



# FORMALISATION OF ENROLMENT POLICY AND PROCEDURE (INTERNATIONAL)

## Purpose

This policy and procedure describes the commitment of ACE to implement a fair and consistent overseas student enrolment process, in accordance with relevant regulatory obligations.

## Scope

This policy and subsequent procedures apply to the process of enrolling overseas students in ACE's training programs within its scope of registration. All of ACE's management, staff, as well as overseas students engaged in the enrolment process are covered by this policy and subsequent procedures.

## Definitions

Initial Payment	The fee payable, as set out in the Student Acceptance Agreement, to make an application to study a Course at ACE. The Initial Payment is a non-refundable fee covering the cost of application. The Initial Payment is subject to change.
Course	A Full-time Registered course or program offered by ACE and registered in accordance with the requirements of the ESOS Act.
Course Fees	Money that ACE receives, directly or indirectly from: <ul style="list-style-type: none"><li>• An overseas student or intending Overseas student; or</li><li>• Another person who pays the money on behalf of an overseas student or intending overseas student.</li></ul> <p>Course fees = tuition fees + non-tuition fees received by the provider in respect of the overseas student) <i>as extracted from Explanatory Guidance on the Education Services for Overseas students (Calculation of Refund) Specification 2014</i></p>
ESOS Act	The Education Services for Overseas students Act 2000 of the Commonwealth of Australia, as amended from time to time.
Full-time	The normal amount of study for a particular course, which is approved by the accrediting authority for the course.
National Code	The National Code of Practice for Providers of Education and Training to Overseas students 2018 (National Code 2018) supports the National Strategy for International Education 2025 to advance Australia as a global leader in education, training and research. The National Code is a legislative instrument made under the Education Services for Overseas students Act 2000 and sets nationally consistent standards to support providers to deliver quality education and training to Overseas students.
Principal Course	The main course or program of study to be undertaken by an overseas student where an overseas student visa has been issued for multiple courses of study. The principal course or program of study would normally be the final course or program of study where the Overseas student arrives in Australia with an overseas student visa that covers multiple courses.
Overseas student	An overseas student who is enrolled at ACE or a prospective overseas student and who is defined as an 'Overseas student' in the National Code, holding an overseas student visa as defined by the ESOS Act.

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Provider Default	<p>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 as defined below: A registered provider defaults, in relation to an overseas student or intending Overseas student and a course at a location, if:</p> <p>(a) either of the following occurs:</p> <ul style="list-style-type: none"> <li>(i) the provider fails to start to provide the course to the overseas student at the location on the agreed starting day;</li> <li>(ii) the course ceases to be provided to the overseas student at the location at any time after it starts but before it is completed; and</li> </ul> <p>(b) the overseas student has not withdrawn before the default day</p> <p>(c) the course is not provided in full to the overseas student because a sanction has been imposed on ACE or any other reason.</p>
Overseas student Default	<p>Where an overseas student does not start a course or withdraws from a course as defined in section 47A(2) of the ESOS Act as follows: An overseas student or intending Overseas student defaults, in relation to a course at a location, if:</p> <p>(a) the course starts at the location on the agreed starting day, but the overseas student does not start the course on that day (and has not previously withdrawn); or</p> <p>(b) the overseas student withdraws from the course at the location (either before or after the agreed starting day); or</p> <p>(c) the registered provider of the course refuses to provide, or continue providing, the course to the overseas student at the location because of one or more of the following events:</p> <ul style="list-style-type: none"> <li>(i) the overseas student failed to pay an amount he or she was liable to pay the provider, directly or indirectly, in order to undertake the course;</li> <li>(ii) the overseas student breached a condition of their overseas student visa;</li> <li>(iii) misbehaviour by the overseas student.</li> </ul> <p>In all of the aforementioned instances of overseas student default, ACE will notify the TPS Director and Department of Education, Skills and Employment (DESE) via PRISMS within 5 business days of the default occurring. Note: an overseas student default may occur only after all internal and external appeals processes have been exhausted.</p>
Tuition Fees	<p>Tuition fees are defined in section 7 of the ESOS Act. They are fees received by a provider (from or on behalf of an overseas student or intending Overseas student) that are “directly related to the provision of a course that the provider is providing, or offering to provide, to the overseas student”.</p> <p>Tuition fees are typically compulsory fees for the delivery of the enrolled course and include items such as:</p> <ul style="list-style-type: none"> <li>• tutorials and tutoring sessions</li> <li>• lectures</li> <li>• additional requisite training including practicums and practice hours</li> <li>• ancillary costs for fieldwork, excursions or laboratories</li> <li>• specialist materials that are mandatory and relate to the provision of the course.</li> </ul>
Non-Tuition Fees	<p>Non-tuition fees cover other items not directly related to tuition, and may be compulsory or discretionary.</p>



