



Overseas Students Enrolment Information Booklet

*Igniting a life
of purpose*

School Provider Details

Legal Entity

Hunter Christian School Limited. ABN 39 002 510 465. ACN 002 510 465. Trading as Hunter Christian School.

Address

51 Bull Street, Mayfield NSW 2304
PO Box 10 HRMC NSW 2310
Email: office@hunterchristian.nsw.edu.au
Phone: +612 4967 2111

Website Address

www.hunterchristian.nsw.edu.au
<https://www.hunterchristian.nsw.edu.au/international-students>

Principal Executive Officer (PEO)

Executive Principal: Dr Simon Herd

Delegated Authorised Contact

Lead Associate International Relations: Mr Matthew Scott
Associate International Relations: Mrs Linda Axford

Proposed Delivery Site

Hunter Christian School, 51 Bull Street, Mayfield NSW 2304

Proposed Courses

Course Code	Course Name	Course Level
118946C	Primary (Kindergarten to Year 6)	Primary School Studies
118947B	Junior Secondary (Years 7 to 10)	Junior Secondary Studies
118948A	Senior Secondary (Years 11 and 12)	Senior Secondary Certificate of Education

Overseas Student Enrolment Information Booklet

Thank you for your interest in enrolling a student at Hunter Christian School. This booklet, along with information on the website, will guide you through the enrolment process at our School.

Hunter Christian School is a well-established school accredited with the New South Wales Education Standards Authority (NESA) to present candidates for the NSW Higher School Certificate. The School is registered with the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS), (CRICOS No. 04386M) and complies with the Education Services for Overseas Students (ESOS) Act 2000 (amended 2015) and the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

The School was established in 1981 and has an enrolment of approximately 400 students from Prep to Year 12.

Additional information about the School's culture and history is available on the School website www.hunterchristian.nsw.edu.au. We invite you to take some time to explore this site to gain a better understanding of the School and its operations.

Location

Hunter Christian School is located in the inner Newcastle suburb of Mayfield and provides direct bus connections to Newcastle LGA, Maitland LGA, Port Stephens LGA, and Lake Macquarie LGA. Hunter Christian School is 15 minutes from Newcastle Airport and 1½ hours from Sydney Airport. The Hunter Region's population is 682,465. The School's location is the corner of Bull and Kerr Streets, Mayfield NSW 2304 Australia.

What We Offer

Hunter Christian School offers many advantages to overseas students. The greatest benefit is Christian Education of a high academic standard. Please consider the following reasons for choosing Hunter Christian School:

- Christian education acceptable to all denominations
- High academic standards
- Low student/teacher ratios
- All lessons in English
- Specialist English teachers available to help students
- Fully qualified and dedicated staff
- Pastoral assistance and support for all students

Modes of Study

- Face to Face

Arrangements with Other Providers

The School works with a number of other providers, people or businesses including:

- NSW School Languages
- TAFE NSW
- Vocational Education and Training (VET)
- Pacific Online (Distance Education)

Homestay

Overseas students who are not living with a parent or close family member are placed with families and are expected to participate in host family activities and at all times to behave in a respectful manner. Homestay includes meals and access to all facilities and some participation in duties in the home. The School will monitor homestay arrangements through the **Lead Associate International Relations and/or Associate International Relations.**

Overseas students with school approved Welfare and Accommodation arrangements, such as Homestay students who are not living with a parent or parent nominated relative or custodian, are not permitted to make any change to their living arrangements without the prior written approval of the school.

Where the School takes on responsibility under the Migration Regulations for approving the accommodation, support and general welfare arrangements for a student who is under 18 years of age, the School:

- nominates the dates for which the School accepts responsibility for approving the student's accommodation, support and general welfare arrangements and advises the Department of Home Affairs of the dates in the form required.
- ensures any adults involved in, or providing, accommodation and welfare arrangements to the student have appropriate working with children clearances in accordance with the School's Child Protection Program.
- implements documented processes for verifying the student's accommodation is appropriate to the student's age and needs, in accordance with our Younger Overseas Students Accommodation Arrangements Policy.
- includes a process for managing emergency situations and for when welfare arrangements are disrupted for students under 18 years of age.
- maintains up-to-date records of the student's contact details including the contact details of the parent(s), guardian(s) or any adult responsible for the student's welfare.

Please refer to our Younger Overseas Student Policy for more information.

Courses Offered

Hunter Christian School offers enrolment into courses of Primary and Secondary education as accredited by NESA, leading to the award of the NSW Higher School Certificate.

Course Code	Course Name	Course Level
118946C	Primary (Kindergarten to Year 6)	Primary School Studies
118947B	Junior Secondary (Years 7 to 10)	Junior Secondary Studies
118948A	Senior Secondary (Years 11 and 12)	Senior Secondary Certificate of Education

Prerequisites to Enter the Course

The student is required to meet the following English language requirements prior to entering the course:

- Students 16 years and over are to provide evidence of English proficiency equivalent to IELTS Level 5.
- Students under 16 years are to provide a comprehensive report from the Australian Education Assessment Service (AEAS).

In the case of a student entering the School subsequent to attending an ELICOS course additional testing will be required to measure the student's readiness to enter the course. Testing may be in the form of an additional IELTS report, AEAS Report, PAT testing or testing at the School.

Enrolment may only proceed conditional on all language requirements being met.

Overseas students or intending overseas students are obliged to provide certified copies of school records for the previous two years. These records will be used to inform the School decision regarding course entry level.

Language Instruction

All instruction is conducted in English. A specialist teacher is on hand to help students with the English language including any language difficulties students may have with other subjects.

In Years 7 to 12 all students will study English and most will have additional special English as an Additional Language/Dialect (EAL/D) support for an additional fee.

All students are assessed prior to being accepted into the School. Students with low English competency will be required to complete an intensive English (ELICOS) program prior to enrolling in the School.

Entrance into Hunter Christian School

Students who apply to enter Hunter Christian School are usually required to take a written English test. Academic results and reports from previous years at school are carefully considered with the results of the English test, along with other information pertaining to eligibility of entry. Each application is considered as an individual case and students are advised of the Year level which is recommended for their entry to the School.

Enrolment may only proceed conditional on all English language proficiency requirements being met.

The School Year

The school year commences at the end of January and continues until December. Year 12 students finish in November upon completion of their Higher School Certificate exams. There are four terms in each School year. Term dates are available on the School website and through TASS (school management system) via Parent Lounge. It is an expectation that students adhere strictly to the term dates and make their travel plans accordingly. Hunter Christian School allows some students to commence studies during the year.

Student Intake

The school year commences in late January with the start of Term 1 (Semester 1) being the primary intake for the year. Additional intake is available throughout the year at the discretion of the Executive Principal.

Uniform

The uniform of Hunter Christian School is compulsory and may be purchased through Lowes online or at their Westfield Kotara Store. The current uniform price list is available via a link on the school website.

Textbooks and Stationery

You will be provided with a textbook and stationery list each year. Some books are now available in ebook format.

Student Technology

Kindergarten to Year 4 students are provided access to a school supplied iPad for use at school. Year 5 and 6 students are provided access to a school supplied Macbook for use at school. Year 7 to 12 students are provided with a school supplied Macbook for use at school and home throughout the

school year. Please note: All students are provided a Microsoft 365 subscription which gives access to apps such as Word, Excel and PowerPoint – available from the start of the school year.

Excursions and Camps

Excursions and camps are an integral part of the curriculum and provide opportunities for research and learning experiences which are vital to the overall academic program. Attendance of students at excursions and camps is compulsory.

Parent Communication

Parents/guardians will be notified of student progress and mid-year and final examination results by the School. If any serious situation arises parents will be notified and the student will be counselled by teachers and other advisers. Every assistance will be given to students should difficulties arise. Parents/guardians will be provided with access to TASS (school management system) via Parent Lounge and can view relevant student information.

Tuition Fees

- a) All fees are payable as per Hunter Christian School's International Fee Schedule (refer to School's website www.hunterchristian.nsw.edu.au)
- b) All fees must be paid in Australian dollars.
- c) With respect to the first course the student enters, the Parents/guardians must pay the relevant annual School tuition fee. (Please note: the School's tuition fees are subject to annual increases as directed by the School Board and this should be budgeted for accordingly.)
- d) Tuition fees are payable six months in advance, typically by the commencement date of Term 1 and Term 3 respectively. (Where students have commenced part way through the school year, the six month advance period will be re-aligned accordingly.)
- e) Parents may choose to pay more than the required six months tuition fee prior to the course commencing. Contact the School office to discuss the details of this option.
- f) The Parents/guardians agree to pay tuition fees in advance, and acknowledge that there will be no refund, in whole or in part, if the student is absent from School due to illness, leave or suspension.
- g) If the student changes visa status (e.g. becomes a temporary or permanent resident), the student will continue to pay the full overseas student fees for the duration of that six month study period.
- h) The parents/ guardians agree to pay changes in tuition fees if changes are required as a result of the student having their study outcomes reassessed or a deferral of study.

Non-Tuition Fees

- a) Non-refundable Application Fee \$1000
- b) Non-refundable enrolment fee \$2000 – due and payable to the School on acceptance of

offer.

- c) Overseas Student Health Cover (OSHC) (visa condition 8501) approximately \$850 per annum. Where the OSHC is arranged by the School a quote from Medibank Private will be provided to the Parents/Parent/ nominated custodian. As per the visa conditions OSHC must be in place for the entire duration of the student visa. Please note: visa start and end dates are not the same as the course start and end dates. Once the visa is granted and the dates are known this may result in an adjustment to the OSHC costs that will either be credited or debited to the student fee account.
- d) The Parents/guardians must pay the cost of all other non-tuition fee expenses incurred by the School on behalf of the Student. These include, but are not limited to: uniforms, text books and stationery.
- e) The Parents/guardians must also purchase the necessary bus and/or train pass for the student to commute to and from the School at an approximate cost of \$600 per annum (cost depends on the distance from the School).
- f) Upfront Payment
 - a. \$1000 Non-refundable application fee per child
 - b. \$2000 Non-refundable application fee per family (three or more children)
 - c. \$2000 Non-refundable enrolment fee per child
 - d. \$5000 Non-refundable enrolment fee per family (three or more children)
 - e. \$ Tuition fees for 6 months (refer to fee table)
 - f. \$ Overseas Student Health Cover

Default Information

This information briefly outlines the circumstances of a default by a registered provider or an overseas student which can lead to an overseas student receiving a refund of tuition or non-tuition fees.

The School defaults if either of the following occurs:

- The School fails to start to provide the course to the student at the location on the agreed starting day,
- The course ceases to be provided to the student at the location at any time after it starts but before it is completed; and The student has not withdrawn before the default day
- The School will also default if a sanction is imposed on it under the ESOS Act which prevents it from providing a course. The School will discharge its obligations to the student by arranging for the student to be offered a place in an alternative course at the School's expense and the student accepts the offer in writing. Alternatively, the school will provide a refund. The School must discharge its obligations to the student within 14 days after the default day.

The student defaults if:

- The course starts 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 (either before or after the agreed starting day); or the registered provider of the course, the School, refuses to provide, or continue providing, the course to the student because of one or more of the following events:

- The student failed to pay an amount they were liable to pay the provider, directly or indirectly, in order to undertake the course; the student breached a condition of their visa; misbehaviour by the student.
- In relation to student misbehaviour, a student will not be considered to have defaulted unless the School accords them natural justice before refusing to provide, or continue providing, the course to the student.

Refund of Fees

The School will only grant a refund when the following process is followed:

- An overseas student or intending overseas student applies for a refund, in writing, from the Accountant at the School.
- An overseas student or intending overseas student pays any outstanding debts to the School or authorises any outstanding debts to be deducted from the refund.
- The School approves the refund under its Refund Policy.

After approval, the refund is paid to the overseas student or intending overseas student, or the same person that initially made the payment of course fees.

If a refund is granted to an overseas student or intending overseas student, it must be calculated according to the Refund Specification.

For more information, please see the full Refund Policy available on the School website. Please see our Overseas Student Refund Policy under appendices at the end of this document.

The Tuition Protection Service (TPS)

Is a placement and refund service to assist overseas students whose registered providers are unable to complete delivery of the student's course of study. The TPS ensures that overseas students can either:

- complete their studies in another course or with another registered provider; or
- receive a refund for unspent tuition fees.

Complaints and Appeals

The following information is an outline only of the School's internal and external complaints and appeals process.

To lodge a formal complaint, the overseas student or parent/guardian of the overseas student must refer their formal complaint to the School Complaints Manager.

The School will commence assessing a complaint from an overseas student within 10 working days from the date on which the complaint was lodged.

If an overseas student or an overseas student's parents/guardians are not satisfied with the result of the School's complaints handling process they can decide to internally appeal the School's decision.

If an overseas student or an overseas student's parents/guardians are not satisfied with the result from the School's internal complaints process, the School must advise the overseas student within 10 working days of concluding the internal review of the overseas student's right to access an external complaints handling and appeals process at minimal or no cost.

This written agreement, and the right to make complaints and seek appeals of decisions and actions 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.

Please see our Overseas Student Complaints Handling Policy under appendices at the end of this document.

Conditions of Enrolment

Abide by all the overseas student visa conditions

- i. maintain satisfactory course progress for each study period (visa condition 8202)
- ii. maintain satisfactory attendance (visa condition 8202)
- iii. maintain approved welfare and accommodation arrangements (visa condition 8532) [if applicable]
- iv. maintains visa entitlements to study
- v. maintain Overseas Student Health Cover (OSHC) (visa condition 8501)
- vi. continue to have sufficient financial capacity to support your study and stay in Australia. (visa condition 8516)
- vii. Pay all required tuition and non-tuition fees
- viii. Disclose to the school any essential information relating to additional support or care the student might require.
- ix. Notify your education provider, the School, the address where you live within 7 days of arriving in Australia, if you change the address where you live within 7 days of the change (visa condition 8533)
- x. Abide by Hunter Christian School's policies and code of conduct for the duration of their enrolment, and avoid any behaviour identified as resulting in enrolment cancellation. School policies are available on the School's website.

Enquiries

Please contact: **Lead Associate International Relations**

Phone: +61 2 49 672 111

Email: enrolments@hunterchristian.nsw.edu.au

Post: Hunter Christian School

PO Box 10

Education Agent

Hunter Christian School representatives:

- Dr Simon Herd, Executive Principal
- Mr Matthew Scott, Lead Associate International Relations
- Mrs Linda Axford, Associate International Relations
- Mr Grenville Axford, Director of Education Strategy
- Mr Alan Westbury, Head of School (Secondary)
- Mr Joe Forbes, Head of School (Primary)

Eligibility

VISA: Hunter Christian School considers applicants for enrolment who will enter Australia on a 500 Student Visa and are eligible for the courses listed under Courses Offered. Short term placements (less than 3 months) will be considered for applicants travelling in Australia on a Visitor Visa.

