CoE) as registered on CRICOS.

Forms

16.106 Non-Standard Enrolment Acknowledgement form

Courses delivered exclusively by online or distance cannot be delivered to overseas students onshore on a Student Visa.

No more than one third of the units (or equivalent) in a course can be delivered to a higher education or VET student onshore. Students must maintain a minimum full time face to face enrolment load i.e. no more than one online unit per term unless the student is enrolled in a non compulsory enrolment term, or, the student is completing the final unit of their course. Online learning is only permitted for ELICOS students where the online learning supplement is the minimum face to face teaching requirements.

Undergraduate and postgraduate coursework courses

16.107 Academic employees who are in direct contact with international students will remain vigilant as to the attendance of international students in their lectures or tutorials. Employees who become aware of a case of non-attendance or discontinuation of studies by an international student will advise either Student Services Coordinator for Higher Education and VET students, or the Director, CQUEnglish for an ELICOS student.

16.108 When Student Services or the Director, CQUEnglish is advised of the situation where an international student may not be attending classes, attempts must be made to confirm a student's attendance. The [National Code](#) does not require the recording of attendance for Higher Education or VET students, however, non-attendance is often a first indication of lack of academic progress.

Process – Higher Education and VET

- Student Services access lecturer/tutor lists, assignment submissions and supervisor reports
- attempt to contact the student and verify their attendance/discontinuation. This may be in writing, telephone or face-to-face
- counsel the student on the non-attendance
- where employee interview the student, a record of this should be kept
- initiate a monitoring program to link in with academic progression requirements

Process – ELICOS program

The English Language Centres are required to maintain formal attendance records for international students enrolled in registered courses. Refer to the ELICOS Course Attendance Policy and Procedure.

Document retention

16.109 Record of interviews and written communication to students will be retained on the student file. Copies of the Department of Home Affairs attendance requests and replies will be retained on the student file. Attendance records will be maintained by the class teacher.

16.110 Non-Standard Enrolment Acknowledgement Forms will be retained on the student file. A copy of the correspondence advising the student of the requirement to enrol in the non-compulsory study period will be retained in CRM.

16.111 A copy of the CoE which reflects variation to duration (increase or decrease in expected duration).

Compliance auditing

16.112 Responsibility:	Director CQU English; English Language Centres (all campuses); Student Experience; International Student Support
How:	ELICOS - Review attendance reports, counselling and academic support records. Higher Education and VET - Report on students enrolment status in September of each year. PRISMS reports to ensure CoE duration reflects CRICOS details.
When:	Audit commencement: annually in August Audit completion: annually in September In accordance with Corporate Governance Directorate audit timelines
Reporting:	Director, CQU English Director, Student Experience for all Higher Ed and VET requirements

Standard 9 - Deferring, suspending or cancelling the student’s enrolment

Policy statement

- 16.113 **Policy Title:** [Leave of Absence - International Students Policy and Procedure](#)
- 16.114 **Policy Title:** [Required Leave of Absence Policy and Procedure](#)
- 16.115 **Policy Title:** [Student Academic Integrity Policy and Procedure](#)
- 16.116 **Policy Title:** [Deferment and Pre-Ponement of Admission Commencement – International Students Policy and Procedure](#)
- 16.117 Under the requirements of the [ESOS Act 2000](#), if an overseas student has enrolled in a course at a CQUniversity campus located in Australia, the registered provider must not allow them to defer commencement of their studies, or suspend their studies, except on the grounds of illness evidenced by a doctor's certificate, or other exceptional compassionate circumstances beyond the control of the student, for example, bereavement.
- 16.118 If a student defers or suspends their studies on any other grounds, the registered provider must report the student to the Department of Home Affairs, via PRISMS, as not complying with visa conditions.
- 16.119 Students wishing to apply for deferment of commencement of studies may login to [iStart](#) and select the Accepted Deferral Requested status. The International Admissions Officer will assess the request, and if appropriate, a new application and offer letter will be generated and sent to the student. Once the student accepts the new offer, the student data will be sent to Student One with the new admit term.

Forms

- [Leave of Absence Request](#)
- PRISMS User Guide is available on the [PRISMS website](#).