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## Policy

### 1.0 General

- 1.1 Prior to enrolment or the commencement of training and assessment, whichever comes first, ACE shall provide:
- 1.1.1 Advice to learners and prospective learners about the training product appropriate to meeting the learner's needs, taking into account the individual's existing skills and competencies
- 1.1.2 Current and accurate information that enables the learner to make informed decisions about undertaking training with ACE and at a minimum includes the following content:
- the code, title and currency of the training product to which the learner is to be enrolled, as published on the national register
  - the training and assessment, and related educational and support services ACE will provide to the learner including the:
    - estimated duration
    - expected locations at which it will be provided
    - expected modes of delivery
    - name and contact details of any third party that will provide training and/or assessment, and related educational and support services to the learner on behalf of ACE
    - any work placement arrangements.
  - ACE's obligations to the learner, including that ACE is responsible for the quality of the training and assessment in compliance with these Standards, and for the issuance of the AQF [Australian Qualifications Framework] certification documentation
  - the learner's rights, including:
    - details of ACE's complaints and appeals process required by Standard 6 of the Standards for RTOs 2015 and Standard 10 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.
    - if ACE, or a third-party delivering training and assessment on its behalf, closes or ceases to deliver any part of the training product that the learner is enrolled in.
  - the learner's obligations:
    - in relation to the repayment of any debt to be incurred under the VET [Vocational Education and Training] FEE-HELP scheme arising from the provision of services
    - any requirements ACE requires the learner to meet to enter and successfully complete their chosen training product
    - any materials and equipment that the learner must provide
- 1.1.3 Fee information to the learner, where ACE collects fees from the individual learner, specifying:
- all relevant fee information including:
    - fees that must be paid to ACE
    - payment terms and conditions including deposits and refunds.
  - the learner's rights as a consumer, including but not limited to any statutory cooling-off period, if one applies
  - the learner's right to obtain a refund for services not provided by ACE in the event the:
    - arrangement is terminated early
    - ACE fails to provide the agreed services.

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### 1.2 Protecting pre-paid fees by overseas students

- 1.2.1 Where ACE requires, either directly or through a third party, a prospective or current learner to prepay fees in excess of a total of \$1500 (being the threshold prepaid fee amount), ACE will meet the requirements set out in the Requirements for Fee Protection in Schedule 6 given in the table below.
- 1.2.2 ACE shall accept tuition or non-tuition fees only until after or at the same time as the overseas student signs or otherwise accepts the Student Acceptance Agreement. An accepted agreement copy shall be stored in the student's file.
- 1.2.3 ACE shall protect prepaid fees from individual students and prospective students where the student or their representative pays the fees through direct enrolment. These requirements do not apply, for example, where an employer engages ACE to provide training and/or assessment to members of its staff through a negotiated commercial transaction.
- 1.2.4 In compliance with the Tuition Protection Service (TPS) under the Education Services for Overseas Students Act 2000 (ESOS Act), ACE shall not require more than 50 per cent of the fees for an overseas student to be prepaid, unless the student chooses to pay more. This applies even if 50 per cent of the course fees would be less than the threshold prepaid fee amount of \$1500.
- 1.2.5 In the event that ACE will collect more than \$1500 of prepaid fees, ACE will address learner fee protection by implementing one or more of the following arrangements specified in **Schedule 6 of the Standards for RTOs 2015**:

*ACE addresses learner fee protection by implementing one or more of the following arrangements:*

1. *ACE holds an unconditional financial guarantee from ANZ bank (Students account) operating in Australia where:*
  - a. *the guarantee is for an amount no less than the total amount of prepaid fees held by the RTO in excess of the threshold prepaid fee amount for each learner for services to be provided by the RTO to those learners; and*
  - b. *all establishment and ongoing maintenance costs for the bank guarantee are met by the RTO.*
2. *ACE holds current membership of Tuition Assurance Scheme (TPS) approved by its VET Regulator which, if the RTO is unable to provide services for which the learner has prepaid, must ensure:*
  - a. *the learner will be placed into an equivalent course such that:*
    - *the new location is geographically close to where the learner had been enrolled; and*
    - *the learner receives the full services for which they have prepaid at no additional cost to the learner; or*
  - b. *if an equivalent course cannot be found, the learner is paid a refund of any prepaid fees for services yet to be delivered above the threshold prepaid fee amount.*

### 1.3 Providing credit for prior studies

- 1.3.1 ACE shall accept and provide credit to learners for units of competency and/or modules (unless licensing or regulatory requirements prevent this) where these are evidenced by:
- AQF certification documentation issued by any other RTO or AQF authorised issuing organisation, or
  - authenticated VET transcripts issued by the Registrar.

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- 1.3.2 Before providing credit on the basis of a qualification, statement of attainment or record of results, ACE shall either authenticate the information by directly accessing the USI transcript online or by contacting the organisation that issued the document to confirm the content is valid.
- 1.3.3 ACE shall not be obliged to issue a qualification or statement of attainment that is achieved wholly through recognition of units and/ or modules completed at another RTO or RTOs.

### 2.0 Letter of Offer and Student Acceptance Agreement

- 2.1 ACE shall issue a Letter of Offer and Student Acceptance Agreement upon receipt of a valid Enrolment Application (i.e. completed Enrolment form, meets all entry requirements, complete supporting documentation and initial payment for assessment of application).
- 2.2 ACE shall have a Student Acceptance Agreement for each overseas student it accepts for enrolment, and it must be signed or otherwise accepted by the overseas student, concurrently with or prior to accepting payment of tuition fees or non-tuition fees.
- 2.3 ACE shall clearly set out in the Student Acceptance Agreement the obligations and rights of both the overseas students and intending overseas students and itself.
- 2.4 The Student Acceptance Agreement may take any form, as long as it meets the requirements under the National Code 2018 and the Education Services for Overseas students Act 2000.
- 2.5 The Student Acceptance Agreement shall explicitly include the following key details, in plain English:
- 2.5.1 outline the course or courses in which the overseas 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
  - 2.5.2 outline any prerequisites necessary to enter the course or courses, including English language requirements
  - 2.5.3 list any conditions imposed on the overseas student's enrolment
  - 2.5.4 list all tuition fees payable by the overseas student for the course, the periods to which those tuition fees relate and payment options (including, if permitted under the ESOS Act, that the overseas student may choose to pay more than 50 per cent of their tuition fees before their course commences)
  - 2.5.5 provide details of any non-tuition fees the overseas 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
  - 2.5.6 set out the circumstances in which personal information about the overseas student may be disclosed by ACE, the Commonwealth including the TPS, or state or territory agencies, in accordance with the Privacy Act 1988
  - 2.5.7 outline ACE's internal and external complaints and appeals processes, in accordance with Standard 6 of the Standards for RTO's 2015 and Standard 10 (Complaints and appeals) of the National Code 2018, and contain a statement advising that the agreement does not affect the rights of an overseas student to take action under Australian Consumer Law, where applicable
  - 2.5.8 state that the overseas student is responsible for keeping a copy of the Student Acceptance Agreement as supplied by ACE, and receipts of any payments of tuition fees or non-tuition fees
  - 2.5.9 only use links to provide supplementary material.