Required Enrolment Information

Completed Enrolment forms should be submitted to the school together with certified copies of the student's: Online application

- Birth certificate (with copy of certified translation)
- Passport
- Three most recent academic reports (with copy of certified translation)
- A completed reference from your pastor, Principal or a business person
- Evidence of English Proficiency. See Prerequisites to enter the course
- Full details of Guardian and Homestay arrangements. Proposed living/accommodation arrangements – the School gives preference to students under 18 years of age who will be living with a relative as defined under the Act
- \$1000 non-refundable application fee payment
- Evidence of capacity to secure Medical Insurance

Associated Fees

Item	Amount (\$AUD)
Non-Tuition Fees	
Application Charge	AUD\$1000 per child AUD\$2000 per family
Enrolment Fee	AUD\$2000 per child AUD\$5000 per family
Health Insurance Charge	AUD\$600 per annum (approx.)
Tuition Fees	
2025 Annual Tuition Fee:	
K-4	AUD\$22,080 per annum
5-8	AUD\$25,829 per annum

9-12	AUD\$28,433 per annum
Possible Costs	
Travel to School	AUD \$800 per annum (approximate) as FFPOS do not qualify for the subsidised government transport scheme.

Refer to website for current fee schedule. Please note Tuition fees are subject to an annual increase.

Please note: Homestay is an additional cost of \$300 per week.

ESOS Framework

The ESOS framework—providing quality education and protecting your rights

The Australian Government wants overseas students in Australia to have a safe, enjoyable and rewarding place to study. Australia’s laws promote quality education and consumer protection for overseas students. These laws are known as the ESOS framework and include the Education Services for Overseas (ESOS) Act 2000 and the National Code.

Protection for Overseas Students

As an overseas student on a student visa, students must study with an education provider and in a course that can be found on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) at www.cricos.education.gov.au CRICOS registration guarantees that the course and the education provider at which you study meet the high standards necessary for overseas students. Please check carefully the details of your course - including its location - match the information on CRICOS.

Your rights

The ESOS framework protects overseas student rights, including:

- the right to receive, before enrolling, current and accurate information about the courses, fees modes of study and other information from your provider and your provider’s agent. If you are under 18, to ensure your safety, you will be granted a visa only if there are arrangements in place for your accommodation, support and welfare.
- the right to sign a written agreement with your provider before or as you pay fees, setting out the services to be provided, fees payable and information about refunds of course money. Overseas students are required to keep a copy of the written agreement and receipts of all tuition and non-tuition fee payments made to the School.
- the right to receive the education you paid for. The ESOS framework includes consumer protection that will allow you to receive a refund or to be placed in another course if your provider is unable to teach your course.
- the right to know:
 - how to use your provider’s student support services;
 - who the contact officer or officers are for overseas students;
 - if you can apply for course credit; when your enrolment can be deferred, suspended or cancelled;
 - what your provider’s requirements are for satisfactory progress in the courses you study;
 - if attendance will be monitored for those courses;

- what will happen if you want to change providers; and
- how to use your provider's complaints and appeals process

Please see our Deferring, Suspending or Cancelling an Overseas Student's Enrolment Policy under appendices at the end of this document.

Overseas student responsibilities

As an overseas student on a student visa, students have responsibilities to:

- satisfy student visa conditions;
- maintain Overseas Student Health Cover (OSHC) for the period of your stay;
- meet the terms of the written agreement with your provider;
- inform your provider if you change your address;
- maintain satisfactory course progress;
- if attendance is recorded for your course, follow your provider's attendance policy; and
- if you are under 18, maintain your approved accommodation, support and general welfare arrangements.

Web Links

Living and Studying in Australia

www.studyinaustralia.gov.au

Study in Australia is the official Australian Government site for studying in Australia. This website will prove invaluable to students wishing to study in Australia. It contains a wide range of information covering aspects such as: Culture, History, Money Matters, Safety and Courses.

Department of Home Affairs

<https://www.homeaffairs.gov.au/trav/stud>

This website will guide you through the process of applying for the correct visa and also contains information that would be useful to you regarding living in Australia.

Australian International Education Online

[National Code of Practice 2018](#)

The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018.

Education Services for Overseas Students (ESOS) framework

<https://www.legislation.gov.au/Series/C2004A00757>

The ESOS Act sets out the legal framework governing delivery of education to international students in Australia on a student visa.

Overseas Student Ombudsman (OSO)

<http://www.oso.gov.au/>

The OSO investigates complaints about problems overseas students or intending overseas students may have with private education and training in Australia. Call: 1300 362 072 Monday to Friday – 9am to 5pm Australian Eastern Standard or Daylight Saving Time.

Fairwork Ombudsman

<https://www.fairwork.gov.au/>

International students have the same workplace rights as all other workers in Australia. Fairwork Ombudsman provide free advice and assistance to all workers to help them understand these rights.

Medibank Private

<https://www.medibank.com.au/overseas-health-insurance/oshc/>

Medibank Private is the preferred provider of overseas student health cover. Families may choose to obtain cover from any other medical insurer in Australia.

Appendix 1

Overseas Students Critical Incidents Response Policy

Critical Incidents

The National Code defines a critical incident to be a traumatic event, or the threat of such (within or outside Australia), which causes extreme stress, fear or injury.

A critical incident is an emergency situation that usually involves an abnormal and sudden occurrence and can include a fire, explosion, a chemical leak, a bomb threat, terrorist attack natural disasters or health crises (e.g. pandemic), or a student missing without due cause that is dangerous or potentially dangerous to life, property or the environment.

The incident may occur at the School or through a related School-based activity or circumstance. In relation to overseas students, critical incidents may also include emergency situations that occur in students' home countries, or relate to their family in or outside Australia.

Source of Obligation

Standard 5.3.4 of the National Code requires Hunter Christian School to have a process for managing emergency situations and when welfare arrangements are disrupted for students under 18 years of age.

Standard 6.8 of the National Code requires Hunter Christian School to have and implement a documented policy and process for managing critical incidents that could affect the overseas student's ability to undertake or complete a course, such as but not limited to incidents that may cause physical or psychological harm.

To meet the requirements of Standard 5.3.4 and Standard 6.8, the School has a documented policy and process for managing emergency situations including when welfare arrangements are disrupted for students under 18 years and for managing critical incidents.

Hunter Christian School ensures a written record of any critical incident and remedial action taken by Hunter Christian School for at least two years after the overseas student ceases to be an accepted student is maintained.

The School maintains a written record of all emergency situations and critical incidents. In some situations there may also be a written record maintained by Hunter Christian School. The primary records are maintained by the School and retained for at least two years after the student ceases to be an overseas student of Hunter Christian School.

Policy

Hunter Christian School is committed to providing a safe School environment for all of our workers (including volunteers), students (including overseas students), visitors and guests.

A response to a critical incident will be managed by Hunter Christian School. How we respond at Hunter Christian School to a critical incident will depend largely on its size, nature and complexity.

It is our policy to:

- identify potential critical incident situations
- conduct regular internal risk assessments with respect to those critical incidents
- provide a 24-hour emergency communication system for staff and overseas students
- develop appropriate response plans
- regularly test the overall effectiveness of our risk management and critical response procedures.

Through the development of preventative measures and planning our responses, Hunter Christian School seeks to gain control over such situations so as to ensure, that if they do occur, the best possible help is available in a timely manner.

Refer to our Critical Incident Policy.

Critical Incident Management

The School has developed a number of critical incident management procedures. Refer to Critical Incident Policy for more details.

Staff Responsibilities

All staff at the School are responsible for:

- participating in critical incident response training as required
- cooperating in carrying out their duties in an emergency situation
- taking prompt action to secure and isolate any hazardous situation in an emergency if this can be done without placing themselves or other workers at risk
- immediately reporting any critical incident

Critical Incident Contacts

In the event of a critical incident that affects an overseas student, the School may (depending on the size, nature and complexity of the critical incident) need to contact:

- emergency services
- the Department of Home Affairs
- the overseas student's parents/guardians

- the appropriate consulate office or embassy
- translator services
- education agents
- a homestay provider
- NSW Education Standards Authority (NESA)

Younger Overseas Students

In the event of a critical incident affecting a younger overseas student, the processes and procedures in this policy will be followed in addition to any child protection notification requirements.

Record Keeping

If a critical incident occurs at the School that affects an overseas student, Hunter Christian School maintain a record of the incident and any remedial action taken by Hunter Christian School for at least two years after the overseas student ceases to be an accepted student. Records are maintained in accordance with our Overseas Students Records Management and Retention Policy.

Implementation

Responsibility for critical Incidents rests with the Executive Principal.

The management of critical incidents rests with the **Executive Principal**.

- An emergency contact number will be provided to students by the **Lead Associate International Relations and/or Associate International Relations** at orientation
- The Students will be briefed by the **Lead Associate International Relations and/or Associate International Relations** on the use of this number.
- Information about this number will be given in writing to the student and will also be in the Overseas Students Handbook.

Hunter Christian School Procedure

The **Lead Associate International Relations and/or Associate International Relations** is responsible for collecting student mobile numbers and responsible for ensuring students have access to the emergency number and that processes outlined in the Overseas Staff Handbook for notifying students are followed.

Emergency Telephone Contact Number

The emergency contact telephone number is the mobile phone number of the:

- Executive Principal
- Lead Associate International Relations
- Associate International Relations
- Chief Experience Officer

Appendix 2

Education Agents Policy

Source of Obligation

Standard 4.1 of the National Code requires Hunter Christian School to enter into a written agreement with each Education Agent it engages to formally represent it and enter and maintain the Education Agent's details in PRISMS.

Section 21A of the ESOS Act requires Hunter Christian School to:

- maintain a list of all Hunter Christian School's Education Agents; and
- publish that list:
 - on our public website; and
 - in any manner prescribed by the ESOS Regulations.

It is an offence to fail to comply with Section 21A.

Policy

It is Hunter Christian School's policy to:

- ensure that all relationships between Hunter Christian School and Education Agents formally representing Hunter Christian School are governed by written agreements
- enter and maintain Education Agent details on PRISMS
- provide up-to-date and accurate information to Education Agents, and any employees or subcontractors of the Education Agents, to assist their compliance with the National Code and ESOS Framework
- ensure that Education Agents have appropriate knowledge and understanding of the Australian International Education and Training Agent Code of Ethics
- ensure that Education Agents act honestly and in good faith
- ensure we terminate our relationship with an Education Agent, and any employee or subcontractor of the Education Agent, that engages in dishonest or unethical conduct
- ensure that we do not accept the enrolment of overseas students from an Education Agent if we know or suspect that the Education Agent is engaging in unethical recruitment processes
- ensure that we maintain accurate records of our agreements with Education Agents and evidence of any monitoring or corrective action taken by Hunter Christian School in relation to Education Agents or their employees or subcontractors.

Education Agent Agreements

Standard 4.2 requires that the written agreement between Hunter Christian School and each Education Agent outlines:

- the responsibilities of Hunter Christian School, including that Hunter Christian School is responsible at all times for its compliance with the ESOS Act and the National Code
- Hunter Christian School's requirements of the Education Agent in representing Hunter Christian School as outlined in Standard 4.3
- Hunter Christian School's processes for monitoring the activities of the Education Agent in representing Hunter Christian School, and ensuring the Education Agent is giving students accurate and up-to-date information on Hunter Christian School's services
- the corrective action that may be taken by Hunter Christian School if the Education Agent does not comply with its obligations under the written agreement, including providing for corrective action as outlined in Standard 4.4
- Hunter Christian School's grounds for termination of Hunter Christian School's written agreement with the Education Agent, including providing for termination in the circumstances outlined in Standard 4.5
- the circumstances under which information about the Education Agent may be disclosed by Hunter Christian School and the Commonwealth or state and territory agencies.

Recording Education Agent Details in PRISMS

Hunter Christian School records our Education Agent's/s' details in PRISMS and keeps a record of these details in accordance with Hunter Christian School's Overseas Students Records Management and Retention Policy.

Refer to our Additional Resources for information about how to use PRISMS.

Staff and Education Agent's Responsibilities

All staff and Education Agents that formally represent Hunter Christian School for the engagement and recruitment of overseas students, are responsible for ensuring that they:
abide by the National Code at all times

- abide by the [Australian International Education and Training Agent Code of Ethics](#)
- do not give false or misleading information or advice to overseas students or intending overseas students in any form or through any mode of communication, as detailed in Hunter Christian School's Overseas Students Marketing Policy
- correct any misstatements and/or other mistakes as soon as possible
- perform their duties according to the obligations and responsibilities set out in the written agreement.

Any misconduct or suspected misconduct by staff or Education Agents must be reported as soon as possible to the Executive Principal.

Education Agent Information

Hunter Christian School provides annual information on its policies and procedures to Education Agents.

Hunter Christian School provides annual reminders to Education Agents about their role as representatives of Hunter Christian School and their responsibility to engage in honest marketing practices on behalf of Hunter Christian School.

Where there are changes or updates to Hunter Christian School policies or procedures relating to overseas students at Hunter Christian School, Education Agents will be informed as soon as practicable. Records of meetings and information sent to Education Agents are maintained in accordance with our Overseas Students Records Management and Retention Policy.

Education Agent Requirements

Standard 4.3 requires Education Agents to:

- declare in writing and take reasonable steps to avoid conflicts of interest with their duties as an Education Agent of Hunter Christian School
- observe appropriate levels of confidentiality and transparency in their dealings with overseas students or intending overseas students
- act honestly, in good faith and in the best interests of the overseas student
- have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.

Conflicts of Interest

The School requires all Education Agents to declare conflicts of interest in writing. Examples of conflicts of interest affecting Education Agents include, but are not limited to:

- when the Education Agent charges service fees to both overseas students and Hunter Christian School for the same service
- where an Education Agent has a financial interest in a private education provider
- where an employee of an Education Agent has a personal relationship with an employee of Hunter Christian School.

Corrective Actions

If Hunter Christian School becomes aware that, or have reason to believe, an Education Agent, or an employee or subcontractor of the Education Agent, hasn't complied with their responsibilities under the written agreement, or the National Code, Hunter Christian School will take the following corrective action:

- in the case of false or misleading recruitment practices, Hunter Christian School will terminate the relationship with the Education Agent, or require the Education Agent to terminate its relationship with the employee or subcontractor who engaged in those practices
- in the case of practices which are not false or misleading but may be confusing to a prospective overseas student, Hunter Christian School will provide Education Agents with additional information or targeted training on Hunter Christian School's expectations of the Education Agent.

Monitoring of Education Agents

Hunter Christian School monitors the activities of all our Education Agents.

This is done through:

- regular face-to-face meetings
- telephone and/or teleconference meetings
- regular reports on engagements with overseas students
- any other method that Hunter Christian School thinks fit.

