

Completion within Expected Duration Policy

Category	Formalisation of enrolment and written agreement
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Policy Base	<ul style="list-style-type: none"> • ESOS Act 2000 • National Code of Practice for Providers of Education and Training to Overseas Students 2018 (The National Code), Standard 8
Related Documents	<ol style="list-style-type: none"> 1. Letter of Offer 2. Monitoring Course Progress Policy 3. Intervention Policy

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Purpose

This policy and procedure is in place to ensure that international students complete the course in which they are enrolled within the duration specified on their CoE (must not exceed the CRICOS registered duration). This policy sets out Ambridge Institute's ("the Institute") process for ensuring course progress is monitored and maintained so that the student is in a position to complete the course within the expected duration specified on the students CoE and/or if necessary unsatisfactory course progress is reported.

Scope

This Policy is applicable to international students enrolled at the Institute.

Definitions

- **Confirmation of Enrolment (CoE)** refers to the electronic confirmation of enrolment, generated through PRISMS. This is issued as evidence of enrolment and contains information about the institution, course, and duration of study in which the student has enrolled. It is provided to students to be used in their application for a student visa.
- **Compassionate or Compelling Circumstances** refers to situations where an overseas student has no control over the situation and they are impacting upon the student's course progress or wellbeing. Such instances include but are not limited to:
 - Serious illness or injury of the overseas student and unable to attend classes (requires medical certificate/reports);
 - Death of close family members such as parents or grandparents (requires death certificate where possible);
 - Involvement in, or witnessing of a serious accident;
 - Political and/or natural disaster in the home country and has an impact on the overseas student's study;
 - A traumatic experience that impacts upon the student's study (requires psychologist's reports);
 - Where the Institute is unable to provide part, or all of the enrolled course;
 - Not able to begin studying on the course start date, due to delay in receiving a student visa;
 - Failure to meet the English and/or academic entry requirements for the intended course.

For other circumstances to be considered as compassionate or completing, evidence must be submitted to demonstrate impact on student's progress.

- **CRICOS** refers to the Commonwealth Register of Institutions and Courses for Overseas Students as prescribed by section 10 of the Education Services for Overseas Students Act 2000 (Cth).
- **ELICOS** refers to English Language Intensive Courses for Overseas Students.
- **Intervention Strategy** refers to strategies to assist students to achieve satisfactory course progress and/or attendance and may include:
 - Additional supervised study periods or classes
 - Additional language support
 - Counselling sessions to assist with personal issues that may be impacting studies
 - Other strategies or a combination of strategies as deemed necessary.
- **National Code** refers to the National Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018.
- **Medical Certificate** refers to a certificate issued by a registered medical provider such as a chiropractor, doctor, dentist etc. The Institute does not accept certificates from alternative practitioners such as homeopaths, acupuncturists etc.
- **PRISMS** refers to Provider Registration and International Student Management System.

- **The Institute** refers to Ambridge Institute.
- **The principal course** refers to Higher AQF level course the student is planning to study in Australia.
- **Terms and conditions of enrolment** refers to the set of rules and regulations established by the Institute which applies to the student's enrolment with Ambridge Institute.
- **Provider default** defined by the *ESOS Act 2000 under section 46A in relation to an overseas student or intending overseas student refers to in relation to a course at a location when Ambridge Institute:*

 - fails to start providing the course to the student at the location on the agreed starting day; or
 - After the course starts but before it is completed, it ceases to be provided to the student at the location; and the student has not withdrawn from the course before the default day.

- **Student default** defined by the *ESOS Act 2000 under section 46A in relation to an overseas student or intending overseas student refers to in relation to a course at a location when Ambridge Institute:*

 - the course starts at the location on the agreed starting day, but the student does not start the course on that day (and has not previously withdrawn); or
 - the student withdraws from the course at the location (either before or after the agreed starting day); or
 - refuses to provide, or continue to provide the course to the student at the location because of one or more of the following:
 - the student failed to pay an amount payable to the provider for the course;
 - the student breached a condition of his/her student visa;
 - misbehaviour by the student (Note: the student is entitled to natural justice under subsection 47A (3) of the *ESOS Act 2000*).