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- 2.6 ACE shall have one Student Acceptance Agreement to cover:
- 2.6.1 Overseas students enrolled in a number of consecutive courses
  - 2.6.2 Overseas students enrolled in several courses with the same term of agreement
- 2.7 ACE shall clearly list in the agreement all of the courses to which the agreement applies, and any conditions upon enrolment in each of the courses.
- 2.8 The Student Acceptance Agreement shall include all the tuition and non-tuition fees payable for each course the agreement covers.
- 2.9 The Student Acceptance Agreement shall outline a process for claiming a refund and any specified person(s) who can receive a refund:
- 2.9.1 It shall set out the refund requirements that apply if the overseas student defaults in relation to a course at a location.
  - 2.9.2 It shall provide an explanation of what happens in the event of a course not being delivered, including the role of Tuition Protection Service (TPS).
- 2.10 The Student Acceptance Agreement shall contain advice to overseas students that they are required to notify ACE of current contact details, any changes to contact details, and who to contact in an emergency, while in Australia and studying with ACE. The overseas student shall notify ACE within 7 days of the change regarding any changes to this information.
- ESOS Act 2000 Section 21 (1) "A registered provider must keep records of each accepted overseas student who is enrolled with the provider or who has paid any tuition fees for a course provided by the provider."*
- 2.11 ACE shall retain records of all Student Acceptance Agreements as well as receipts of payment made under the Student Acceptance Agreement, for at least two years after the overseas student ceases to be an accepted overseas student. This is consistent with the record keeping requirements under section 21 of the Education Services for Overseas Students Act 2000.

### 3.0 Verification of an overseas student's Unique Overseas Student Identifier (USI)

ACE shall verify an overseas student's USI at the point of enrolment to avoid data reporting problems with Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS) enrolment and competency issuance data. If a USI has not been obtained, ACE will not issue any AQF certification to an individual without being in receipt of a verified Student Identifier for that individual, unless an exemption applies under the Student Identifiers Act 2014 for that particular student.

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## Procedures

### 1.0 Enrolment Application

- 1.1 The student will check the relevant course information, entry requirements and intake dates available by contacting Australian Careers Education (ACE) Head Office or online at [www.ace.vic.edu.au](http://www.ace.vic.edu.au)
  - 1.1.1 For indicative course and materials fees and course entry requirements, the student may refer to the ACE Website, the Pre-Enrolment Brochure available online at [www.ace.vic.edu.au](http://www.ace.vic.edu.au) or at ACE's Head Office.
- 1.2 The student will then complete the Enrolment Form for International students and send this to ACE the online enrolment form, via post, e-mail or hand-delivery to ACE's head office with all supporting documentation (certified true copy or original) as required, including:
  - Evidence of IELTS score of at least 5.5 or equivalent in an internationally recognised English proficiency test (see ACE's Student Engagement Prior to Enrolment Policy for further information)
  - Passport
  - Testamurs and/or Statements of Attainment for Nationally Recognised Training qualification(s)
  - Visa Grant Notification
  - Letter of Release (if applicable)
  - OSHC cover (if already obtained)
  - Year 12 (or equivalent) certificate.
- 1.3 The Enrolment Form will collect the following information:
  - Applicant Details (including USI number)
  - Course(s) the applicant wishes to enrol in
  - Visa, Language and Cultural Diversity
  - Disability
  - Education
  - Qualifications
  - Other details such as Agent details
  - Overseas Student Health Cover (OSHC)
  - Employment Status
  - Study Reason
- 1.4 The applicant can obtain a Unique Student Identifier (USI) number from <http://www.usi.gov.au/create-your-usi/>. If the Applicant wishes for ACE to apply for a USI on their behalf, they must authorise ACE to do so and declare that they have read the privacy information at <http://www.usi.gov.au/training-organisations/Documents/Privacy-Notice>.
- 1.5 The student will have to sign the Student Declaration section in the Enrolment Form, and read and acknowledge the VICTORIAN GOVERNMENT VET STUDENT ENROLMENT PRIVACY NOTICE and the NATIONAL VET DATA POLICY PRIVACY NOTICE.
- 1.6 The student will pay a **non-refundable application fee** of **AU\$200.00** for their application to study with ACE to be assessed.
  - 1.6.1 This fee provides no guarantee of enrolment and is only for the assessment of the application.
  - 1.6.2 No application will be assessed without appropriate payment of application fee.
- 1.7 ACE will not proceed with the processing of an application unless the required information is provided and the student declaration at the end of this document is reviewed and signed.
- 1.8 The Admissions Officer will assess each application and will determine if the applicant has met all entry requirements. If the applicant has not provided all required evidence to meet the entry requirements, the Admissions Officer will inform the applicant of the lacking required evidence via phone or email.