Accepting Students

Under Standard 4.6, Hunter Christian School must not accept students recruited by an Education Agent if it knows or reasonably suspects the Education Agent to be:

- providing migration advice, unless that Education Agent is authorised to do so under the Migration Act 1958 (Cth)
- engaged in, or previously been engaged in, dishonest recruitment practices, including the deliberate attempt to recruit a student where it clearly conflicts with the obligations of registered providers under Standard 7 (Overseas students transfers)
- facilitating the enrolment of a student who the Education Agent believes will not comply with the conditions of their visa
- using PRISMS to create CoEs for other than bona fide students.

Failure to Publish Details of Education Agents

It is an offence under the ESOS Act for Hunter Christian School to fail to publish the details of our Education Agents in accordance with section 21A of the ESOS Act.

Record Keeping

Hunter Christian School maintains evidence of compliance with this policy by maintaining records of written agreements entered into by Hunter Christian School and an Education Agent and any actions or activities undertaken by Hunter Christian School in relation to this policy. Records will be maintained in accordance with our Overseas Students Records Management and Retention Policy.

Implementation

Hunter Christian School Procedures

The Executive Principal (PEO) is responsible for informing the Education Agent of their responsibilities under the legislation and within these policies in relation to overseas students. The **Lead Associate International Relations** is responsible for being trained in PRISMS and monitoring entries in PRISMS.

The **Lead Associate International Relations** is responsible to ensure PRISMS is updated, records of written agreements and any actions or activities undertaken by the school in relation to this policy are maintained.

Appendix 3

Overseas Students Marketing Policy

Source of Obligation

Standard 1.1 of the National Code requires Hunter Christian School to ensure that the marketing and promotion of its education services in connection with the recruitment of overseas students or intending overseas students, including through an Education Agent, is not false or misleading, and is consistent with the Australian Consumer Law.

Sections 18 and 29 in Schedule 2 of the Competition and Consumer Act 2010 (Cth) (the Australian Consumer Law) respectively prohibit Hunter Christian School from, in trade or commerce, engaging in conduct that is misleading or deceptive or is likely to mislead or deceive, and from making false or misleading representations about its goods or services.

This applies to Hunter Christian School when it is conducting its marketing and promotional activities, as well as its provision of educational services to overseas students.

Any breach of Standard 1 may require enforcement action by the Department of Education, including sanctions for non-compliance.

Under Guideline 3.4 of the Guidelines for Approved School Providers Delivering Courses to Overseas Students, Hunter Christian School must uphold the integrity and reputation of Australia's education industry by ensuring the marketing of their courses and services is not false or misleading.

Policy

It is Hunter Christian School's policy that when seeking to enter into written agreements with overseas students or intending overseas students, we are completely honest and accurate in our communications and do not provide any false or misleading information on:

- associations with any other providers, persons or organisations Hunter Christian School has arrangements with for the delivery of the course in which the student intends to enrol or may apply to enrol
- any work-based training a student is required to undertake as part of the course
- any prerequisites – including English language proficiency – for entry to the course
- any information relevant to Hunter Christian School, its courses or outcomes associated with those courses.

Hunter Christian School will not:

- claim to commit to secure for the student, or on the student or intending student's behalf, a migration outcome from undertaking any course offered by Hunter Christian School
- guarantee a successful education assessment outcome for the student or intending student.

This policy is made available on the School's website to demonstrate our commitment to transparent and truthful communications with potential overseas students.

Australian Consumer Law Protections (ACL)

Hunter Christian School ensures that we abide by the provisions of the Australian Consumer Law and provide information to overseas students and their parents/guardians about the consumer protections afforded to overseas students.

Hunter Christian School ensures that we do not:

- in trade or commerce, engage in conduct that is misleading or deceptive or is likely to mislead or deceive
- engage in unconscionable conduct
- have unfair contract terms within our contracts with overseas students
- provide false or misleading representations about goods or services provided by Hunter Christian School.

Definitions

Trade or Commerce

In "trade or commerce" refers to conduct, which in itself, has an aspect or element of activities or transactions which are commercial in nature: *Concrete Construction v Nelson* (1990) 169 CLR 594. Under the Australian Consumer Law, transactions between Hunter Christian School and overseas students and their parents/guardians for the purposes of enrolment and tuition payments are dealings in trade or commerce.

Misleading or Deceptive Conduct

The ACL does not define the terms "misleading" or "deceptive".

To determine what is misleading or deceptive conduct, a court will assess an action or omission by considering whether the overall conduct induces or is capable of inducing an ordinary person in the position of an overseas student or intending overseas student into error.

Unconscionable Conduct

The Australian Competition and Consumer Commission (ACCC) provides guidance on unconscionable conduct.

Unconscionable conduct is described as business behaviour that is harsh or oppressive and goes beyond commercial bargaining.

To be considered unconscionable, the conduct must be more than simply unfair – it must be against conscience as judged against the norms of society.

Unfair Contract Terms

The ACCC has provided guidance on the characteristics of unfair contract terms.

Common examples of unfair contract terms include terms that:

- enable one party (but not another) to avoid or limit their obligations under the contract
- enable one party (but not another) to terminate the contract
- penalise one party (but not another) for breaching or terminating the contract
- enable one party (but not another) to vary the terms of the contract.

In the context of overseas students, unfair contract terms are terms that:

- cause a significant power imbalance between the overseas student and Hunter Christian School
- are not reasonably necessary to protect the legitimate interests of Hunter Christian School
- would cause the overseas student's detriment (financial or non-financial) if Hunter Christian School tried to enforce it
- are not transparent.

False or Misleading

The ACCC provides guidance on what is false or misleading. It is illegal for Hunter Christian School to make representations that are incorrect or are likely to create a false impression.

This includes any representations in print, radio, television, social media or other advertising mediums, and includes any statement made by a person representing Hunter Christian School.

Approval of Materials

Before any marketing or pre-enrolment materials are released by Hunter Christian School, all marketing materials must be approved by the **Executive Principal** or their delegate.

The **Executive Principal** or their delegate must ensure that any statements made in Hunter Christian School's marketing materials are not false or misleading.

CRICOS Requirements

Hunter Christian School must include the School's name, CRICOS registration number (and the name of the CRICOS registered provider) on any written or online material that it distributes or makes publicly available for the purposes of:

- providing or offering to provide a course to an overseas student
- inviting an overseas student to undertake or apply for a course
- indicating it is able to provide a course to overseas students.

It is Hunter Christian School's policy that our registration number is permanently displayed in the footer of the school website.

It is a criminal offence under section 107 of the ESOS Act, with a penalty of imprisonment for six months, if a person fails to include the required information in any written or online materials.

Record Keeping

Hunter Christian School maintains evidence of compliance with this policy by maintaining records of marketing and other materials used in relation to overseas students. Records will be maintained in accordance with our Overseas Students Records Management and Retention Policy.

Discipline for Breach of Policy

Where a staff member or representative of Hunter Christian School breaches this policy, Hunter Christian School may take disciplinary action.

Implementation

Hunter Christian School Procedure

The Director of Community Engagement is responsible to ensure copies of all marketing materials are saved to the marketing section of the school network. The Director of Community Engagement should liaise with the **Executive Principal** in the creation of all marketing materials relating to overseas students before they are released and ensure that any statements are not false or misleading. The Executive Principal (PEO) will give final approval.

Appendix 4

Missing Overseas Students Policy

Source of Obligation

Standard 5.5 of the National Code requires that if the School is unable to contact an overseas student and has concerns for the student's welfare, the School must make all reasonable efforts to locate the student, including notifying the Police and any other relevant Commonwealth, state or territory agency as soon as practicable.

Policy

It is Hunter Christian School's policy that, in the event that the School cannot contact an overseas student or has concerns for the student's welfare or safety, the School initiates its missing overseas student procedures.

'Missing' Overseas Students

An overseas student will be regarded as 'missing' when Hunter Christian School cannot contact or locate the student and:

- the absence of the student is inadequately explained
- there are suspicious circumstances surrounding a student's disappearance
- there are fears or concerns for the safety and welfare of the student
- if the overseas student is residing in homestay accommodation, the host family cannot locate the student.

Strategies for Locating Missing Overseas Students

Before determining that an overseas student is missing, Hunter Christian School will attempt to contact the overseas student and, if the student is residing in homestay accommodation, the host family.

Notifying Police and Other Agencies

In the event that Hunter Christian School cannot locate or contact the student or has concerns for the student's welfare and safety, the Executive Principal must contact the Police on 02 4926 6599.

Once the Police have been informed, Hunter Christian School must inform the overseas student's parents/guardians, the Department of Education and NESA as soon as practicable using the contact details below.

NSW Education and Standards Authority (NESA)

Contact Details

Phone: (02) 9367 8111

The Department of Education can be contacted via:

- Phone: 1300 566 046
- Online enquiry form: <https://www.education.gov.au/feedback-and-enquiry-form>

Critical Incidents

The categorisation of an overseas student as 'missing' in accordance with this policy constitutes a critical incident under Hunter Christian School's Overseas Students Critical Incidents Response Policy.

Record Keeping

Hunter Christian School maintains evidence of compliance with this policy by maintaining records of notifications made or actions taken by the School in accordance with this policy. Records will be maintained in accordance with our Overseas Students Records Management and Retention Policy.

Implementation

Hunter Christian School Procedure

The **Lead Associate International Relations and/or Associate International Relations** is responsible for ensuring students have access to the emergency number and that processes outlined in the Overseas Students Staff Handbook for notifying students are followed.

The **Lead Associate International Relations** will be responsible for following the processes outlined in the Overseas Student Staff Handbook in relation to collecting student mobile numbers.

Emergency Contact Telephone Number

The emergency contact telephone number is the mobile numbers for the:

- **Executive Principal**
- **Lead Associate International Relations**
- **Associate International Relations**
- **Head of School**

Overseas Students Records Management and Retention Policy

Source of Obligation

The National Code imposes record keeping obligations on Hunter Christian School. Certain National Code Standards expressly require records to be maintained.

Section 21 of the ESOS Act prescribes that certain records are to be kept and regularly updated.

Section 13 of the ESOS Regulations supplements section 21 of the ESOS Act with additional record keeping requirements.

Each section of the NESA Guidelines for Approved School Providers Delivering Courses to Overseas Students requires records to be kept as evidence of compliance with each Standard of the National Code and each obligation in the NESA Guidelines.

Policy

It is Hunter Christian School's policy to comply with all record keeping obligations prescribed by the ESOS Framework and set out in this policy. It is our policy to ensure that records of evidence of our compliance with the National Code Standards are maintained, regardless of whether record keeping is prescribed by each Standard.

Recruitment of Students

Standard 2.4 of the National Code requires that if Hunter Christian School grants an overseas student recognition of prior learning (RPL) or course credit, Hunter Christian School must maintain a written record of acceptance by the student for two years after the overseas student ceases to be an accepted student.

Student Written Agreements

Standard 3.6 of the National Code requires Hunter Christian School to retain records of all written agreements as well as receipts of payments made by students under the written agreement for at least two years after the person ceases to be an accepted student.

Student Contact Details

Standard 5.3.5 of the National Code and section 21(2) of the ESOS Act require Hunter Christian School to maintain up-to-date contact details for all accepted overseas students, or any overseas student who has paid money for a course offered by Hunter Christian School, including:

- the student's current residential address
- the student's mobile phone number (if any)
- the student's email address (if any)
- who to contact in emergency situations
- welfare arrangements

Overseas students are required to notify the School of any changes to these details within seven days of the change.

Confirmation of Student Contact Information Procedure

Hunter Christian School implements the following procedure to ensure that the student contact information required by section 21(2) of the ESOS Act remains up to date:

- the **Lead Associate International Relations and/or Associate International Relations** confirms with each overseas student that their contact information is still valid, at least each school term.

Critical Incidents

Standard 6.8 requires that if a critical incident occurs at Hunter Christian School that affects an overseas student, Hunter Christian School must maintain a record of the incident and any remedial action taken by Hunter Christian School for at least two years after the student ceases to be an accepted student.

Transfer Requests

Standard 7.7 requires Hunter Christian School to maintain records of all requests from overseas students for a release and the assessment of, and decision regarding, the request for two years after the overseas student ceases to be an accepted student.

Deferring, Suspending or Cancelling Overseas Student Enrolment

Standard 9.1 requires Hunter Christian School to maintain a record of any decision made to approve a deferment of the commencement of study or suspension of study requested by an overseas student.

Complaints and Appeals

Standard 10.2.7 requires Hunter Christian School to keep a written record of a complaint or appeal from an overseas student, including a statement of the outcome and reasons for the outcome.

Student Payment Details

Section 13 of the ESOS Regulations requires Hunter Christian School to maintain a record of each enrolled overseas student or any overseas student who has paid any tuition fees for a course provided by Hunter Christian School with the following details:

- the total of the tuition fees paid for the student for the course
- for each amount of tuition fees paid for the student for the course:
 - whether the amount was paid for the full course or part of the course; and
 - if the amount was paid for the full course – the duration of the course; and
 - if the amount was paid for part of the course – the duration of that part of the course
- the total of the non-tuition fees paid for the student for the course
- the total of the tuition fees and non-tuition fees paid for the student for the course
- any tuition fees or non-tuition fees for the student for the course that:
 - have become payable; and
 - have not been paid
- copies of written agreements to which Hunter Christian School and the student are parties
- the amount that the student will be charged to access their records.

The amount of a fee for a student to access a record must not exceed the cost incurred by Hunter Christian School in providing access to that record.

Where an agent of Hunter Christian School facilitated, or is facilitating, the student's enrolment, Hunter Christian School is also required to include the following details in the student's record:

- the agent's name
- the address of the agent's principal place of business
- if the agent is a body corporate – the address of the body corporate's registered office
- the agent's postal address (if it is different from the address mentioned above)
- the agent's phone number, email address and website address (if any)
- the agent's ABN or ACN (if any)
- the agent's trading name or names (if any)
- if the agent is a body corporate – the names of the body corporate's directors
- if the agent is a registered migration agent – the agent's Migration Agents Registration Number
- the following details about each of the agent's employees (if any) who were or are involved in the agent facilitating the enrolment:
 - the employee's name
 - the employee's email address
 - if the employee is a registered migration agent – the employee's Migration Agents Registration Number.

Student Assessment Details

Section 21(2B) of the ESOS Act requires Hunter Christian School to record the outcome of an accepted overseas student's assessment if:

- they complete a unit of study of their course at the School; and
- their progress in that unit is assessed.

Under section 21(2C) of the ESOS Act, the assessment record must be kept up-to-date.

PRISMS Notifications

Hunter Christian School must notify the Department of Education, through PRISMS, in relation to various events including student course progress, attendance, transfers and deferment. Refer to PRISMS Maintenance Obligations.

Hunter Christian School ensures that records of PRISMS notifications and related actions taken by Hunter Christian School (such as notifying an overseas student that they are at risks of not meeting course progress requirements) are maintained in accordance with this policy.

How We Manage Records

Hunter Christian School is committed to ensuring that all records are managed in an efficient, systematic and transparent manner.