Legislation extract

[National Code 2018 – Standard 9](#)

- 16.120 This standard sets out that registered providers must appropriately manage the enrolment of their overseas students and ensure all necessary information about enrolments has been provided to the relevant government department by maintaining updated information in PRISMS.

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may fail to comply with the ESOS Act 2000 and subordinate regulations because of a lack of awareness of the obligations required which may lead to provide education or training to international students	Unlikely	Extreme	HIGH

Procedures

Leave of Absence – Student Initiated

- 16.121 Leave of Absence can only be granted for one study period at a time and for a maximum of 12 months during the total duration of the student’s course. Successful applications will be applied to a student’s record for the whole study period and not a portion. International students also need to be aware that the duration of their course may be extended and a new eCOE issued to extend the student visa as a result of taking deferral of studies.

16.122 Where a student seeks a leave of absence or to suspend their studies prior to census date in a study period, the student will be interviewed by Student Services employees. The application will be approved by Student Services at their campus of enrolment in the following circumstances:

- illness, evidenced by a Doctor's certificate (registered medical practitioner), or
- compassionate or compelling circumstances beyond the control of the student and which prevents them from attending class (e.g. bereavement of spouse or parent), with documented evidence.

16.123 International students who seek a leave of absence or suspension of their studies on medical grounds may have their student visa cancelled by the Department of Home Affairs and an alternative visa issued. This will be at the discretion of the Department of Home Affairs.

16.124 Where Student Services approves a request for leave of absence or to suspend their studies:

- the student completes and submits a [Leave of Absence Request Form](#), with all supporting documents to Student Services
- Student Services (or nominee) will assess the application in accordance with University policy, and either:
 - If the application is denied – Student Services will record the basis of application and the outcome in Student One 'Comments' panel and generate a letter advising the student of the reasons for the unsuccessful outcome and details of appeal process, or
 - If the application is approved – Student Services will record the successful outcome of the application in Student One with the reason 'Leave of Absence'. The return to study date will be entered at this time as advised by the student.
- record in Student One 'Comments' panel the basis of the application and the outcome.
- Provide the student with a letter confirming the decision including the basis upon which approval has been granted and the date the decision is to take effect.
- Inform the student in writing that the period of leave from studies may affect his/her visa status. Note: Even though the University has approved the application DHA may not accept the reasons provided and may proceed to cancel the student's visa.
- Inform the student that information concerning the leave of absence will be transmitted to DHA and the Department of Education, via the PRISMS database.
- A copy of the letter with full documentation is to be placed on the student's file in TRIM.
- Report the dates of the student's approved leave of absence in PRISMS and include details of the reason for the leave of absence.
- Place a copy of the PRISMS variation on the student's electronic file in TRIM.

16.125 Upon the student returning from an approved leave of absence:

- prior to the student returning to Australia and recommencing studies, the student should contact the Australian High Commission to ensure their student visa is current, and
- confirm the eCOE status in PRISMS ensuring it is current for the required duration.

Suspending or cancelling a student's enrolment

16.126 A student's enrolment may be suspended or cancelled due to (but not limited to):

- misbehaviour by the student
- failure to pay an amount required as stated in the written agreement
- a breach of course progress or attendance requirements.

Plagiarism/academic misconduct

16.127 CQUniversity does not tolerate intellectual dishonesty. Where it is alleged that a student has acted in a manner which constitutes student misconduct the University will notify the student, in writing, outlining:

- the allegations
- advice on the investigative process which will be implemented
- where applicable, date/s and venue details of meetings or hearings
- details of support services available to the student, and
- details of the University contact person for any related enquiries

16.128 Following the investigative process the student will be notified of the decision in writing and of the University complaints and appeals processes which they may access. Where a student is currently enrolled the period of suspension/expulsion may commence upon completion of the current study period subject to all appeals being finalised.

16.129 In occurrences where a student is to be suspended, excluded or expelled from enrolment with CQUniversity for either academic misconduct or misconduct as defined in the CQU Statute No 4 (Student Discipline) 1999 or the [Student Misconduct Policy](#), the Department of Home Affairs and Department of Education will be notified via the PRISMS database.