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- 1.9 Completed Enrolment Form and all evidence submitted will be stored in the student's file, created upon application.
- 1.10 Unsuccessful applicants will be notified via email of the decision including the reason(s) for the rejection of application.

## 2.0 Letter of Offer and Student Acceptance Agreement

- 2.1 A Letter of Offer and Student Acceptance Agreement will be provided to all successful applicants.
- 2.2 The Letter of Offer and Student Acceptance Agreement will be printed on ACE's letterhead and sent to the student via print or email. The Letter of Offer and Student Acceptance Agreement details such as course details and corresponding course fees will be in accordance with the overseas student's application for enrolment.
- 2.3 The Letter of Offer and Student Acceptance Agreement will contain the following information:
  - 2.3.1 Course Details of all courses the student is enrolling in and corresponding Course Fees
  - 2.3.2 Payment Methods
  - 2.3.3 Key information on student's rights and obligations
  - 2.3.4 Refund Policy and Procedures
  - 2.3.5 Complaints and Appeals Policy (link to ACE website provided <http://ace.vic.edu.au/PDF/Policies/Complaints%20and%20Appeals.pdf>)
  - 2.3.6 Notes regarding living costs
  - 2.3.7 Consumer Protection
  - 2.3.8 Additional charges (as applicable)
  - 2.3.9 Personal Information use/disclosure (The circumstances in which personal information about a student (i.e., personal and contact details, course enrolment details and changes, and the circumstances of any suspected breach by the student of a student visa condition) may be shared between ACE and the Australian Government and designated authorities and, if relevant the Tuition Protection Service (TPS) and the ESOS Assurance Fund Manager)
  - 2.3.10 Payment Plan and Agreement
- 2.4 The student will have to read and agree with the terms and conditions contained in the Letter of Offer and Student Acceptance Agreement by signing in the Student Declaration section.
- 2.5 ACE will countersign, declaring that the student has received the information and/or documentation referenced in the Letter of Offer and Student Acceptance Agreement and that it is bound by the terms of the agreement.
- 2.6 The student will have to send the signed Letter of Offer and Student Acceptance Agreement back to ACE via post, email or facsimile and pay the initial payment as per the agreement before a Certificate of Enrolment (CoE) can be issued.
- 2.7 The signed Letter of Offer and Student Acceptance Agreement will be kept in the student's file.

## 3.0 Acceptance of Course Fees

- 3.1 ACE will accept payments into its nominated bank account via the following methods: cheque, money order, direct transfer, and cash or via EFTPOS.
- 3.2 In the event that a student sends course money via post (through a cheque or money order) or makes payment into ACE's bank account prior to ACE receiving the signed Student Acceptance Agreement, ACE will not use the course money received. ACE will immediately contact the student or agent to inform them that the payment cannot be processed (and the enrolment cannot progress) until ACE receives the signed

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Student Acceptance Agreement. In this case, ACE will document the actions taken to notify the student or the agent about the status of enrolment and will keep evidence that the course money received has not been used.

- 3.3 In the event that course money is received by ACE prior to receiving the signed Student Acceptance Agreement, ACE will hold the student's fund for a maximum of 4 weeks before actively endeavouring to return the funds to the student.