We ensure that our records:

- are kept up-to-date
- are indexed and stored in a logical manner that allows easy access, retrieval and association of related information
- are preserved and stored in a suitable physical or digital environment that ensures records are not subject to degradation, loss, alteration or corruption
- are subject to confidentiality and security measures so that access is controlled to protect the privacy of individuals and minimise any risk of a breach of privacy
- meet our obligation under the Privacy Act 1988 (Cth) and are compliant with the School's Privacy Policy.

Records Management at Hunter Christian School

Hunter Christian School has a record management system for the management of records. This includes:

- digital/electronic storage facilities for electronic records
- physical storage facilities for paper/print records.

All digitally/electronically stored records are backed-up securely.

Destruction and Archiving of Records

Hunter Christian School balances its requirements to retain documents in accordance with applicable legal requirements, and archives or destroys them when they are no longer required for any legal or legitimate business purpose in accordance with our and Privacy Policy.

Review of Student Contact Records

Hunter Christian School maintain up-to-date student contact details including:

- current residential address
- mobile number
- email address
- who to contact in an emergency.

It is the responsibility of **Lead Associate International Relations and/or Associate International Relations** to ensure that every six months, while a student remains an accepted student of the School, the accuracy of the above information is confirmed with the student in writing and any records are updated accordingly.

Record Keeping Responsibility

It is the responsibility of the Executive Principal to ensure that all record keeping procedures required by this policy are implemented effectively and reviewed for improvement regularly.

It is also the responsibility of the Executive Principal to ensure that all staff who have responsibility for overseas students at the School are trained on their record keeping obligations under the ESOS Framework.

All staff at the School who have responsibility for overseas students are required to maintain appropriate records, as set out in this policy and other policies in our Overseas Students Program.

Destruction and Archiving of Records

Hunter Christian School balances its requirements to retain documents in accordance with applicable legal requirements and archives or destroys them when they are no longer required for any legal or legitimate business purpose.

Implementation

Hunter Christian School Procedure

Responsibility for maintaining records:

- Recruitment – Lead Associate International Relations and/or Associate International Relations
- Deferring, Suspending, Cancelling Overseas student enrolments – Executive Principal (PEO)
- Written Agreements – Lead Associate International Relations and/or Associate International Relations
- Student Contact Details – Lead Associate International Relations and/or Associate International Relations
- Critical Incidents – Executive Principal
- Transfer requests – Lead Associate International Relations
- Student Payment Details – Accountant in liaison with the Lead Associate International Relations and/or Associate International Relations
- Student Assessment Details – Director of Education Strategy and/or delegate through the School Management System
- PRISMS notifications – Lead Associate International Relations and/or Associate International Relations
- Complaints and Appeals – Executive Principal

These procedures are detailed in the Overseas Students Staff Handbook.

Appendix 6

Overseas Students Refund Policy

Source of Obligation

Division 2 of Part 5 of the ESOS Act describes Hunter Christian School's obligations to provide refunds to students.

Standard 2.1.7 of the National Code requires Hunter Christian School to make comprehensive, current and plain English information available to overseas students on our cancellation and refund policies.

Standard 3.4 of the National Code requires Hunter Christian School to include, in our written agreement between Hunter Christian School and the overseas student or intending overseas student (or their parents/guardians if the student or intending student is under 18 years of age), the information included in 3.4.1 to 3.4.5 of the National Code, consistent with the requirements of the ESOS Act, in relation to refunds of tuition and non-tuition fees in the case of either overseas student default or Hunter Christian School's default.

The information that is required to be included in the written agreement includes the process for making a claim for a refund. See our Formalisation of Overseas Student Enrolment policy for more information about our written agreement.

This Policy sets out when a refund may be payable, consistent with the requirements of the ESOS Act.

The calculation of the refund is governed by the ESOS Act and the Education Services for Overseas Students (Calculation of Refund) Specification 2014 (Refund Specification), where there is a Hunter Christian School default (see Meaning of Default, below) or where there is a default by Hunter Christian School that is related to the refusal of a visa. In other circumstances, the amount of the refund is governed by our written agreement.

Standard 3.4.2 of the National Code of the ESOS Act requires the School to have processes in place for claiming a refund of tuition or non-tuition fees.

Refund Policy Accessibility

This Policy is:

- provided to overseas students prior to them entering into their written agreement with Hunter Christian School
- included in the written agreement
- available on the School's website – Refund Policy.

Hunter Christian School's Refunds Policy is also available in the Overseas Students Handbook and the Overseas Students Enrolment Information Booklet.

Meaning of Default

Sections 46A and 47A of the ESOS Act describe provider default and student default. The following table summarises the different kinds of default and the associated provisions that govern the payment of refunds.

Hunter Christian School Default	Overseas Student Default
<p>(i) Hunter Christian School fails to start to provide the course on the agreed starting day (the “default day” is the agreed starting day): section 46A(1)(a)(i) of the ESOS Act OR</p> <p>(ii) Hunter Christian School ceases to provide the course after it starts but before it is completed (the “default day” is the day the course ceases to be provided): section 46A(1)(a)(ii) of the ESOS Act</p> <p>AND</p> <p>the student has not withdrawn before the default day: see overseas student Default (b). Hunter Christian School’s obligations are to arrange the offer of an alternative course or provide a refund: section 46D of the ESOS Act. Calculation of the refund of tuition fees (see Fee Information) is governed by section 7 of the Refund Specification.</p>	<p>(a) The course starts on the agreed starting day, but the overseas student does not start the course on that day (and has not previously withdrawn: see (b) below): section 47A(1)(a) of the ESOS Act</p> <p>Calculation of any refund of tuition fees or non-tuition fees (see Fee Information) is governed by our written agreement: section 47D of the ESOS Act</p> <p>UNLESS the reason for the overseas student default is a refusal of visa. If so, calculation of the refund of course fees (see Fee Information) is governed by section 9 of the Refund Specification.</p> <p>(b) The overseas student withdraws from the course, either before or after the agreed starting day (the “default day” is the day on which the overseas student withdraws from the course): section 47A(1)(b) of the ESOS Act</p> <p>Calculation of any refund of tuition fees or non-tuition fees (see Fee Information) is governed by our written agreement</p> <p>UNLESS the reason for the overseas student default is a refusal of visa. If so, calculation of the refund of fees is governed by:</p> <ul style="list-style-type: none"> • section 9 of the Refund Specification, if the overseas student withdrew from the course on or before the agreed starting day • section 10 of the Refund Specification, if the overseas student withdrew from the course after the agreed starting day. <p>(c) Hunter Christian School refuses to provide, or continue to provide, the course to the overseas student (the “default day” is the day on which Hunter Christian School refuses to provide, or continue to provide, the course): because of one or more of the following events:</p>

	<p>(i) failure by the overseas student to pay an amount that they were liable to pay to Hunter Christian School, directly or indirectly, in order to undertake the course: section 47A(1)(c)(i) of the ESOS Act</p> <p>(ii) breach by the overseas student of a condition of their visa: section 47A(1)(c)(ii) of the ESOS Act</p> <p>(iii) misbehaviour by the overseas student (as long as the overseas student has been provided with procedural fairness before Hunter Christian School refuses to provide, or continue to provide, the course): section 47A(1)(c)(iii) and 47A(3) of the ESOS Act.</p> <p>Calculation of any refund of tuition fees or non-tuition fees (see Fee Information) governed by our written agreement.</p> <p>UNLESS the overseas student default is failure to pay ((i) above) and the reason for the default is a refusal of visa. If so, calculation of the refund of fees is governed by section 10 of the Refund Specification.</p>
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Policy

Hunter Christian School's tuition fees and non-tuition fees are payable in accordance with the School's overseas student Fee Payment Schedule available on Hunter Christian School's website.

Hunter Christian School will provide a refund to an overseas student or intending overseas student in the following circumstances:

- if there is a Hunter Christian School Default (as defined in this Policy) and the overseas student for some reason, cannot be placed or refuses placement in an alternative course arranged by the School
- if there is an overseas student Default (as defined in this Policy)
- where the overseas student defaults due to visa refusal before commencing at Hunter Christian School
- where the overseas student defaults due to visa refusal after commencing at Hunter Christian School
- where the overseas student defaults because they failed to pay an amount that they were liable to pay Hunter Christian School.

The methods of calculating the amount of the refund of any tuition fees and non-tuition fees is determined either by the terms of the overseas student's written agreement with Hunter Christian School or, the Refund Specification. The ESOS Act determines which circumstances of default will trigger the calculation of a refund in accordance with the Refund Specification.

Fee Information

An itemised list of fees (tuition and non-tuition) is included in the written agreement. A list of fees can also be made available upon request by contacting the **Lead Associate International Relations**. Section 7 of the ESOS Act defines “Tuition fees” and section 5 of the ESOS Regulations defines “Non-tuition fees”. In summary:

- **Tuition fees** are fees directly related to the provision of the overseas student’s course, received directly or indirectly from the overseas student or intending overseas student (or a person who pays the fees on behalf of the overseas student).
- **Non-tuition fees** are fees not directly related to the provision of the overseas student’s course.

Obligations when Hunter Christian School Defaults

If there is a Hunter Christian School Default (see Meaning of Default, above) and the overseas student cannot be placed or refuses placement in an alternative course arranged by Hunter Christian School, Hunter Christian School will pay a full refund of any unspent tuition fees received* by Hunter Christian School, with respect to the overseas student, within 14 days of the default day.

If Hunter Christian School is unable to fulfil its obligation of either making the overseas student an offer of a suitable alternative course that the overseas student accepts, or providing a refund, the overseas student will receive assistance from the Australian Government’s Tuition Protection Service (TPS).

For more information on the TPS, refer to <https://www.education.gov.au/tps>.

*Section 7 of the Refund Specification sets out the calculation of a refund in the case of Hunter Christian School’s default as:

- refund amount = weekly tuition fee X weeks in default period.
- **Weeks in Default Period** is defined in section 6 of the Refund Specification.

Overseas Student Default: No Refund

If Hunter Christian School refuses to continue to provide the course to the overseas student, this may lead to a cancellation of the overseas student’s enrolment under Standard 9.3: see our Deferring, Suspending or Cancelling an Overseas Student’s Enrolment Policy.

Hunter Christian School will not refund tuition fees to an overseas student where Hunter Christian School cancels the overseas student’s enrolment for any of the following reasons:

- visa cancellation
- the overseas student does not withdraw or defer from their course at Hunter Christian School in accordance with the Withdrawal procedure in this Policy or the deferment procedure in the Deferring, Suspending or Cancelling an Overseas Student’s Enrolment Policy
- any misbehaviour by the overseas student in breach of Hunter Christian School Student Discipline Policy and which results in enrolment cancellation.

The School may also cancel the enrolment of an overseas student due to their failure to follow the School's agreed conditions of enrolment as outlined in the written agreement. Any cancellation decision will be at the discretion of the School.

Overseas Student Default Due to Visa Refusal: Before Commencing at Hunter Christian School: Refund

If an overseas student's visa is refused, and this causes them to fail to start their course at the School on the agreed date or to withdraw from the course before the agreed start date, the School will make a refund payment of the total amount of the course fees received by the School, minus the lesser of the following amounts:

- 5 per cent of the amount of the course fees (which is the sum of the tuition fees and the non-tuition fees) received by the School before the overseas student's default day
- \$500.

This refund calculation is governed by section 9 of the Refund Specification.

Overseas Student Default Due to Visa Refusal: After Commencing at Hunter Christian School: Refund

If an overseas student's visa is refused and this causes the overseas student to withdraw from the course after the course has commenced, Hunter Christian School's will make a refund payment of the calculated as follows:

- Refund amount = weekly tuition fee X weeks in default period.

Student Default due to Visa Refusal and Failure to Pay an Amount: Refund

If an overseas student's visa is refused because of the overseas student's failure to pay an amount that they were liable to pay Hunter Christian School, directly or indirectly, in order to undertake the course, Hunter Christian School will make a refund payment of the calculated as follows:

- Refund amount = weekly tuition fee X weeks in default period.

Overseas Student Withdrawal

Overseas Students may wish to withdraw from their enrolment in a course at Hunter Christian School. overseas student withdrawal is classified as an overseas student Default and Hunter Christian School will provide a refund of tuition fees in accordance with the procedure in this Policy.

The overseas student must notify Hunter Christian School in writing of their request to withdraw from the course prior to the commencement of the study period for that course.

Non-commencement of Course and Notification of Withdrawal

If Hunter Christian School receives written notification of withdrawal by the overseas student (or parent(s)/legal guardian if the overseas student is under 18) prior to commencement at Hunter Christian School, Hunter Christian School will refund:

- the amount of tuition fees received, less 5% of the tuition fees and an administration fee of \$500.

Non-commencement of Course and No Notification of Withdrawal

If the overseas student does not provide any written notice to the overseas student of their withdrawal and does not start their course on the agreed start date, Hunter Christian School will retain one term's tuition fees.

Visa Implications

The **Lead Associate International Relations** will give information to overseas students who notify Hunter Christian School in advance of their request to withdraw from a course about the impact that withdrawing from a course may have on their visa.

Refund Due to Student Transfer to Another School

An overseas student who has commenced their course at Hunter Christian School and who wishes to withdraw from that course and enrol in a course with another school must follow the Outbound Student Transfer Request process in our overseas student Transfers Policy.

If an overseas student's Outbound Student Transfer Request is approved, the refund process is as set out in the written agreement and in this Policy at Overseas Student Withdrawal.

Procedure for Providing a Refund

Hunter Christian School will only grant a refund when the following process is followed:

1. An overseas student or intending overseas student (or parent(s)/legal guardian if the overseas student is under 18) applies for a refund, in writing, to the Executive Principal at Hunter Christian School.
2. Hunter Christian School sends a refund calculation statement to the overseas student.
3. An overseas student or intending overseas student pays any outstanding debts to Hunter Christian School or authorises any outstanding debts to be deducted from the refund.
4. Hunter Christian School approves the refund under this Policy.
5. After approval, the refund is paid to the overseas student or intending overseas student, or the same person that initially made the payment of the course fees. Hunter Christian School will pay the refund within the period of:
 - in the case of the School defaulting and the overseas student has requested a full refund of fees rather than placement in an alternate course: 14 days after the default day*
 - in the case of the overseas student defaulting and the amount of the refund is calculated under the terms of the written agreement: four weeks after receiving a written claim from the overseas student under Step 1
 - in the case of the overseas student defaulting and the amount of the refund is calculated under the terms of the Refund Specification: four weeks after the default day. Step 1 must still be complied with.
6. Refunds will be reimbursed in the same currency as fees were received.

In the case of Hunter Christian School defaulting and the overseas student has requested a full refund of fees rather than placement in an alternate course, Hunter Christian School must pay the refund within the period of 14 days of the default day regardless of whether or not the overseas student has complied with Steps 1-4 above.