- **Study Period** refers to:
 - **ELICOS courses:** the lesser of 6 months (26 weeks) or half the length of the CoE for the course; and
 - **VET courses:** 1 term, or where the course is 1 term in length or shorter, 2 consecutive subjects.
- **Tuition Protection Service (TPS)** refers to an initiative of the Australian Government to assist international students whose education providers are unable to fully deliver their course of study under the *ESOS Act 2000*. TPS framework will ensure that overseas students are able to either complete their studies in another course or with another education provider or receives a refund of their unspent tuition fees.
- **VET** refers to Vocational Education and Training.

Policy

The Institute will ensure that it monitors students course progress for each course in which they are enrolled, making sure the expected duration of study specified in the students CoE does not exceed the CRICOS Registered duration.

1. Section 8 of the National Code

Section 8 of the National Code states that:

- a) The expected duration of study specified in the overseas student's CoE must not exceed the CRICOS registered duration (8.2).
- b) The registered provider must monitor the progress of each overseas student to ensure the overseas student is in a position to complete the course within the expected duration specified on the overseas student's CoE (8.3).
- c) The registered provider must not extend the duration of the overseas student's enrolment if the overseas student is unable to complete the course within the expected duration, unless (8.16):
 - a. there are compassionate or compelling circumstances, as assessed by the registered provider on the basis of demonstrable evidence, or
 - b. the registered provider has implemented, or is in the process of implementing, an intervention strategy for the overseas student because the overseas student is at risk of not meeting course progress requirements, or
 - c. an approved deferral or suspension of the overseas student's enrolment has occurred under Standard 9 (Deferring, suspending or cancelling the overseas student's enrolment).
- d) If the registered provider extends the duration of the student's enrolment, the provider must advise the student to contact Immigration to seek advice on any potential impacts on their visa, including the need to obtain a new visa (8.17).

2. Process

- a) The Registrar of the Institute will make sure that CoEs are issued with the length of the course being no longer than the course duration as registered on CRICOS.
- b) The Institute commits to and supports its students in completing their course within the Expected Duration.
- c) Course progress is monitored in accordance with the Course Progress Policy. At the end of each Study Period the Institute will undertake an assessment of the student's progress to make sure they are on target to complete their course within the duration specified on their CoE. If unsatisfactory course progress is identified an Intervention Strategy will be implemented (refer to the Institute's Intervention Policy).

- d) The Institute will only extend the duration of a student's study where it is identified the student will not complete the course within the Expected Duration, as specified on the student's CoE, for the following reasons:
 - a. the student's studies have been affected by Compassionate or Compelling Circumstances;
 - b. the Institute has implemented its Intervention Strategy – the student has been identified at risk of not meeting satisfactory course progress;
 - c. an approved deferment or suspension of studies has been granted.
- e) Except in circumstances specified above, the Expected Duration specified in the student's CoE must not exceed the CRICOS registered length.
- f) In the event the duration of a student's enrolment has been extended, the Institute will ensure that appropriate reporting on PRISMS occurs and that students are advised via email to contact immigration about any potential impacts on their visa, including applying for a new visa.
- g) If an extension of the duration of the student's study has been actioned, the Institute will maintain in the student's file all relevant documents and records relating to any of the following conditions:
 - a. compassionate or Compelling Circumstances;
 - b. student participation in the Intervention Strategy;
 - c. an approved deferment or suspension of study has been granted in accordance with the Institute's Deferment, Suspension and Cancellation Policy.
- h) Where the Institute extends the duration of the student's study based on any of the conditions as listed above, and the student agrees to this, the College will update the student's records on PRISMS and issue a new CoE if required.

3. Appeals

Student may appeal the outcome by following the *Complaints and Appeals Policy and Procedure*, which is available on the website at www.ambridge.edu.au.

If the student is not satisfied with the decision, then the student can appeal externally through the Overseas Student Ombudsman www.ombudsman.gov.au.

This written agreement, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies.

Document Control

The policies and procedures, and the forms included in this document are approved and implemented by the Institute. This document will be electronically available to Institute staff in protected format (PDF file) in the designated folder. Changes made to this document are recorded below.

Version	Authorised By	Description of the change	Approved Date	Effective Date
<i>Version 1</i>	<i>General Manager</i>	<i>Updated Cancellation and Refund Policy and Procedure</i>	<i>6 June 2019</i>	<i>6 June 2019</i>