16.130 Upon all internal processes being exhausted, including the complaints and appeals processes, the Director, Student Governance and International Compliance will be advised of the University's decision to suspend/exclude/expel the student. The Director, Student Governance and International Compliance will ensure:

- Student Governance records details of the suspension/exclusion/expulsion in the 'Service Indicator' Student One panel
- provide the student with a letter advising them of the reason for the suspension/exclusion/expulsion, the date the penalty is to take effect, and in the case of suspension or exclusion the period of suspension/exclusion. This letter will be sent from the office of the Director, Student Governance
- inform the student that information concerning the suspension/exclusion/expulsion from studies will be transmitted to the Department of Home Affairs and Department of Education, via the PRISMS database
- a copy of the letter is placed on the student's file in TRIM
- report the date/s and reason/s of the student's suspension/exclusion/expulsion in PRISMS, and
- a copy of the PRISMS variation is placed on the student's file in TRIM

Document retention

16.131 All documents will be retained on student file in TRIM, i.e. application form, supporting documents, copy of the written notification of outcome sent to the student, CoE variation.

Compliance auditing

16.132 Responsibility: Director, Student Experience; Director, Student Governance, International Coordinator, Student Support and Monitoring Academic Progress; International Coordinator, Compliance and Sponsors, International Compliance and Policies Manager

How: Review student files to ensure required documentation is placed in the file. Audit PRISMS and review reports.

When: Audit commencement: annually in June
Audit completion: annually in July
In accordance with Corporate Governance Directorate audit timelines.

Reporting: Director, Student Experience and Director, Student Governance

Standard 10 - Appeals

Policy statement

- 16.133 **Policy Title:** [Student Feedback – Compliments and Complaints Policy and Procedure](#)
16.134 **Policy Title:** [Review of Grade Procedure](#)
16.135 **Policy Title:** [Academic Appeals Policy and Procedure](#)

Legislation extract

[National Code 2018 – Standard 10](#)

- 16.136 This standard sets out that registered providers must ensure their overseas students have the right to natural justice protected through access to professional, timely, inexpensive and documented complaints handling and appeals processes.

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may fail to comply with the ESOS Act 2000 and subordinate regulations because of a lack of awareness of the obligations required which may lead to the inaccurate assessment of appeal outcomes	Unlikely	Extreme	HIGH

Procedures

- 16.137 Academic complaints are generally in relation to assessment matters (e.g. plagiarism allegations, review of grade, examination), teaching standards and exclusion from courses. Procedures are clearly set out in the [Academic Appeals Policy and Procedure](#).
- 16.138 Council established an independent Academic Appeals Committee, as a sub-committee of the Academic Board, to hear and determine appeals from students of the University on academic matters. The Academic Appeals Committee shall be the final appeal body for students of the University on these matters. There is no further right of appeal from the Academic Appeals Committee's decisions to the Council. The membership and functions of the Appeals Committee are detailed in the [Academic Appeals Committee Terms of Reference](#).

Independent arbitration

- 16.139 If an issue still remains unresolved after an appeals processes has been exhausted, the student must be advised of their right to access the external appeals process (i.e. independent arbitration) at minimal or no cost to the student. Alternatively, students may lodge complaints with an appropriate external body. Such external bodies include the [Australian Human Rights Commission](#), the relevant State Equal Opportunity Commission (in relation to discrimination and sexual harassment), or the [Queensland Ombudsman](#) (in relation to the application of policies and procedures, administrative processes and international student complaints in relation to the [ESOS Act 2000](#)).
- 16.140 The Independent Arbiter (the [Queensland Ombudsman](#)) will conduct hearings as required to guarantee the full and fair presentation of evidence and arguments of both parties. They will hear all sides of the issue, study the evidence, and make a decision as to how the matter should be resolved. The arbiter's decision is final.

Document retention

16.141 All records pertaining to the student will be filed on the student's file in TRIM.

Compliance auditing

16.142 Responsibility: Director, Student Governance; Learning and Teaching Services

How: Review student files

When: Audit commencement: annually in September
Audit completion: annually in October
In accordance with Corporate Governance Directorate audit timelines.