Refund of Non-Tuition Fees

A list of non-tuition fees is set out in the Fee Schedule. Hunter Christian School will refund non-tuition fees on a pro-rata basis proportional to the amount of time the overseas student was studying in the course, except where:

- a non-refundable payment on behalf of the overseas student has been made

Consumer Law Statement

Hunter Christian School's written agreement, and the right to make complaints and seek appeals of decisions and action under various processes, do not affect the rights of the overseas student to take action under the Australian Consumer Law, if the Australian Consumer Law applies.

Notification of Discharge of Obligations

Under section 47H of the ESOS Act Hunter Christian School must provide notice to the Department of Education and the Director of the TPS within seven days after the end of the Provider Obligation Period.

The notice must include the following:

- whether Hunter Christian School provided a refund under section 47E
- details of the student Hunter Christian School provided a refund to
- details of the amount of the refund provided.

Record Keeping

Hunter Christian School maintains evidence of compliance with this policy by maintaining records of applications for refunds, refund decisions and notifications made under this policy. Records will be maintained in accordance with our Overseas Students Records Management and Retention Policy.

Implementation

Hunter Christian School Procedure

For the purpose of refund the Parent/Guardian of an Overseas Student is responsible for the payment of fees and any applicable refunds. The Accountant in liaison with the **Lead Associate International Relations will** oversee this process in line with the guidelines. Records will be maintained by the **Associate International Relations and** kept digitally in accounts plus on the student/ family file.

The **Lead Associate International Relations will** make the notification to Cwlth.

Appendix 7

Overseas Students Support Services Policy

Source of Obligation

Standard 6.1 of the National Code requires Hunter Christian School to support overseas students in adjusting to study and life in Australia by giving the overseas student information on or access to an age-and-culturally appropriate orientation program that provides information about:

- support services available to assist overseas students to help them adjust to study and life in Australia
- English language and study assistance programs
- any relevant legal services
- emergency and health services
- the School's facilities and resources
- complaints and appeals processes outlined in Standard 10 (Complaints and appeals)
- requirements for course attendance and progress, as appropriate
- the support services available to assist students with general or personal circumstances that are adversely affecting their education in Australia
- services students can access information on their employment rights and conditions, and how to resolve workplace issues, such as through the Fair Work Ombudsman.

Standard 6.2 requires Hunter Christian School, upon the request of the overseas student, to provide relevant information or appropriate referrals to the overseas student requesting assistance in relation to the services and programs offered by the School listed above, at no additional cost to the overseas student.

Policy

It is Hunter Christian School's policy to also provide access to the Department of Home Affairs information on life in Australia.

Support Services

To assist our overseas students in adjusting to life and study in Australia, the School facilitates access to:

- counselling for general or personal matters
- nursing services
- health and disability services
- English and academic support services
- relevant legal services
- emergency and health services

- information on employment rights and conditions, and how to resolve workplace issues, such as through the Fair Work Ombudsman.

Student Contact Officers

Standard 6.5 requires Hunter Christian School to designate a member or members of its staff to be the official point of contact for overseas students. In practice the contact officers will be appointed by the School. The contact officers are listed below.

Hunter Christian School has appointed a **Lead Associate International Relations and Associate International Relations** for the School. Students are introduced to the **Lead Associate International Relations and Associate International Relations** at orientation and given their contact details.

Sufficient Student Support Personnel

Standard 6.6 requires Hunter Christian School to have sufficient student support personnel to meet the needs of the overseas students enrolled at the School.

The number and type of student support personnel at the School have been selected to ensure that overseas students are supported in adjusting to study and life in Australia and throughout their enrolment.

The following student support personnel provide support to Overseas students:

- **Lead Associate International Relations**
- **Associate International Relations**
- Director of Education Strategy
- Chief Experience Officer
- Teaching Staff
- School **Psychologist**

Notifying Staff of ESOS Obligations

Standard 6.7 requires Hunter Christian School to ensure that staff members who interact directly with overseas students are aware of Hunter Christian School's obligations under the ESOS framework and the potential implications for overseas students arising from the exercise of these obligations.

Hunter Christian School provides annual training to all staff that outlines Hunter Christian School's obligations under the ESOS Framework and potential implications for our overseas students arising from the exercise of these obligations. All staff also have access to this Overseas Students Program should they want to learn more about Hunter Christian School's obligations.

Where there are changes or updates to Hunter Christian School's policies or procedures relating to overseas students at Hunter Christian School, staff will be informed as soon as practicable.

Hunter Christian School also provides information about the ESOS Framework as part of Annual Mandatory Training during a staff meeting as an initial introduction to the day-to-day management of overseas students.

Overseas Students Critical Incidents

Standard 6.8 requires Hunter Christian School to have and implement a documented policy and process for managing critical incidents that could affect an overseas student's ability to undertake or complete a course, such as but not limited to incidents that may cause physical or psychological harm.

The School maintains a written record of all critical incidents and any remedial action taken by the School following a critical incident, for at least two years after the student ceases to be an accepted student.

Refer to our Overseas Students Critical Incidents Response Policy.

Safe School Environments

Standard 6.9 requires Hunter Christian School to:

- take all reasonable steps to provide a safe environment on campus and advise overseas students and staff on actions they can take to enhance their personal security and safety
- provide information to overseas students about how to seek assistance for and report an incident that significantly impacts on their wellbeing, including critical incidents
- provide overseas students with or refer them to (including electronically) general information on safety and awareness relevant to life in Australia.

The School has developed and effectively implemented a Student Duty of Care Program and Child Protection Program that applies to all students enrolled at the School, including overseas students, to ensure the safety of all students and that staff take actions to enhance our students' personal security and safety.

At orientation, and on a continuing regular basis, Hunter Christian School ensures that the School provides information to our overseas students and their parents/guardians on:

- our Child Protection Program and Student Duty of Care policies
- our support services
- how to seek assistance for and report an incident that significantly impacts on their wellbeing, including critical incidents
- general information safety and awareness relevant to life in Australia.

Where appropriate, Hunter Christian School translates information into community languages for students and their parents/guardians.

Implementation

To ensure that we provide the best support services to our overseas students, Hunter Christian School ensures that the School:

- employ appropriately trained and qualified staff
- effectively communicate contact details for our overseas student contact officer/s to all students and their parents/guardians
- effectively communicate information in our Child Protection Program and Student Duty of Care policies to all students and their parents/guardians
- translate relevant information into community languages for students and their parents/guardians
- have sufficient numbers of student support personnel to meet the needs of our overseas students
- educate our overseas students and staff on emergency contact numbers and critical incident procedures at the School through the **Lead Associate International Relations**
- These processes in relation to support of overseas students are facilitated by the **Lead Associate International Relations and/or Associate International Relations** and are documented in the Overseas Students Staff Handbook and outlined below.

Hunter Christian School Procedure

The **Lead Associate International Relations and/or Associate International Relations** is responsible for ensuring students have access to a range of student support services, and for informing students and where required parents of support services such as counselling that are available. Processes for informing students are outlined in the Overseas Students Staff Handbook.

Record Keeping

Hunter Christian School maintains evidence of compliance with this policy by maintaining records of our orientation program, records of critical incidents and records of designated student support personnel in accordance with this policy. Records will be maintained in accordance with our Overseas Students Records Management and Retention Policy.

Welfare and Accommodation Selecting, Screening and Monitoring Policy

Source of Obligation

Section 3.8 of the NESA guidelines and Standard 5.3.7 of the National Code requires that where Hunter Christian School takes on responsibility under the Migration Regulations 1994 (Cth) for approving the accommodation, support and general welfare arrangements for a student under 18 years of age, Hunter Christian School must have documented policies and procedures for selecting, screening and monitoring any third parties engaged by them to organise and assess welfare and accommodation arrangements and must ensure the arrangements for the younger students are suitable, ongoing and appropriately managed until the student turns 18 years of age.

Policy

It is Hunter Christian School's policy to engage in comprehensive selection, screening and monitoring processes when engaging third parties, such as homestay providers, to organise and assess welfare and accommodation arrangements of our overseas students, particularly those who are under 18 years of age.

Hunter Christian School is dedicated to ensuring the safety, well-being, and appropriate accommodation of all students under 18 years of age, in full compliance with section 3.8 of the NESA Guidelines and Standard 5.3.7 of the National Code.

Procedure

Selection

Initial Approval and Documentation

The **Lead Associate International Relations and/or Associate International Relations** will collect and verify details of the student's accommodation and welfare arrangements before enrolment or arrival.

For students not living with a parent or nominated relative, ensure accommodation is approved by the school or DHA.

The **Lead Associate International Relations and/or Associate International Relations** will complete and retain all required forms, such as Welfare Arrangement Forms and Confirmation of Appropriate Accommodation and Welfare (CAAW) letters, as applicable.

When selecting third parties to engage to organise and assess welfare and accommodation arrangements, Hunter Christian School requires the School to complete a Homestay Accommodation Approval Checklist.

The School also, prior to the arrival of an overseas student:

- provides information to welfare and accommodation providers prior to the arrival of overseas students that outlines:
 - a knowledge and understanding of the needs of adolescents
 - an understanding of cultural, linguistic and religious differences
 - an understanding of the needs of young people away from their home environment
 - what to do if a problem occurs
- gathers information about the potential provider/s of accommodation and welfare to ensure that cultural and religious backgrounds are appropriate and sufficiently compatible
- ensures a provider possesses the commitment, motivation and capability to extend the support that will ensure an overseas student's successful integration into the Australian education system and the School.

Screening

For homestay or third-party arrangements, The **Lead Associate International Relations and/or Associate International Relations** will ensure all adults in the household have valid Working With Children Checks (WWCC) or state equivalents.

When selecting third parties to engage to organise and assess welfare and accommodation arrangements, the School:

- ensures that all adults involved in the provision of the accommodation and welfare have valid and up-to-date Working with Children Clearance
- uses the homestay checklist.

Monitoring

The **Lead Associate International Relations and/or Associate International Relations** will conduct an initial site visit to the student's accommodation before approval.

The **Lead Associate International Relations and/or Associate International Relations** will schedule and carry out follow-up inspections at least every six months to confirm the ongoing suitability of the accommodation. Use a checklist to assess safety, cleanliness, and appropriateness for the student's age and needs.

When selecting third parties to engage to organise and assess welfare and accommodation arrangements, the School:

- monitors the overall wellbeing and welfare of the overseas student
- monitors the family offering welfare and accommodation.

- For homestay or third-party arrangements, The **Associate International Relations will** ensure all adults (Over 18 years of age) in the household have valid Working with Children Checks (WWCC) or state equivalents.

Ongoing Welfare Meetings

The **Lead Associate International Relations and/or Associate International Relations** will arrange regular welfare meetings each term with each under-18 student to discuss their wellbeing, academic progress, and satisfaction with living arrangements.

The **Associate International Relations** will document all meetings and any issues raised, with follow-up actions as required.

Working with Children Check Verification

Refer to the School's Child Protection Policy.

The **Lead Associate International Relations** is responsible to gather and verify Working with Children clearances for every person over 18 years of age who resides at the dwelling of the Accommodation and Welfare provider of Overseas Students who are under 18 years of age and over and not living with a parent or relative.

Record Keeping

Hunter Christian School maintains evidence of compliance with this policy by maintaining records of selection, screening and monitoring activities undertaken by Hunter Christian School in accordance with this policy and keep any written agreements entered into by Hunter Christian School. Records will be maintained in accordance with our Overseas Students Records Management and Retention Policy.

The **Lead Associate International Relations and/or Associate International Relations** will

- Maintain up-to-date emergency contact details for each student.
- Inform students and parents/guardians in writing about the monitoring process and their responsibilities.
- If a student's accommodation becomes unsuitable or the student changes address, notify DHA via PRISMS within required timeframes.
- For students in DHA-approved accommodation, coordinate with DHA for any required checks or changes.

Implementation

The **Associate International Relations will:**

- Monitor the recording and maintaining of Working with Children clearances on digital files for Overseas students.
- Regularly audit Overseas student homestay records.

Where the school uses a third party to assess the accommodation, the person uses the checklist and policies to conduct the assessment. The follow up of this process and obtaining the documentation from the third party is the responsibility of the **Lead Associate International Relations**. Information is then stored on the student file.

Younger Overseas Students Accommodation Arrangements Policy

Source of Obligation

Standard 5.3.3 of the National Code requires Hunter Christian School to take responsibility under the Migration Regulations 1994 (Cth) for approving the accommodation, support and general welfare arrangements for an overseas student who is under 18 years of age.

The School has and implements documented processes for verifying that the student's accommodation is appropriate for the student's age and needs:

- prior to the accommodation being approved; and
- at least every six months thereafter.

Policy

It is Hunter Christian School's policy to assess younger overseas students' accommodation arrangements through:

- physical site visits
- student interviews
- maintenance and facilities review
- any other ways the School deems necessary to confirm that the accommodation still meets the overseas student's needs.

Approval of Accommodation

A younger overseas student's accommodation must be approved by Hunter Christian School prior to the student residing at the accommodation. The student's accommodation must be:

- suitable to reside in
- a safe, supportive and welcoming environment
- kept clean and tidy
- able to access a shared bathroom or private bathroom.

It is Hunter Christian School's policy that to be eligible for a homestay arrangement, the overseas student must be at least 13 years of age at the time of commencing the homestay accommodation.

The School conducts a site visit to inspect the premises where an overseas student is residing prior to the student's placement. The school then checks with the student each term in relation to their accommodation arrangements and suitability and follows up where necessary.

Homestay Requirements

For homestays to be approved by the School, the homestay must:

- sign a written agreement with Hunter Christian School
- have a safe, secure, private bedroom for the student's sole use that is appropriate to the age and needs of the student with suitable storage space for clothes, personal effects and study materials, and suitable facilities including a desk, a chair and adequate lighting for study purposes
- be clean and have appropriate furnishings suitable for a family and students
- include access to a shared or private bathroom, with reasonable time allowed for showers
- include access to kitchen, living areas, laundry facilities and shared areas of the home
- have a smoke detector
- have some form of heating in winter, if required, and some means of cooling in summer
- provide students with any keys, alarms or passwords required to have free access to the homestay residence.

Additionally, Hunter Christian School must:

- have appropriate processes for recruitment and screening homestay families including reference checks for homestay providers and checking personal identification of homestay providers
- ensure that all adults (aged 18 years and over) residing at any homestay premises have current Working with Children Checks as required by the appropriate state/territory regulatory body
- have a process to check the validity of the Working with Children Checks on an ongoing basis
- provide the homestay provider with appropriate information regarding their responsibilities and emergency contact details for both the School and the parents of the student
- have processes to verify that the accommodation is appropriate to the student's age and needs prior to the placement, and at least every six months
- verify the suitability of the homestay accommodation through a site visit (unless the particular homestay has been verified by a site visit in relation to another student in the previous three months)
- conduct assessments of the homestay with access to all areas of the homestay premises for the purposes of checking compliance with the homestay standards required by Hunter Christian School
- ensure that host families have appropriate insurance policy cover for students residing in their home
- ensure that there is regular training of host families
- ensure that there is a 24-hour emergency number that all stakeholders can contact in the event of an emergency
- maintain regular contact with host families, students and Hunter Christian School staff as required.

