

APPLICABLE TO	All diocesan schools
DOCUMENT OWNER	Assistant Director
APPROVAL DATE	May 2018
APPROVED BY	CSO Leadership Team
SCHOOL ACTIONS	System policy: Schools are to ensure their practices are consistent with this policy. A local school policy is not required.
LAST REVIEW DATE/S	2014
NEXT REVIEW DATE	May 2020 or when review is required
RELATED DOCUMENTS	Enrolment of Students on Visas Policy Overseas Student Enrolment Package

Purpose

At the time of writing this policy the Catholic Schools Office, Diocese of Maitland-Newcastle's system of schools does not accept students holding student visa subclass 500, the only classification designated as 'Overseas Students'.

A small number of continuing Overseas Students remain in diocesan schools therefore the Catholic Schools Office (CSO) has maintained its accreditation as a registered provider for Overseas Student enrolments.

Fees may need to be refunded if overseas students leave a systemic school for a variety of reasons. The purpose of this policy is to outline the process for Overseas Student refunds, and to indicate matters that require discussion and decision before approval of refunds are granted.

Policy Statement

A small number of overseas students remain in Maitland-Newcastle Diocesan schools. In the future enrolment of overseas students may or may not be reviewed.

In view of the legislative demands in relation to Overseas Student refunds schools will:

1. Ensure that parents/students are fully aware of their rights and obligations and that these are set out in the written agreement (see Appendix 1: School Enrolment Agreement for Full Fee Paying Student).
2. Provide a written agreement that sets out the services delivered, fees payable and relevant information in relation to refunds of associated fees.
3. Guarantee processes for claiming a refund are just and equitable.
4. Confirm with parents/students the process to be followed in the event of pursuing refunds.
5. Ensure the availability of the complaints and appeals process to student/families.

Definitions

CRICOS

The Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) is the register prescribed under Section 10 of the *Education Services for Overseas Students Act 2000 (ESOS Act 2000)*.

Overseas Student

A person (whether within or outside Australia) who holds a student visa as defined by the *ESOS Act 2000*, but does not include students of a kind prescribed in the ESOS regulations.

Provider

An institution or other body or person in Australia that provide or seek to provide CRICOS registered courses to overseas students as defined by the *ESOS Act 2000*.

Student Visa

An authorisation permitting people who are not Australian citizens or permanent residents to come to Australia for the primary purpose of studying in Australia as defined by the *Migration Act 1958*.

Welfare Related Support Service

Services which address the mental, physical, social and spiritual wellbeing of overseas students. These services may include, through direct provision or referral, information/advice about: accommodation, counselling, crisis services, equity issues, financial matters, legal issues, medical issues, mental health, peer mentoring, programmes promoting social interaction, religious and spiritual matters and stress-management.

Scope

The coverage of this policy includes all diocesan schools in the Diocese of Maitland-Newcastle.

Guiding Practices

1. All fees for school services are to be paid to the Catholic Schools Office (CSO) before the enrolment begins. Local schools will invoice the CSO for reimbursement of fees.
2. The application fee is non-refundable.
3. If the student changes visa status (e.g. to a permanent or temporary resident) they will be reimbursed on a pro rata basis for the remainder of that calendar year.
4. Refunds will be reimbursed in Australian dollars and the payment sent to the applicant's home country unless otherwise requested in writing.
5. Refunds will be paid to the person specified in the written agreement (see Appendix 1: School Enrolment for Full Fee Paying Student).
6. There will be no refunds of ESL tuition fees paid in advance of the student enrolment when students are withdrawn.
7. All notification of withdrawal from the school or application for refunds must be made in writing and submitted to the school principal.
8. The school will refund all monies paid where the student's application for enrolment is refused by the school. This is applicable only if payment of fees has accompanied the application/enrolment form and lodgement of written agreement.
9. The school will refund all course monies paid where the student produces evidence that the application made by the student for a student visa, has been rejected by the Australian immigration authorities.
10. If the student does not provide written notice of withdrawal and does not begin enrolment on the agreed date, only one term's tuition fees will be refunded from the annual tuition fee.
11. The school will refund tuition fees paid following non-attendance only if written notice is received less than six months after the commencement date of the student's enrolment.
12. No refund of tuition fees will be made where a student's enrolment is cancelled for any of the following reasons:
 - Failure to maintain satisfactory progress (visa condition 8202)

- Failure to maintain satisfactory attendance (visa condition 8202)
 - Failure to maintain approved welfare and accommodation arrangements (visa condition 8532)
 - Any behaviour identified by the School Policy as resulting in enrolment cancellation (ie expulsion)
 - Schools behaviour code/Code of Conduct
13. Any default by the school will be compliant with the provisions of the *ESOS Act 2000* and the *ESOS Regulations 2007* which state:
- If for any reason the school is unable to offer a course, a full refund of fees paid will be made within 14 days of notification of course cancellation.
 - If for any reason a school is unable to continue offering enrolment after commencement.
14. In any matters of dispute, procedurally fair mechanisms will be followed by the school/system in consultation with the relevant Assistant Director of Schools. The family will be asked to meet and be provided with due process in relation to both parties listening to the concerns and working through grievances. An unbiased decision will be made by the designated CSO official after all the evidence and discussions have taken place.
15. Any agreement and the availability of complaints and appeals process does not remove the right of the family (student) to take action under Australia's consumer laws.

Responsibilities

Principal

Principals are responsible for:

- Managing all educational and welfare matters for Overseas Students.
- Delegating duties to staff members in relation to the above and inclusive of record keeping of areas found in the Overseas Student Enrolment Package.
- Preparing all documentation required by NESAs if a school audit is required.
- Liaising with their Assistant Director in matters of student concern regarding welfare, educational program and behaviour.

Assistant Director

Assistant Directors are responsible for:

- Liaising with Principals in relation to the Overseas Student(s).
- Providing advice and support in matters of concern in relation to welfare, educational progress and behaviour.
- Liaising with NESAs and schools when an audit is required.
- Ensuring that Principals are informed about their responsibilities as outlined in this policy and other relevant documentation before an enrolment is confirmed.

Budget

The Catholic Schools Office will pay an annual levy (TPS Levy) to the Australian Government for continuation of accreditation as a CRICOS registered provider.

Legislative/Professional Guidelines

Education Service for Overseas Student Act 2000

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