Reporting: Director, Student Governance

Standard 11 – Additional registration requirements

Policy statement

16.143 Requirements of Standard 11 are covered by CQUniversity's compliance with the quality assurance framework.

Legislation extract

[National Code 2018 – Standard 11](#)

16.144 This standard sets out that registered providers must continue to meet the requirements for CRICOS registration and ensure the ESOS agency for the registered provider approves, and has up to date information on, specific aspects of the registered provider's operations and any registered courses.

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may fail to comply with the ESOS Act 2000 and subordinate regulations because of a lack of awareness of the obligations required which may lead to the University being unable to provide education or training to international students.	Unlikely	Extreme	HIGH

Course registration

16.145 Approval must be sought from the ESOS agency to register a course. Registrations must include:

- course duration, including holiday breaks
- modes of study, including online, distance or work-based training
- number of overseas students enrolled at the provider, within the limit or maximum number approved by the ESOS agency for each location, and
- arrangements with other education providers, including partners.

16.146 In seeking approval, the provider must demonstrate any matters requested by the ESOS agency:

- expected course duration does not exceed the time required to complete the course on the basis of full time study
- expected duration includes any holiday breaks or any work-based training
- any work-based training is necessary for the student to gain the qualification
- course is not delivered entirely by online or distance learning
- provider and any partner they engage to deliver the course has adequate employees and education resources, and
- the maximum number of overseas students proposed for the location reflects the appropriateness of employees, resources and facilities for the delivery of the course.

16.147 Proposed changes to a courses registration must be submitted to the ESOS agency at least 30 days prior to the changes taking effect.

16.148 Self-accrediting providers must undertake an independent external audit during their period of CRICOS registration, within 18 months prior to the renewal of that registration.

Document retention

16.149 All records will be retained by the International Directorate.

Compliance auditing

16.150 Responsibility: International Director; Deputy Director International, Business Intelligence and Development, International Coordinator, Compliance and Sponsors

How: Review records if necessary

When: Audit commencement: annually in September
Audit completion: annually in October
In accordance with Corporate Governance Directorate audit timelines.

Reporting: Senior Deputy Vice-Chancellor (International and Services)

17 TUITION PROTECTION SERVICE

Policy statement

- 17.1 CQUniversity will take all steps to ensure its policies and processes comply with ESOS legislation, and will provide orderly access to monitoring authorities of all required documentation.

Legislation extracts

[ESOS Act 2000](#)

- 17.2 Part 5 – Tuition protection service

[Tuition Protection Service](#)

Risk rating

Risk Identification	Risk Analysis		
	Likelihood	Consequence	Overall Risk Rating
There is the risk that the University may fail to comply with the ESOS Act 2000 and subordinate regulations because of a lack of awareness of the obligations required which may lead to student dissatisfaction and students moving to another provider	Unlikely	Extreme	HIGH

Procedures

Reducing risk of provider default

- 17.3 The TPS has been established to assist international students whose education providers become unable to fully deliver their course of study. The TPS ensures that international students are able to either:

- complete their studies in another course or with another education provider, or
- receive a refund of their unspent tuition fees.

- 17.4 In the unlikely event that CQUniversity is:

- unable to deliver a course that has been paid for, or
- cannot meet the obligation to offer an alternative course that the student accepts or pays a refund of any unspent prepaid tuition fees

The TPS will assist the student in finding an alternative course or to get a refund if a suitable alternative is not found.

Actions when provider defaults

- 17.5 A provider defaults if:
- the provider fails to start providing a course to a student at the enrolment location on the agreed starting day, or after the course starts but before it is completed
 - it ceases to provide to students at the enrolment location, or
 - the student has not withdrawn from the course before the default day.

- 17.6 The University must notify the Secretary and the TPS Director of the default within three working days of the default occurring. Affected students must also be notified in writing.
- 17.7 The University has 14 working days to discharge its obligations i.e. to offer the students a place in a suitable alternate course or, where the student does not accept a place in an alternate course or no alternate course is available, offer a refund of unexpended tuition fees.