Host Family Requirements

Hunter Christian School requires each host family to agree to a number of requirements prior to hosting a younger overseas student. Host families are required to:

- provide a safe and welcoming homestay family environment that will encourage students to experience life as a member of the family and, where suitable, include students in family-related activities
- provide an orientation within the family home, the use of facilities and security. This should include household protocols and safety rules about access and the use of shared areas or facilities such as swimming pools, internet, telephone, mealtimes, visitors and appropriate times to return home during the week and on weekends
- orientate students to the local area including public transport and getting to and from the School, the location of the shops, doctors or medical facilities and recreation areas
- ensure that the student is aware of emergency numbers including 000, the location of police stations and Australian laws pertaining to under 18 year olds
- ensure that the student is appropriately supervised at all times throughout the duration of residing in the homestay including:
 - maintaining suitable supervision of students outside of school hours
 - monitoring the student's general welfare including the student's social activities
- attend interviews with School staff at enrolment, parent meetings and as required by the School
- contact the School regarding any student welfare, academic progress and attendance issues
- assist and support the student's attendance at the School and support the completion of homework assignments where required
- assist the student to access any necessary medical, dental, hospital or other health-related services, including making appointments and, where necessary, accompany the student to those appointments and if required advise the School of any medical issues.

Host Family to Notify Hunter Christian School

A host family must notify the School at least two weeks in advance, or as soon as practicable, of any change of circumstances, including:

- if the host family proposes to materially change the homestay residence in a way that will affect their ability to meet the homestay residence requirements
- if the host family is temporarily unable to provide accommodation or suitable supervision for periods of holidays or other periods
- if the host family intends to change address or contact details
- if the student fails to reside in their approved address at all times or intends to move.

If an Overseas Student Turns 18

If an overseas student turns 18 while enrolled at the School, Hunter Christian School's Confirmation of Appropriate Accommodation and Welfare (CAAW) responsibility will cease.

Additionally, the requirements under Standard 5 of the National Code and this policy will no longer apply.

If an overseas student turns 18 while enrolled in the final period of their course, Hunter Christian School may decide to apply a condition on their enrolment in the course, requiring the overseas student to continue to reside in the approved accommodation until the completion of the course. This will be made clear in an amended and signed written agreement or enrolment contract.

Record Keeping

Hunter Christian School maintains evidence of compliance with this policy by maintaining records of activities undertaken by the School in accordance with this policy, any written agreements entered into by Hunter Christian School and copies of all CAAW letters. Records will be maintained in accordance with our Overseas Students Records Management and Retention Policy.

Implementation

Hunter Christian School Procedure

The Executive Principal and/or delegate will:

- Ensure welfare arrangements are monitored by the **Lead Associate International Relations and/or Associate International Relations** conducting further site visits as required using the Homestay checklist.

The **Lead Associate International Relations and/or Associate International Relations** will:

- Conduct regular monitoring meetings with students as outlined in the Overseas Students Handbook to check welfare, accommodation and academic progress once each term. Processes Outlined in the Overseas Students Staff Handbook
- Contact the Executive Principal if any concern exists for student accommodation arrangements
- Provide Student Orientation processes as outlined in the Overseas Students Handbook.
- Regularly audit Overseas student digital records
- Ensure copies of all records are stored on the family file and/or the **Lead Associate International Relations** folders for Homestay and Current Overseas students
- Ensure the recording and maintaining of Working with Children Clearance on all relevant adults associated with homestay arrangements is up to date and recorded in digital files
- Make reports to PRISMS as required

Contact the **Head of School and Lead Associate International Relations and/or Associate International Relations** if any concern exists for student accommodation arrangements.

Provide Student Orientation processes as outlined in the Overseas Students Staff Handbook.

Younger Overseas Students Policy

Source of Obligation

Standard 5.1 of the National Code requires that where Hunter Christian School enrolls an overseas student who is under 18 years of age, it must meet the Commonwealth, state, or territory legislation or other regulatory requirements relating to child welfare and protection appropriate to the jurisdiction(s) in which it operates.

CAAW Letter Definition

The term 'CAAW Letter' means the document, in the form of a letter, issued by Hunter Christian School, to an overseas student under the age of 18, evidencing that Hunter Christian School approves of an overseas student's arrangements for accommodation, support and general welfare and the dates for which Hunter Christian School's approval is given.

Policy

It is Hunter Christian School's policy to ensure continuous compliance with Commonwealth and state or territory legislation and regulatory requirements, and common law requirements relating to child welfare, child protection and student duty of care requirements as they apply to our overseas students.

The School meets our legal and regulatory student welfare and child protection obligations through the policies and procedures in our Student Duty of Care Program and Child Protection Program.

Age-and-Culturally Appropriate Information

Under Standard 5.2 of the National Code, Hunter Christian School must ensure that overseas students under 18 years of age are given age-and-culturally appropriate information on:

- who to contact in emergency situations, including contact numbers of a nominated staff member and/or service provider to Hunter Christian School
- seeking assistance and reporting any incident or allegation involving actual or alleged sexual, physical or other abuse.

In the event of an emergency, the School ensures that all overseas students under 18 years of age enrolled at the School are provided with emergency contact numbers for:

- an emergency 24 hours contact number will be given to all overseas students

This emergency contact information, as well as information on how to seek assistance and report any incident or allegation involving actual or alleged sexual, physical or other abuse, is provided to our overseas students in an age and culturally appropriate way in our induction processes.

Accommodation, Support and General Welfare Arrangements

Under Standard 5.3, where Hunter Christian School takes on responsibility under the Migration Regulations for approving the accommodation, support and general welfare arrangements for a student who is under 18 years of age, Hunter Christian School:

- nominates the dates for which Hunter Christian School accepts responsibility for approving the student's accommodation, support and general welfare arrangements and advises the Department of Home Affairs of the dates in the form required
- ensures any adults who are involved in, or who provide, accommodation and welfare arrangements to the student, other than the parent/legal guardian or close relative of the student have appropriate Working with Children Check clearances in accordance with the School's Child Protection Program
- implements documented processes for verifying that the student's accommodation is appropriate to the student's age and needs, in accordance with our Younger Overseas Students Accommodation Arrangements Policy
- includes, as part of Hunter Christian School's Overseas Students Critical Incidents Response Policy under Standard 6 (Overseas student support services), a process for managing emergency situations and when welfare arrangements are disrupted for students under 18 years of age
- maintains up-to-date records of the student's contact details outlined in Standard 3.5, including the contact details of the parent(s), guardian(s) or any adult responsible for the student's welfare in accordance with our Overseas Students Records Management and Retention Policy
- advises the Department of Home Affairs, in the form required by the Department:
 - as soon as practicable if the student will be cared for by a parent or nominated relative approved by the Department of Home Affairs and a Confirmation of Appropriate Accommodation and Welfare (CAAW) is no longer required
 - within 24 hours if Hunter Christian School is no longer able to approve the student's welfare arrangements
- issues a CAAW Letter to Home Affairs where homestay accommodation will be provided to an overseas student.

Working with Children Checks

All adults who provide accommodation (including homestays) and welfare arrangements for an overseas student must hold a current Working with Children Check clearance, unless they are a parent or close relative of the overseas student.

This requirement applies even if the person would otherwise be exempt from the need to have a Working with Children Check under Working with Children Check legislation (for example because they are a parent of another student at the School and provide a homestay as a volunteer).

Hunter Christian School No Longer Provides Welfare Arrangements

Under Standard 5.4, if Hunter Christian School is no longer able to approve the welfare arrangements of an overseas student, the School must make all reasonable efforts to ensure that the student's parents/guardians are notified immediately.

Hunter Christian School will notify the parents/guardians of the overseas student via email and phone if Hunter Christian School can no longer approve the welfare arrangements of an overseas student.

Missing Younger Overseas Students

Standard 5.5 requires that, if Hunter Christian School is unable to contact a student and has concerns for the student's welfare, Hunter Christian School must make all reasonable efforts to locate the student, including notifying the Police and any other relevant Commonwealth, state or territory agencies as soon as practicable.

Refer to our Missing Overseas Students Policy.

Welfare Arrangements After Suspension or Cancellation

Standard 5.6 requires that, where Hunter Christian School suspends or cancels the enrolment of the overseas student, the School must continue to approve the welfare arrangements for that student until:

- the student has alternative welfare arrangements in place approved by another school
- care of the student by a parent or nominated relative is approved by the Department of Home Affairs
- the student leaves Australia
- Hunter Christian School has notified the Department of Home Affairs under Standard 5.3.6 that it is no longer able to approve the student's welfare arrangements, or under Standard 5.5 that it has taken the required action after not being able to contact the student.

Refer to our Deferring, Suspending or Cancelling an Overseas Student's Enrolment Policy for more information about the suspension and cancellation of enrolment processes.

Before terminating the CAAW for the student, Hunter Christian School must ensure that the student has new welfare arrangements formally in place. The student must provide a letter from another

registered provider, or their parents/ guardians/eligible relatives confirming that they will take responsibility for the overseas student's welfare arrangements and the date from which the new arrangements will commence.

Where an overseas student's parent/guardian or eligible relative is planning to look after the overseas student for a short period of time, such as a holiday, Hunter Christian School may decide to continue their CAAW arrangements, rather than terminate the CAAW.

Hunter Christian School may decide to terminate a CAAW where it can no longer take responsibility for the overseas student due to events, such as:

- the overseas student refuses their accommodation or leaves their accommodation without notice
- after Hunter Christian School has exhausted all possible avenues of assisting the overseas student to maintain appropriate arrangements
- the accommodation provider becomes unable to maintain arrangements
- the overseas student's enrolment is suspended or cancelled
- the overseas student goes missing from their accommodation and cannot be found or contacted, even after Hunter Christian School has implemented our Overseas Students Critical Incident Response Policy.

In the situations listed above, the School must report the overseas student within 24 hours using the 'Non-Approval of Appropriate Accommodation/Welfare Arrangements' letter in PRISMS. This may lead to cancellation of the overseas student's visa by the Department of Home Affairs for breaching visa condition 8532.

Making a report is a last resort option for Hunter Christian School and accordingly, we will make all reasonable efforts to ensure the overseas student's parents/guardian are notified immediately if we can no longer take responsibility for the overseas student's welfare.

Younger Overseas Student's Outbound Transfer

If a younger overseas student has requested a transfer from Hunter Christian School to another registered provider, in addition to complying with the requirements of Standard 7 of the Code and our overseas student Transfers Policy, Hunter Christian School must receive written confirmation from the overseas student's parent or legal guardian that supports the transfer.

Younger Overseas Student's Inbound Transfer and Welfare Arrangements

Where Hunter Christian School has enrolled a younger overseas student who is transferring to Hunter Christian School from another registered provider, we must negotiate the transfer date with the releasing provider to ensure that there is no gap in welfare arrangements.

We may be required to issue a CAAW letter covering the transition from one accommodation arrangement to another.

The **Lead Associate International Relations will** negotiate the transfer date with the releasing provider.

Where the younger overseas student is not being cared for in Australia by a parent or suitable nominated relative, we must confirm that Hunter Christian School must confirm that we accept responsibility for approving the younger overseas student's accommodation, support and general welfare arrangements in accordance with Standard 5. The **Lead Associate International Relations and/or Associate International Relations will** record the confirmation through creating and issuing a new CAAW letter covering the transition of the accommodation arrangements, using PRISMS.

The **Associate International Relations will** inform the younger overseas student and their parents/guardians of their Visa obligation to maintain their current welfare arrangements until the transfer date or have alternate welfare arrangements approved by the DHA or return to their home country until the new approved welfare arrangements take place.

The **Associate International Relations will** contact the parents/guardians via email, phone and letter.

If the Younger Overseas Student Turns 18

If the overseas student turns 18 while enrolled at the School, Hunter Christian School's CAAW responsibility will cease.

Additionally, the requirements under Standard 5 of the National Code and this policy will no longer apply to the student.

If an overseas student turns 18 while enrolled in the final period of their course, Hunter Christian School may decide to apply a condition on enrolment in the course, requiring the Overseas Student to continue to reside in the approved accommodation until the completion of the course.

This will need to be made clear in an amended and signed written agreement or individual enrolment contracts signed by the parent/guardian.

Approval of Welfare Arrangements

Under Standard 5.7, if Hunter Christian School enrolls a student under 18 years of age who has welfare arrangements approved by another registered provider, Hunter Christian School must:

- negotiate the transfer date for welfare arrangements with the releasing registered provider to ensure there is no gap
- inform the student of their visa obligations to maintain their current welfare arrangements are approved or return to their home country until the new approved welfare arrangements take effect.

Welfare Arrangements Approved by the Department of Home Affairs

If an overseas student enrolled at the School is under the age of 18, a parent/guardian or eligible relative can be nominated to take responsibility for the overseas student's accommodation and welfare arrangements.

The parent/guardian, or eligible relative must have an appropriate visa or have applied for a Student Guardian visa (subclass 590).

An eligible relative can be:

- a parent, spouse, de facto partner, brother, sister, step-parent, stepbrother, stepsister, grandparent, aunt, uncle, niece or nephew, or step-grandparent, step-aunt, step-uncle, step-niece or step-nephew; and
- nominated by the parent of the applicant or a person who has custody of the applicant, and must be:
- aged at least 21; and
- of good character, and shows this by providing Police clearance from the countries in which they have lived for more than 12 months in the past 10 years after the age of 16; and
- an Australian citizen, permanent resident or is eligible to remain in Australia until the overseas student's visa expires or the overseas student turns 18 years of age (whichever happens first).

Hunter Christian School is not obliged to follow up where a nominated guardian has been approved by the Department of Home Affairs. However, Hunter Christian School will contact the Department of Home Affairs and NSW Education Standards Authority (NESA) if they become aware that the overseas student is not being appropriately cared for.

Arrangements Accepted by Hunter Christian School

Hunter Christian School accepts responsibility for the welfare arrangements of all overseas students who are under the age of 18. These students must only stay in accommodation approved by Hunter Christian School.

Hunter Christian School does not approve an overseas student's parent, guardian or eligible relative as an appropriate welfare arrangement in a CAAW – they must be approved by the Department of Home Affairs.

If the parent, guardian or eligible relative wants to care for an overseas student on a CAAW, they should apply to be the overseas student's nominated guardian through the Department of Home Affairs. They must be granted a Student Guardian visa through the Department of Home Affairs.

