

Policy Number & Name: RTOPRO038 Tuition Protection Services Policy - International Students

Policy Area: Crown College International – International Students Only

Authorised by: Internationalisation Advisory Committee

CRICOS Provider No 03582D

Organisation Definition:

Crown Melbourne Limited trades as Crown Melbourne Limited, Crown College and Crown College International. For the purpose of this policy, any reference to Crown College, or the “college” should be considered a reference to any of these respective trading names.

1. Policy

1.1 Under the ESOS Act 2000 and other relevant legislation, Crown College International is required to provide a tuition assurance arrangement for overseas students who are enrolled in the VET courses the college offers. This policy does not apply to local (domestic) students.

1.2 Crown College International has a statutory obligation to report to the TPS (the Australian Government’s Tuition Protection Service) Director and the Secretary of the Service about Crown College International and international student defaults.

1.3 The TPS is designed to ensure that the placement and refund processes for international students are quick and streamlined and default notification requirements are designed to ensure such students are looked after following a default in a timely way.

2. Scope

2.1 This policy applies to Crown College International and all international students of Crown College International.

3. Responsibility

3.1 The Compliance Officer and the Group Manager, Operations are responsible for the implementation of this policy.

4. Procedures

4.1 Provider Default

- 4.1.1 By being a member of the Australian Government's Tuition Protection Service (TPS) which is a placement and refund service for international students, Crown College International will meet the tuition assurance requirements of the ESOS Act 2000.
- 4.1.2 As a provider, Crown College International is said to be in default under the ESOS Act if:
- i. The college fails to provide the course to the student at the location on the agreed starting day; or
 - ii. 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starts, but before it is completed, it ceases to be provided to the student at the location; and the student has not withdrawn from the course before the default day. (Part 5 Division 1, Subdivision A of the ESOS Act).
- 4.1.3 In the event of a default by the college, under Section 46B, the college must notify the TPS Director and Secretary and any students affected by the default, in writing, within three (3) business days of the default occurring.
- 4.1.4 In the event that Crown College International defaults in providing a course of study in which an international student has been enrolled, the student has the following choices by way of entitlement:
- i. The student may be offered enrolment in an alternative course by Crown College International at no extra cost to the student. The student has the right to choose whether they would prefer a full refund of course fees, or to accept a place in another course. If a student chooses placement in another course, Crown College International will ask them to sign a document to indicate that they have accepted the placement.
 - ii. The offer of a place in a similar course of study with another provider and whereby the balance of the unused tuition fees is transferred to the Second Provider. This is called the **course placement option**. In the event the student chooses this option; the student will be required to meet the Second Provider's entry requirements and having paid the balance of the unexpended fees the student will receive full credit from the Second Provider for any equivalent units of study the student has successfully completed at Crown College.
 - iii. Should the Second Provider have differing tuition fees or contribution amounts to the fees the student would have paid for units of study at Crown College International, but had not as yet commenced to study, the student is not obliged to enrol in the course of study with the Second Provider and there is no obligation on the part of that provider to offer full credit transfer for the units of study completed with Crown College International or to offer replacement units free of charge.

- iv. In the event the student is unable to find an alternative course placement option, the student will be entitled to request a refund of the unexpended pre-paid tuition fees from the TPS, in which event the student must comply with the relevant immigration requirements. This is known as the **tuition fee repayment option**.
- v. In the event Crown College International ceases to provide a course of study and is unable to refund the student's tuition fees, the college must notify the TPS Secretary and Director, in writing, within three (3) business days of the default (or intention to default) and will have fourteen (14) days to satisfy its tuition protection obligations to its current students. At the end of the fourteen (14) day period, Crown College International will have a further seven (7) days to advise the Director of the result.
- vi. If Crown College International is unable to fully satisfy its obligations to current students, the TPS will provide the student with access to an online placement facility and assistance from the TPS Administrator. Information regarding providers who have available capacity in the relevant course category will be listed on the online directory. The student will be afforded a period of grace (normally thirty (30) days) by the Director in which to make the choice of an alternative course.
- vii. If the student is unable to select a replacement course in the time provided they will be entitled to request a refund of the unexpended pre-paid tuition fees from the TPS and will be obliged to comply with any relevant immigration conditions or requirements.

4.2 Student Default

4.2.1 Under the national Code, (Section 47A) an overseas student or intending overseas student defaults in relation to a course at a location, if:

- i. 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
- ii. The student withdraws from the course at the location (either before or after the agreed starting day); or
- iii. The registered provider of the course refuses to provide, or continue providing, 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 their student visa;
 - Misbehaviour by the student (**NOTE:** the student is entitled to natural justice under subsection 47A (3)).
- iv. A student does not default for failing to start a course on the agreed starting day if they do not start the course because Crown College defaults in relation to the course at the location.

4.2.2 Refund to a defaulting student – In the event an overseas student or intending overseas student at Crown College International defaults the college must provide a refund in accordance with the requirements of the ESOS Act (Sections 47D or 47E) depending upon which section of the Act the circumstances relates to the circumstances of the default situation.

4.2.3 The refund must be paid within the prescribed provider obligation period (four (4) weeks) after the day specified in section 47D or 47E, depending upon which section applies to the circumstances of the default situation.

4.3 Reporting Obligations –Student default; Provider default

4.3.1 In a case of a student default, Crown College International must provide a report to TPS (The Secretary and the Director) as to whether or not the college has provided a refund to a student when:

- A student’s visa is refused, even if there is a compliant written agreement in place
- There is no compliant written agreement in place.

4.3.2 In order to meet TPS (ESOS Act, section 46F) reporting obligations in the case of a provider default, Crown College must give notice to the Secretary and Director of the TPS of the outcome of the discharge of its obligations towards the student. This must be done within seven (7) days from the date of discharge.

5. Related Documents

Refund Policy – International Students

6. Policy Publication

6.1 All policies and procedures that are applicable to prospective students and enrolled students (domestic or international) and all relevant organisation employees/contractors are made available on request at all times, and form part of the induction and orientation for employees/contractors and students and are made available via the website (where appropriate), student administration/management systems, learning management system and internal electronic systems.

7. Definitions

ESOS National Code - The National Code is a set of nationally consistent standards that governs the protection of international students and delivery of courses to those students by providers registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).

International student: a temporary resident (visa status) of Australia, a permanent resident (visa status) of New Zealand, or a resident or citizen of any other country. For the purpose of this policy, the terms “overseas student” and “international student” are synonymous.

Tuition Protection Service (TPS) 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.

8. Amendment Schedule

Table detailing any amendment made to the policy between review dates:

Date	Modification	Version	By

Document ID RTOPRO038	Version No 1.0	Controlled copy, uncontrolled when printed
Release Date Jan 2017	G:\HR\TRAINING\4. CROWN COLLEGE - INTERNATIONAL\POLICIES & PROCEDURES\Tuition Protection Services Policy - International Students.docx	