## 4.0 Issuance of Certificate of Enrolment

- 4.1 Once the signed Letter of Offer and Student Acceptance Agreement and required initial payment have been received and duly accepted by ACE, ACE will send the student a Confirmation of Enrolment (CoE), which the student can use to obtain a student visa.

## 5.0 Orientation

- 5.1 At least 7 days prior to the scheduled Orientation Day, ACE will send an Orientation letter to the student specifying the time, date and location of orientation, orientation program, and what documents to bring during the orientation day.
- 5.2 The Student Support Officer will facilitate the Orientation program. It may be on a one-on-one basis or in a group setting. This will include:
- A guided tour of ACE campus facilities, resources, fire exits and toilets, evacuation plan
  - Transportation options for travelling to and from the campus, work-based training location (if applicable) and Head Office.
  - Student ID issuance and LLN Assessment
  - Information on Support Services Available
  - Student Rights and Obligations
    - o Students will be reminded about their obligation to inform ACE of any change of address while enrolled in a course within 7 days of the change.
- 5.3 The student will be provided with a copy of the Student Induction Kit, which contains a copy of the Student Handbook, Student Support Services Guide and other relevant policies and documentation, as required.
- 5.4 The Student Support Officer will go through the items in the Orientation Checklist with the student. The student is required to initial each item and sign the checklist at the end to indicate they have completed their orientation program in full. The signed Orientation Checklist is stored in the Student's file.
- 5.5 The student will be required to complete the Agent Student Feedback Form (where applicable) and submit this to the Student Support Officer during the Orientation. This will be stored in the Agent's file and used for Agent Appraisal.
- 5.6 The student will be required to complete the Enrolment and Orientation Feedback Form and submit this to the Student Support Officer during the Orientation. This data will be collated and uploaded into the Enrolment and Orientation Feedback spreadsheet and used for management review.
- 5.7 On the day of the Orientation, the Admissions Officer will collect and verify original documents provided by the student during enrolment (if not already verified previously by ACE), including the OSHC card (or discuss this if not yet acquired) and passport. Any original documents submitted as part of the enrolment process will be copied, sighted as originals and maintained in the student's file. All originals will be returned to the student.

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## 6.0 Enrolled Student Wishing to Change Enrolled Course

- 6.1 An enrolled student wishing to change their enrolled course must complete a new Enrolment Form and submit to the Admissions Officer for review.
- 6.2 If the student's application is Not Approved, then the student will be advised of the decision via e-mail.
- 6.3 If the student's application is accepted, then the student will receive a new Offer Letter and Student Acceptance Agreement.
- 6.4 The student must then sign the new Offer Letter and Student Acceptance Agreement and return it to the Admissions Officer.
- 6.5 The Admissions Officer, upon receipt of the signed Offer Letter and Student Acceptance Agreement for the new course, will create a new CoE within 14 days before the student commences their course.
- 6.6 The student's course change will be documented on PRISMS.

## Legislative Context

- Standards for RTOs 2015 Clause 4.1, 5.1, 5.2, 5.3, 7.3, 3.5
- National Code of Practice for Providers of Education and Training to Overseas students 2018 Standard 3
- Education Services for Overseas students Act 2000

## Related Forms / Documentation

- Pre-enrolment brochure
- Student handbook (International student)
- Agent Manual
- Enrolment Form – International
- Enrolment Checklist
- Orientation Checklist
- Orientation Letter
- Letter of Offer & Student Acceptance Agreement
- LLN Assessment

## Related Policies and Procedures

This policy is to be read in conjunction with the following policies and procedures:

- Marketing Policy and Procedures
- Recognition of Prior Learning and Course Credit Policy and Procedures
- Student Engagement Prior to Enrolment Policy and Procedures

## Responsible Parties

The CEO, Compliance Manager and ACE staff who are engaged in its enrolment process and relevant support services are responsible for the use and implementation of this policy.

## Version History

Version	Date	Description of changes
9.0	18.03.2022	Updated document to add Version History section; and other minor changes.
8.0	01.04.2021	Currently released version

  

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