Hunter Christian School can approve a person who is not an Australian citizen or permanent resident (including a family friend or family member that does not meet the definition of eligible relative) to care for the overseas student on a CAAW. The School must ensure that the person:

- is at least 21-years-old; and
- is of good character; and
- has an appropriate visa to remain in Australia until the visa expires or the overseas student turns 18; and
- has a current Working with Children Check clearance in accordance with Working with Children Check legislation.

Monitoring Welfare Arrangements

Hunter Christian School will monitor the welfare arrangements of overseas students, including the welfare arrangements where the student is living with an eligible relative under a Student Guardian visa, by conducting regular student interviews with the **Lead Associate International Relations and/or Associate International Relations** as outlined in the Overseas Students Staff Handbook.

The monitoring of welfare arrangements is conducted by the **Lead Associate International Relations and/or Associate International Relations** in liaison with the **Head of School**.

Refer to our Younger Overseas Students Accommodation Arrangements Policy.

Disruption of Welfare Arrangements

Hunter Christian School must activate our critical incident policy in emergency situations which may disrupt welfare arrangements without warning. Refer to our Overseas Students Critical Incidents Response Policy.

Records of any critical incident notifications must be maintained in accordance with Hunter Christian School's Overseas Students Records Management and Retention Policy.

Record Keeping

Hunter Christian School maintains evidence of compliance with this policy by maintaining records of CAAWs and any actions or activities undertaken by the School in relation to this policy. Records will be maintained in accordance with our Overseas Students Records Management and Retention Policy.

Implementation

The **Lead Associate International Relations** will:

- Ensure host families are provided with a list of requirements to which the hosts must agree by signing and dating.
- Complete checklists and forms to monitor this process including:
 - Host family application form,

- Student homestay application form,
- Homestay site visit checklist form.
- Ensure each adult in the household has a current WWCC
- Make reports to PRISMS as required
- Ensure copies of all records are stored on the family file and/or the **Lead Associate International Relations** folders for Homestay and Current Overseas students.

The **Associate International Relations** will:

- Conduct regular monitoring meetings with students as outlined in the Overseas Students Staff Handbook to check welfare, accommodation and academic progress
- Provide Student Orientation processes as outlined in the Overseas Students Staff Handbook
- Provide students with the emergency contact number at orientation

The **Executive** Principal will manage issues related to

- Critical Incidents
- Missing Students
- Welfare arrangements after suspension or cancellation
- The emergency contact number

Hunter Christian School Procedure

The **Lead Associate International Relations and/or Associate International Relations** is responsible for ensuring students have access to the emergency number and that processes outlined in the Overseas Students Staff Handbook for notifying students are followed.

The **Lead Associate International Relations and/or Associate International Relations** will be responsible for following the processes outlined in the Overseas Students Staff Handbook in relation to providing emergency contact numbers and collecting student mobile numbers.

Emergency Contact Telephone Number

The emergency contact telephone number is provided by a 24 hour message divert service. This provider is given the mobile phone contact details for the following school staff:

- Executive Principal
- **Lead Associate International Relations**
- **Associate International Relations**
- **Head of School**

When calling this number, students will be diverted to a school staff member in the order of the above list.

Appendix 11

Alternative Modes of Delivery Policy

Source of Obligation

Standard 8.18 of the National Code requires that Hunter Christian School must not deliver a course exclusively by online or distance learning to an overseas student.

Standard 8.19 requires that Hunter Christian School must not deliver more than one-third of the units (or equivalent) of a higher education or VET course by online or distance learning to an overseas student.

Standard 8.20 requires Hunter Christian School to ensure that in each compulsory study period for a course, the overseas student is studying at least one unit that is not by distance or online learning, unless the student is completing the last unit of their course.

Standard 8.21 requires that any online or distance learning must be in addition to minimum face-to-face teaching requirements approved by the relevant designated State authority or ESOS agency as part of the registration of the course, if applicable.

Standard 8.22 requires Hunter Christian School to take all reasonable steps to support overseas students who may be disadvantaged by:

- additional costs or other requirements, including for overseas students with special needs, from undertaking online or distance learning
- inability to access the resources and community offered by the education institution, or opportunities for engaging with other overseas students while undertaking online or distance learning.

Policy

It is the School's policy that we deliver our curriculum in accordance with Standard 8 of the National Code.

Hunter Christian School is committed to ensuring that all courses delivered to overseas students on a student visa (CRICOS students) meet or exceed the minimum face-to-face teaching time as required by NESA and the ESOS legislative framework. Any online learning offered will be supplementary and will not replace the required face-to-face instruction for each course.

Hunter Christian School is committed to offering only Vocational Education and Training (VET) courses that are classified as Industry Curriculum Framework (ICF) courses.

CRICOS students will only be able to undertake one VET course.

These courses are designed to:

- Meet the requirements set by the NSW Education Standards Authority (NESA).
- Include a mandatory Higher School Certificate (HSC) examination.
- Require completion of mandatory work placement hours.
- Contribute to a student's HSC pattern of study and, where applicable, the calculation of an Australian Tertiary Admission Rank (ATAR).

Implementation

Hunter Christian School Procedure

- The Director of Education Strategy will monitor process for ensuring the pattern of study of an overseas student does not include courses delivered exclusively by online learning in the Overseas Students Staff Handbook.
- All courses for CRICOS students are scheduled to include the minimum face-to-face teaching hours as specified by NESA guidelines.
- Online learning components are developed only as supplementary to face-to-face sessions and do not reduce the required in-person contact hours.
- Any proposed online learning activities must be approved by the Academic Council to ensure they are supplementary and do not replace required face-to-face teaching.
- Online activities are documented and reviewed to confirm they are in addition to, not a substitute for, face-to-face sessions.
- All CRICOS students are informed in writing that online learning is supplementary and that attendance in face-to-face classes is mandatory.
- Only VET courses listed under the current NESA Industry Curriculum Frameworks are available for student selection.
- The Director of Pathways and Partnerships verifies that each course includes both an HSC examination and mandatory work placement.
- Students are informed, in writing and at orientation, that:
 - Only Industry Curriculum Framework VET courses are offered.
 - Participation in the HSC examination is required for ATAR eligibility.
 - Completion of all mandatory work placement hours is essential for course completion.
 - Enrolment is only permitted in courses that satisfy these criteria.
- The VET Coordinator monitors student progress to ensure:
 - Completion of all required work placement hours.
- Registration for the HSC examination if the student intends the course to contribute to their ATAR.
- Attendance and work placement records are maintained and regularly reviewed.
- The **Lead Associate International Relations and/or Associate International Relations** will monitor the pattern of study of an Overseas student to ensure it does not include courses delivered exclusively by online learning. Processes are outlined in the Overseas Students Staff Handbook.

Monitoring Course Attendance Policy

Source of Obligation

Standard 8.1 of the National Code requires Hunter Christian School to monitor overseas students' course progress and, where applicable, attendance for each course in which the overseas student is enrolled.

Standard 8.2 requires the expected duration of study to be specified in the overseas student's CoE and must not exceed the CRICOS registered duration.

Standard 8.3 requires Hunter Christian School to 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.

Standard 8.4 requires Hunter Christian School to have and implement documented policies and processes to identify, notify and assist an overseas student at risk of not meeting course progress or attendance requirements where there is evidence from the overseas student's assessment tasks, participation in tuition activities or other indicators of course progress that the overseas student is at risk of not meeting those requirements.

Standard 8.5 requires Hunter Christian School to clearly outline and inform the overseas student before they commence the course of the requirements to achieve satisfactory course progress and, where applicable, attendance in each study period.

Standard 8.6 requires Hunter Christian School to have and implement a documented policy and process for monitoring and recording attendance of an overseas student, specifying:

- requirements for achieving satisfactory attendance for the course which at a minimum must be 80 per cent—or higher if specified under state or territory legislation or other regulatory requirements—of the scheduled contact hours
- the method for working out minimum attendance under this standard
- processes for recording course attendance
- details of Hunter Christian School's intervention strategy to identify, notify and assist overseas students who have been absent for more than five consecutive days without approval, or who are at risk of not meeting attendance requirements before the overseas student's attendance drops below 80 per cent
- processes for determining the point at which the overseas student has failed to meet satisfactory course attendance.

Standard 8.13 of the National Code requires that, where Hunter Christian School has assessed the overseas student as not meeting course attendance requirements, Hunter Christian School must give the overseas student a written notice as soon as practicable which:

- notifies the overseas student that Hunter Christian School intends to report the overseas student for unsatisfactory course attendance
- informs the overseas student of the reasons for the intention to report
- advises the overseas student of their right to access Hunter Christian School's complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.

Standard 8.14 requires Hunter Christian School to only report unsatisfactory course attendance in PRISMS in accordance with section 19(2) of the ESOS Act if:

- the internal and external complaints processes have been completed and the decision or recommendation supports the registered provider; or
- the overseas student has chosen not to access the internal complaints and appeals process within the 20 working day period; or
- the overseas student has chosen not to access the external complaints and appeals process; or
- the overseas student withdraws from the internal or external appeals processes by notifying the School or Hunter Christian School in writing.

Standard 8.15 states that Hunter Christian School may decide not to report the overseas student for breaching the attendance requirements if the overseas student is still attending at least 70 per cent of the scheduled course contact hours and the overseas student provides genuine evidence demonstrating that compassionate or compelling circumstances apply.

Standard 8.16.1 and 8.16.3 require that Hunter Christian School 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:

- there are compassionate or compelling circumstances, as assessed by the School or Hunter Christian School on the basis of demonstrable evidence; or
- 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).

Standard 8.17 requires that, if Hunter Christian School extends the duration of the student's enrolment, Hunter Christian School must advise the student to contact the Department of Home Affairs to seek advice on any potential impacts on their visa, including the need to obtain a new visa.

Policy

It is Hunter Christian School's policy:

- to regularly monitor the course attendance of our overseas students
- to monitor attendance to ensure that the overseas student meets the course attendance requirements of a minimum of 80 per cent attendance for each study period

- to implement intervention strategies and provide other support to the overseas student where the School or Hunter Christian School has determined that the overseas student is at risk of not meeting course attendance requirements, including providing written warning to the overseas student that they are at risk of not meeting the course attendance requirements
- to outline and inform overseas students before they commence at the School of the requirements to achieve satisfactory course attendance in each study period.

This Policy is available on the School website and provided to the overseas student (or parent/legal guardian if the overseas student is under 18) prior to enrolment. This policy is recorded in both the Overseas Students Enrolment Information Booklet and the Overseas Students Handbook. A copy of both these documents are emailed to the student and their parents/guardians when an enrolment application is received.

Key Definition: Study Periods

Study periods are defined as:

- semesters

Collecting and Recording Overseas Students' Attendance

In order to ensure that overseas students meet the minimum attendance requirements, the School collects and records attendance information for all students including overseas students by:

- daily roll marking and records collected in the School Management System.

Calculating and Checking Overseas Students' Course Attendance for Each Study Period

The School monitors each overseas student's course attendance and, at the end of each study period, the **Lead Associate International Relations and/or Associate International Relations** analyses the attendance records for each overseas student to assess whether each overseas student meets the minimum attendance requirement of 80 per cent of the scheduled contact hours in any study period.

The **Lead Associate International Relations and/or Associate International Relations** undertakes the process of checking, calculation and analysis by the School of each overseas student's attendance for each study period.

These records are maintained:

- in the overseas student's file
- in the central database record for each overseas student.

We apply the following method to calculate if an overseas student has satisfied their minimum attendance requirements in each study period:

- analysis of attendance data in the School Management System

Overseas Student Is At Risk of Failing to Meet Course Attendance Requirements

The School and Hunter Christian School considers an overseas student to be 'at risk' of not meeting their course attendance requirements, as outlined in the Overseas Students Staff Handbook.

Intervention and Support Strategy for Overseas Students at Risk of Failing to Meet Attendance Requirements

Where the School and Hunter Christian School determines that the overseas student is at risk of failing to meet course attendance requirements, the following intervention and support strategies will be implemented as required, based on the circumstances:

- the overseas student will be provided with a written letter advising them that their attendance is at risk of failing to meet the course attendance requirements and of the possible consequences of not meeting attendance requirements
- The School's strategies for intervention when overseas students are assessed as being at risk of not meeting their course attendance requirements are outlined in the Overseas Students Staff Handbook.

Non-attendance can be an indication that a student needs additional support and/or referral to other services. For more information, refer to our Overseas Students Support Services Policy.

Records of Course Attendance, Monitoring and Intervention

The School keeps records in relation to overseas students' satisfactory course attendance. These include:

- records of our attendance monitoring
- any evidence from an overseas student in relation to an absence
- records of meetings with students
- records of intervention strategies
- records of communication with the overseas student's parents in relation to course attendance.

Unsatisfactory Progress: Student Has Not Met Requirements

Where Hunter Christian School has assessed an overseas student as not meeting the course attendance requirements, Hunter Christian School will give the overseas student a written notice as soon as practicable which:

- notifies the overseas student and their parent/guardian in writing of its intention to report the overseas student for unsatisfactory course attendance
- advises the student that they have 20 working days in which to access Hunter Christian School's internal complaints and appeals process. For more information, refer to our Overseas Students Complaints Handling Policy.

The notification of intention to report will be issued to the overseas student as soon as practicable.

Updating PRISMS

Hunter Christian School will report via PRISMS any overseas student who has not met course attendance requirements.

Before making such a report the School will have:

- implemented an intervention strategy
- notified the overseas student and their parents/guardians in writing of Hunter Christian School's intention to report them in writing and
- allowed the overseas student 20 working days to avail themselves of the School's complaints and appeals process. For more information, refer to our Overseas Students Complaints Handling Policy.

Where:

- Hunter Christian School's internal complaints and appeals process and the external appeals process is completed, and results in a decision or recommendation that supports Hunter Christian School; or
- the overseas student has chosen not to access Hunter Christian School's complaints and appeals processes within the 20 working days; or
- the overseas student withdraws from the internal or external appeals process by notifying the School in writing
- Hunter Christian School must report the student via PRISMS for not achieving satisfactory course progress.

For more information, refer to PRISMS Maintenance Obligations.

Exception to Reporting

Hunter Christian School may decide not to report the overseas student for breaching the course attendance requirements if the overseas student is still attending at least 70 per cent of the scheduled course contact hours and if the overseas student provides genuine evidence demonstrating that compassionate or compelling circumstances apply.

Compassionate and Compelling Circumstances

Hunter Christian School considers the following circumstances as compassionate and compelling circumstances:

- medical illness or injury of the overseas student or overseas student's close relative which requires hospitalisation or impedes activities of daily living
- a mental health condition of the student or a student's close relative that results in hospitalisation or functional impairment
- death of a close relative
- an adverse experience that has impacted on the overseas student which could include:
 - being a witness to or victim of a serious accident
 - being a witness to or victim of a crime, natural disaster, or terrorism event
- a major political upheaval or natural disaster in the overseas student's home country which requires immediate emergency travel
- inability to begin study in a program on the agreed starting date due to a delay in receiving the student's visa
- other compassionate or compelling circumstances at the discretion of Hunter Christian School.