Actions when student defaults

- 17.8 Where under 18 students do not commence their course on the agreed starting date or, where a student's visa has been rejected, the University must notify the regulator (TPS Director) within 14 days of the default i.e. the commencement date on the TPS framework. All CRICOS providers have a statutory obligation to report to the TPS Director and the Secretary about provider and certain student defaults. This is the first layer of tuition protection for students. One of the main objectives of the TPS is to ensure that the placement and refund processes for students are quick and streamlined. The default notification requirements are to ensure students are looked after following a default in a timely way.
- 17.9 Each year the TPS Director will set key components of the TPS levy to be paid by providers, following the advice and recommendation of the TPS Advisory Board. The TPS Director will issue an annual TPS Levy Invoice to the University for payment by the due date. The TPS Levy comprises an administrative fee, base fee, risk rates premium and special tuition protection components. The risk rated premium component is an analysis of the data available from the PRISMS.
- 17.10 If CQUniversity does not pay the invoice by the due date the University will be breaching the [ESOS Act 2000](#). Under Part 6, Division 1 of the Act, the Minister may take action against the registered provider, including (section 90 of the [ESOS Act 2000](#)) automatic suspension for non-payment of the Levy.

Refunds

- 17.11 In addition to the above, the University is obligated to provide a refund to students within four weeks of receiving a completed written refund request from the student, unless the student default was caused by a visa refusal, in which case the University is obligated to provide a refund four weeks from the default day.

TPS levy

- 17.12 Changes to the [ESOS Act 2000](#) have further strengthened protections for international students through the introduction of the TPS. In the unlikely event CQUniversity is unable to deliver a course that the student has paid for and does not meet their obligations to either offer the student an alternative course that the student may accept, or pay the student a refund of their unspent prepaid tuition fees (this is called a provider's default obligations), the TPS will assist the student in finding an alternative course or to secure a refund if a suitable alternative is not found.

DOCUMENTATION RETENTION

- 17.13 All documents relating to student defaults will be retained on student files in TRIM.
- 17.14 All documents relating to provider default will be retained by the Tertiary Education Division and AIMS.

COMPLIANCE AUDITING

- 17.15 Responsibility: International Coordinator, Compliance and Sponsors, International Compliance and Policies Manager
- How: PRISMS/AIMS
- When: In accordance with TPS legislation
- Reporting: Senior Deputy Vice-Chancellor (International and Services)

18 APPENDICES

Appendix A - Institutions with an arrangement for graduates to gain direct entry into CQUniversity courses

A full list of arrangements can be found at <https://www.cqu.edu.au/international-students/english-and-pathways/external-providers>

While agreements are in place with graduates of the providers listed at the link above to gain direct entry to CQUniversity, in practice the University has moved to a single joint badged letter of offer. Instead, each institution provides their own letter of offer. A CQUniversity conditional offer, will be based on successful completion of the external provider course.

Under the Simplified Student Visa Framework, the University has a small number of institutions with whom course packaged offers will be made. The agreements are stored in the Articulations Database and listed on the [CQUniversity website](#).

CQUniversity will continue to monitor its legal responsibilities and the strategic benefits of packaged courses.

