



POLICY TITLE: FORMALISATION OF INTERNATIONAL STUDENT ENROLMENT AND WRITTEN AGREEMENTS POLICY

DEVELOPED / REVIEWED BY

Policy Committee
Director of Business Services and Advancement
Head of Admissions
Risk and Compliance Manager
Human Resources Manager

REVIEW SUMMARY

Policy to be presented to the Policy Committee for the first time at the May 2024 meeting. Policy to be reviewed in the first twelve months to ensure accuracy to current legislative components.

DOCUMENT DEVELOPMENT PROCESS

This document was first developed by Director of Business Services and Advancement and the Head of Admissions in 2024.

RATIONALE

Standard 3 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) requires that registered providers formalise their enrolment of international students through written agreements.

The written agreements protect the rights and set 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.

PRINCIPLES / GUIDING PRINCIPLES

Sienna College must:

- have a written agreement with international students or intending international students they enrol, which may take any form, as long as it meets the requirements under the National Code and the Education Services for Overseas Students Act 2000 (ESOS Act);
- ensure the written agreement is signed or otherwise accepted by the international student, or if they are under 18 years of age, their parent or legal guardian;
- include information in the written agreement about course details, prerequisites and conditions on enrolment (if applicable), fees, refund and cancellation policies, and the provider's complaints and appeals processes; and
- advise international students of required information.

CRICOS No: 04313F	Date: May 2024	Page 1 of 4
Name of Document: 10. Formalisation of International Student Enrolment and Written Agreements Policy	Revision No.: 1	Authorised by: College Board



PROCEDURES

Written Agreements

Siena College must have a written agreement with each international student they accept for enrolment and it must be signed or otherwise accepted by the student, or if the international student is under 18 years of age, their parent or legal guardian.

What is included in a written agreement

In addition to the requirements under section 47B and 47D of the ESOS Act, the written agreement, in plain English, will explicitly include the key details listed under 3.3.1 to 3.3.8 of the National Code. The written agreement must:

- outline the course or courses in which the student is to be enrolled, the expected course start date, the location(s) at which the course will be delivered, the offered modes of study for the course, including compulsory online and/or work-based training, placements, and/or other community-based learning and/ or collaborative research training arrangements
- outline any prerequisites necessary to enter the course or courses, including English language requirements
- list any conditions imposed on the student's enrolment
- list all tuition fees payable by the student for the course, the periods to which those tuition fees relate and payment options
- provide details of any non-tuition fees the student may incur, including as a result of having their study outcomes reassessed, deferral of study, fees for late payment of tuition fees, or other circumstances in which additional fees may apply
- set out the circumstances in which personal information about the student may be disclosed, in accordance with the Privacy Act 1988
- outline Siena College's internal and external complaints and appeals processes
- include a statement that "This written agreement does not affect the rights of an international student to take action under the Australian Consumer Law, where applicable".
- state that the student is responsible for keeping a copy of the written agreement as supplied by Siena College, and receipts of any payments of tuition fees or non-tuition fees
- only use links to provide supplementary material.
- include the following information in relation to refunds of tuition fees and non-tuition fees in the case of student default and provider default amounts that may or may not be repaid to the international student (including any tuition and non-tuition fees collected by education agents on behalf of Siena College):
 - processes for claiming a refund
 - the specified person(s), other than the international student, who can receive a refund in respect of the international student identified in the written agreement

CRICOS No: 04313F	Date: May 2024	Page 2 of 4
Name of Document: 10. Formalisation of International Student Enrolment and Written Agreements Policy	Revision No.: 1	Authorised by: College Board



- a plain English explanation of what happens in the event of a course not being delivered, including the role of the Tuition Protection Scheme (TPS)
- include a requirement that the international student or intending international student, while in Australia and studying at Siena College, must notify the College of:
 - Current contact details including, the student's current residential address, mobile number (if any) and email address (if any)
 - who to contact in emergency situations
 - any changes to those details, within 7 days of the change.

Record keeping

Siena College must retain records of all written agreements as well as receipts of payments made by students under the written agreement for at least 2 years after the international student ceases to be an accepted student.

Payment of fees

Siena College must not accept tuition or non-tuition fees until the international student (or the parent or legal guardian if the international student is under the age of 18) has signed or otherwise accepted the agreement.

Siena College may accept tuition or non-tuition fees at the same time as the international student signs or accepts the agreement.

RESPONSIBILITY

- Principal
- Head of Admissions
- International Student Coordinator
- Deputy Principal Wellbeing and Strategy

RELATED LEGISLATION

- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- Education Services for Overseas Students Act 2000 (Cth)
- Education Services for Overseas Students (ESOS) Regulations 2001 (Cth)
- Migration Act 1958 (Cth)
- Privacy Act 1988

RELATED SIENA COLLEGE POLICIES

- International Students Records Management and Retention Policy

CRICOS No: 04313F	Date: May 2024	Page 3 of 4
Name of Document: 10. Formalisation of International Student Enrolment and Written Agreements Policy	Revision No.: 1	Authorised by: College Board



RISK

In the Committee's deliberations it is important to consider the College's main strategic processes and the identification of associated risks. Some sample questions are included for referral.

Answers are to be documented as part of the policy.

1. **Faith and Catholic Identity.** Identify any risks to Catholic Identity or Dominican charism of the school. How will this policy harm or enhance either?
2. **Reputation.** Identify if there are any reputational risks to the College. How will this policy impact Siena and wider communities?
3. **Financial.** Identify any financial risks to the College. How will this policy impact the financial stability of the College?
4. **Contemporary Learning and Teaching.** Identify any risks to learning and teaching. How will this policy impact the academic performance of the College?
5. **Wellbeing.** Identify any risks to safety and wellbeing. How will this policy impact the mental and physical wellbeing of the College community?
6. **Community Engagement.** Identify any risks to building community engagement. How will this policy impact community relationships?
7. **Governance and Leadership.** Identify any risks to governance and leadership in the College. How will this policy affect the strategic direction of the College?

Do any risks identified above warrant changes to the proposed policy? If so the policy should be referred back to the developer/s.

NEXT REVIEW

May 2025

POLICY LOCATION

<https://sienacentral.siena.vic.edu.au/homepage/3452>
www.siena.vic.edu.au

CRICOS No: 04313F	Date: May 2024	Page 4 of 4
Name of Document: 10. Formalisation of International Student Enrolment and Written Agreements Policy	Revision No.: 1	Authorised by: College Board