Appendix B: Definitions

Accrediting authority	Refers to the organisation designated by or under legislation of the Commonwealth or appropriate state or territory government to accredit persons or organisations to offer education or training services to Australian students.
Compulsory study period	A compulsory study period is one in which the student must enrol unless granted a deferment or suspension from enrolment or leave of absence under Standard 9 of the <i>ESOS Act</i> (Deferring, suspending or cancelling the student's enrolment). A compulsory study period does not include periods in which the student can elect to undertake additional studies. See also 'Study period'.
Confirmation of Enrolment (CoE)	A document, provided electronically, which is issued by the registered provider to intending overseas students and which must accompany their application for a student visa. It confirms the overseas student's eligibility to enrol in the particular course of the registered provider.
Course	Has the meaning given in the <i>ESOS Act</i> .
Course credit	Exemption from enrolment in a particular part of the course as a result of previous study, experience or recognition of a competency currently held. Includes academic credit and recognition of prior learning.
Course progress	The measure of advancement within a course towards the completion of that course irrespective of whether course completion is identified through academic merit or skill based competencies.
CRICOS	The Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) is the register prescribed under section 14A of the <i>ESOS Act</i> .
Critical incident	An incident or condition, expected or unexpected, that threatens life or safety and requires immediate action. Please note: multiple or ongoing incidents may have a cumulative effect, becoming a major incident or crisis
Designated State authority (DSA)	Has the meaning given in the <i>ESOS Act</i> .
Education agent	A person or organisation (in or outside Australia) who recruits overseas students and refers them to education providers. In doing so, the education agent may provide education counselling to overseas students as well as marketing and promotion services to education providers. Education agent does not refer to an education institution with whom an Australian provider has an agreement for the provision of education (that is teaching activities).
Enrolment	Where the student has been issued with a CoE to confirm acceptance by the registered provider and is occupying a place in the CRICOS registered course for which the student was accepted and is progressing towards the completion of the course requirements. The period of enrolment includes scheduled breaks between study periods.
ESOS agency	Has the meaning given by section 6C of the <i>ESOS Act</i> .
Intending overseas student	Has the meaning given in the <i>ESOS Act</i> .
Marketing	Promotion of the provider and its courses and facilities to prospective overseas students and their parents or guardians, agents, international organisations and other interested parties such as alumni.
Migration agent	A person registered as a migration agent as per section 286 of the <i>Migration Act 1958</i> .
Mode of study	Includes attendance face-to-face in a classroom, supervised study on the registered provider's campus, distance learning, online learning and work-based learning.
Overseas student	Has the meaning given in the <i>ESOS Act</i> .
Principal course of study	The principal course of study refers to the main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study. The principal course of study would normally be the final course of study where the overseas student arrives in Australia with a student visa that covers multiple courses.

PRISMS	The Provider Registration and International Student Management System (PRISMS) is the system used to process information given to the Secretary of DET by registered providers.
Provider	Has the meaning given in the ESOS Act.
Provider default	Where the registered provider fails to provide a course or ceases to provide a course to an overseas student within the meaning of section 46A of the ESOS Act.
Recruitment	The pre-enrolment processes of engaging and assisting overseas students (or parent or guardian if the overseas student is under 18) to apply for a place in a course with a provider leading up to the formal enrolment, including assistance with administrative issues and the issuing of a CoE for an application for a student visa.
Registered provider	As defined in section 5 of the ESOS Act, the registered provider for a course for a location means a provider that is registered to provide the course at the location.
Scheduled course contact hours	The hours for which students enrolled in the course are scheduled to attend classes, course-related information sessions, supervised study sessions, mandatory and supervised work-based training and examinations.
Self-accrediting provider	Self-accrediting institutions are established by or under relevant Commonwealth or state or territory government legislation with the authority to accredit their own courses.
State	Has the meaning given in the ESOS Act.
Student	Means an overseas student (or intending overseas student) as the context requires.
Student contact officer	Employee(s) of the registered provider deemed to have an appropriate level of skill, knowledge and expertise who is able to provide advice to overseas students on a range of matters.
Student default	Where an overseas student does not start a course or withdraws from a course as defined in section 47A(2) of the ESOS Act.
Student visa	Has the meaning given in the ESOS Act.
Study period	A discrete period of study within a course, namely term, semester, trimester, short course of similar or lesser duration, or as otherwise defined by the registered provider as long as that period does not exceed six months. See also 'Compulsory study period'.
Tuition fees	Has the meaning given in the ESOS Act.
Unit	A discrete component of study within a course; the term includes 'subject' and 'module'.

Appendix C: International student support services employees

The following employees are the first point of contact for international students who require assistance to resolve any problems which could impede successful completion of their course as per the [National Code](#).

In case of emergencies any employee contacted by the student should contact the Head of Campus or the Deputy Director, Student Life & Wellbeing.

CAMPUS	CONTACT INFORMATION
Bundaberg, Cairns Gladstone, Mackay Noosa, Rockhampton	Until 10 January 2020 – Caroline Cooney International Student Advisor Phone: +61 7 4923 2380 Email: c.cooney@cqu.edu.au
Brisbane	Betty Huang International Student Support Phone: +61 7 3295 1116 Email: b.huang@cqu.edu.au
Melbourne	Kathleen Crockford International Student Support Phone: +61 3 8662 5614 Email: k.crockford@cqu.edu.au
Sydney	Shazhi Yaghi International Student Support Phone: +61 2 9324 5753 Email: s.yahgi@cqu.edu.au