Suitable Evidence of Compassionate and Compelling Circumstances

In order for Hunter Christian School to not report the overseas student for unsatisfactory course attendance (if they are still attending at least 70 per cent of the scheduled course contact hours) on the grounds of compassionate and compelling circumstances, the overseas student must provide the School with suitable evidence to prove those circumstances. This may include:

- Health Professional reports
- Other evidence, for example, death certificate

Extension of Course Duration

Hunter Christian School may decide to extend the overseas student's course duration where it is clear that the overseas student will not be able to complete the course by the expected date for the following reasons:

- there are compassionate or compelling circumstances, as assessed by the Executive Principal at Hunter Christian School on the basis of demonstrable evidence; or

- an approved deferral or suspension has occurred as detailed in the School's Deferring, Suspending or Cancelling an Overseas Student's Enrolment Policy.

Impact of Deferral and Suspension on Attendance Monitoring

Our Deferring, Suspending or Cancelling an Overseas Student's Enrolment Policy explains Hunter Christian School's procedures in relation to the deferral or suspension of an overseas student's enrolment.

If an overseas student's enrolment is deferred or suspended, the period of suspension or deferral of enrolment (as recorded in PRISMS) should not be included in attendance monitoring calculations.

Contacting the Department of Home Affairs

If Hunter Christian School extends the duration of the overseas student's enrolment, Hunter Christian School will advise the overseas student to contact the Department of Home Affairs to seek advice on any potential impacts on their visa, including the need to obtain a new visa.

Record Keeping

Hunter Christian School maintains records in relation to activities and action taken under this policy including:

- student contact and counselling records (for example, warning letters)
- notices of intention to report
- complaints and appeals outcomes, and
- other relevant records.

Records are maintained in accordance with our overseas students Records Management and Retention Policy.

Implementation

Hunter Christian School Procedure

The **Lead Associate International Relations and/or Associate International Relations** will monitor and develop processes for Monitoring Course Attendance in the Overseas Students Staff Handbook and support the delivery site in its implementation.

The **Lead Associate International Relations and/or Associate International Relations** will use processes for Monitoring Course Attendance outlined in the Overseas Students Staff Handbook.

Monitoring Course Progress Policy

Source of Obligation

Standard 8.1 of the National Code requires Hunter Christian School to monitor overseas students' course progress and, where applicable, attendance for each course in which the overseas student is enrolled.

Standard 8.2 requires the expected duration of study to be specified in the overseas student's confirmation of enrolment (CoE) and must not exceed the CRICOS registered duration.

Standard 8.3 requires Hunter Christian School to monitor the progress of each overseas student to ensure that the overseas student is in a position to complete the course within the expected duration specified on the overseas student's CoE.

Standard 8.4 requires Hunter Christian School to have and implement documented policies and processes to identify, notify and assist an overseas student at risk of not meeting course progress or attendance requirements where there is evidence from the overseas student's assessment tasks, participation in tuition activities or other indicators of course progress that the overseas student is at risk of not meeting those requirements.

Standard 8.5 requires Hunter Christian School to clearly outline and inform the overseas student before they commence the course of the requirements to achieve satisfactory course progress and, where applicable, attendance in each study period.

Standard 8.7 requires Hunter Christian School to have and implement a documented policy and process for monitoring and recording course progress for the overseas student, specifying:

- requirements for achieving satisfactory course progress for the course
- processes for recording and assessing course progress
- details of Hunter Christian School's intervention strategy, which is implemented by School, to identify, notify and assist students at risk of not meeting course progress requirements in sufficient time for those students to achieve satisfactory course progress
- processes for determining the point at which the student has failed to meet satisfactory course progress.

Standard 8.13 requires that, where Hunter Christian School has assessed the overseas student as not meeting course progress requirements, the School must give the overseas student a written notice as soon as practicable which:

- notifies the overseas student that Hunter Christian School intends to report the overseas student for unsatisfactory course progress
- informs the overseas student of the reasons for the intention to report

- advises the overseas student of their right to access the School's complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.

Standard 8.14 requires Hunter Christian School to only report unsatisfactory course progress in PRISMS in accordance with section 19(2) of the ESOS Act if:

- the internal and external complaints processes have been completed and the decision or recommendation supports the registered provider; or
- the overseas student has chosen not to access the internal complaints and appeals process within the 20 working day period; or
- the overseas student has chosen not to access the external complaints and appeals process; or
- the overseas student withdraws from the internal or external appeals processes by notifying the School in writing.

Standard 8.16 requires that Hunter Christian School 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:

- there are compassionate or compelling circumstances, as assessed by the School on the basis of demonstrable evidence; or
- the School 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
- 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).

Standard 8.17 requires that, if Hunter Christian School extends the duration of the student's enrolment, Hunter Christian School must advise the student to contact the Department of Home Affairs to seek advice on any potential impacts on their visa, including the need to obtain a new visa.

Policy

It is Hunter Christian School's policy:

- to regularly monitor the course progress of our overseas students
- that, before an overseas student commences studying at the School we clearly outline and inform the overseas student of the requirements to achieve satisfactory course progress in each study period
- to support our overseas students so that they meet satisfactory course progress requirements
- to record and assess the course progress of our overseas students
- to warn any overseas students at risk of not meeting satisfactory course progress requirements
- to, in order for overseas students to meet satisfactory course requirements, assist overseas students at risk of not meeting satisfactory course progress
- to outline and inform overseas students before they commence at the School of the requirements to achieve satisfactory course progress in each study period.

This Policy is available on the School website and provided to the overseas student (or parent/legal guardian if the overseas student is under 18) prior to enrolment. This policy is recorded in both the Overseas Students Enrolment Information Booklet and the Overseas Students Handbook. A copy of both these documents are emailed to the student and their parents/guardians when an enrolment application is received.

Key Definition: Study Periods

Study periods are defined as:

- semesters

Course Duration

An overseas student's CoE specifies the duration of their expected course of study. To ensure that the duration of an overseas student's course of study does not exceed the period specified on the CoE, the School monitors the overseas student's course progress in accordance with the processes set out in this Policy to ensure that they are able to complete the course within the expected duration. A change to the duration of an overseas student's course may require an update to their CoE and may impact their visa.

Course Progress Requirements

The overseas student must demonstrate satisfactory course progress in any study period.

Hunter Christian School has adopted the following requirements for an overseas student to achieve satisfactory course progress for their course:

- as outlined in the Overseas Students Handbook.

Monitoring Course Progress

The School monitors, records and assesses an overseas student's course progress using the requirements specified above.

The Director of Education Strategy at the School is responsible for monitoring course progress for each overseas student for each study period and for assessing the course progress of an overseas student at the end of each study period.

The **Lead Associate International Relations and/or Associate International Relations** will make a record on the overseas student's file indicating that the course progress for each overseas student has been checked and the outcome of that checking. Overseas students who have begun part way through a study period will be assessed according to Hunter Christian School's course assessment requirements after completing one full study period.

How the School assesses course progress is outlined in the Overseas Students Staff Handbook.

A record of the monitoring of course progress for each overseas student for each study period is noted and retained on the overseas student's file.

The records the School keeps in relation to overseas students' satisfactory course progress are outlined in the Overseas Students Handbook.

Records are located on the secure School database.

The School considers an overseas student to be at risk of not meeting their course progress requirements, as outlined in the Overseas Students Handbook.

Intervention Strategies to Be Implemented

An overseas student will be identified as needing an intervention strategy when the School's course progress requirements are at risk of not being met.

The School checks course progress at the end of each study period. If, at the end of a study period, an overseas student has been assessed as being at risk of not meeting their course progress requirements the Director of Education Strategy will take action, as outlined in the Overseas Students Staff Handbook.

The School will monitor the overseas student to ensure that the overseas student completes all the elements of the intervention strategy.

The overseas student's intervention strategy for course progress will be monitored over the following study period by the Director of Education Strategy, and all records of the overseas student's response to the strategy will be kept on file in accordance with our overseas student Records Management and Retention Policy.

The **Lead Associate International Relations and/or Associate International Relations** will regularly communicate with parents/guardians via email and telephone to keep them informed of the overseas student's course progress while the overseas student is receiving formal intervention.

Unsatisfactory Course Progress: Student Has Not Met Requirements

Hunter Christian School will report an overseas student where they have failed to make satisfactory course progress.

Hunter Christian School will notify the student and their parent/guardian in writing of its intention to report the overseas student for breach of their visa, and that they have 20 working days in which to access Hunter Christian School's internal complaints and appeals process.

For more information, refer to our Overseas Students Complaints Handling Policy.

Hunter Christian School will, prior to the commencement of the next study period and after determining that the overseas student has failed to meet satisfactory course progress requirements, issue a notification of intention to report to the overseas student prior to the commencement of the next study period.

Updating PRISMS

Hunter Christian School will report via PRISMS any overseas student who has not met course progress requirements.

Before making such a report Hunter Christian School will have:

- implemented an intervention strategy
- notified the overseas student and their parents/guardians in writing of Hunter Christian School's intention to report them
- allowed the overseas student 20 working days to avail themselves of Hunter Christian School's complaints and appeals process. For more information, refer to our Overseas Students Complaints Handling Policy.

Where:

- Hunter Christian School's internal complaints and appeals process and the external appeals process is completed, and results in a decision or recommendation that supports Hunter Christian School; or
- the overseas student has chosen not to access Hunter Christian School's complaints and appeals processes within the 20 working days; or
- the overseas student withdraws from the internal or external appeals process by notifying Hunter Christian School in writing
- Hunter Christian School must report the student via PRISMS for not achieving satisfactory course progress.

For more information, refer to PRISMS Maintenance Obligations.

Extension of Course Duration

Hunter Christian School will not extend the duration of the overseas student's enrolment if the overseas student is unable to complete the course within the expected course duration unless:

- there are compassionate or compelling circumstances, as assessed by the **Executive** Principal at the School on the basis of demonstrable evidence; or
- the School has implemented, or is in the process of implementing, an intervention strategy due to the overseas student being at risk of not meeting course progress requirements; or
- an approved deferral or suspension has occurred as detailed in the Deferring, Suspending or Cancelling an Overseas Student's Enrolment Policy.

Compassionate and Compelling Circumstances

Hunter Christian School considers the following circumstances as compassionate and compelling circumstances:

- medical illness or injury of the overseas student or overseas student's close relative which requires hospitalisation or impedes activities of daily living
- a mental health condition of the student or a student's close relative that results in hospitalisation or functional impairment
- death of a close relative
- an adverse experience that has impacted on the overseas student which could include:
 - being a witness to or victim of a serious accident
 - being a witness to or victim of a crime, natural disaster, or terrorism event
- a major political upheaval or natural disaster in the overseas student's home country which requires immediate emergency travel
- inability to begin study in a program on the agreed starting date due to a delay in receiving the student's visa
- other compassionate or compelling circumstances at the discretion of the School.

Suitable Evidence of Compassionate and Compelling Circumstances

In order for Hunter Christian School to grant the overseas student an extension of the School's course on the grounds of compassionate and compelling circumstances, the overseas student must provide the School with suitable evidence to prove those circumstances. This may include:

- Health Professional reports
- Other evidence, for example, death certificate

Permitted Extension of Course Duration

If Hunter Christian School extends the duration of the overseas student's enrolment, Hunter Christian School will advise the student to contact the Department of Home Affairs to seek advice on any potential impacts on their overseas student visa, including the need to obtain a new visa.

Record Keeping

Hunter Christian School maintains records in relation to activities and action taken under this Policy including:

- student contact and counselling records (for example, warning letters)
- notices of intention to report
- complaints and appeals outcomes; and
- other relevant records.

Records are maintained in accordance with our overseas students Records Management and Retention Policy.

Implementation

Hunter Christian School Procedure

The Director of Education Strategy will monitor and develop processes for Monitoring Course Progress in the Overseas Students Staff Handbook and support the delivery site in its implementation.

The **Lead Associate International Relations and/or Associate International Relations** will use processes for Monitoring Course Progress outlined in the Overseas Students Staff Handbook.

Academic Support Policy

Source of Obligation

Standard 6.3 of the National Code requires Hunter Christian School to offer reasonable support to overseas students to enable them to achieve expected learning outcomes regardless of the overseas student's place of study or mode of study of the course, at no additional cost to the overseas student.

Standard 6.4 requires Hunter Christian School to facilitate access to learning support services consistent with the requirements of the course, mode of study and the learning needs of the overseas student cohorts, including having and implementing documented processes for supporting and maintaining contact with overseas students undertaking online or distance education.

Policy

It is Hunter Christian School's policy to offer various types of academic support to overseas students so that they can achieve expected learning outcomes under the School's curriculum.

Overseas students who require academic assistance, can contact the Director of Education Strategy, or one of their teachers for assistance.

If a teacher believes that an overseas student requires academic assistance in relation to a particular area of Hunter Christian School's curriculum, the teacher must pass this information to the Director of Education Strategy and **Associate International Relations**.

Academic Support Services

Hunter Christian School provides the following academic support services to overseas students to enable them to achieve expected learning outcomes, at no additional cost to the overseas student:

- English language assistance programs
- teachers available in all curriculum areas to assist overseas students to achieve learning outcomes.

These services aim to ensure that overseas students have regular access to academic assistance in a variety of subjects.

Online or Distance Education

In the event that Hunter Christian School provides online or distance education to our overseas students, we ensure that we maintain regular contact with, and support our overseas students via:

- email
- video conference call
- phone
- through our online portal.

Record Keeping

Hunter Christian School maintains evidence of compliance with this policy by maintaining records of academic support provided to an overseas student in accordance with this policy. Records will be maintained in accordance with our Overseas Students Records Management and Retention Policy.

Implementation

Hunter Christian School Procedure

The **Lead Associate International Relations and/or Associate International Relations** is responsible for ensuring students have access to a range of student academic support services and for informing students and where required parents academic support services that are available. Processes for informing students are outlined in the Overseas Students Staff Handbook.

Additional Registration Requirements Policy

Source of Obligation

Standard 11.1 of the National Code requires Hunter Christian School, in applying to register a full-time course at a location, to seek approval from the ESOS agency, including through the DSA, for the following:

- the course duration, including holiday breaks
- modes of study, including online, distance or work-based training
- number of overseas students enrolled at Hunter Christian School, within the limit or maximum number approved by the ESOS agency for each location
- arrangements with other education providers, including partners, in delivering a course or courses to overseas students.

Standard 11.2 requires that in seeking approval under Standard 11.1, Hunter Christian School must demonstrate any matters requested by the ESOS agency, including through the DSA, which may include but are not limited to the following:

- the expected duration of the course does not exceed the time required to complete the course on the basis of full-time study
- the expected duration of the course includes any holiday periods or any work-based training
- any work-based training to be undertaken as part of the course necessary for the student to gain the qualification and there are appropriate arrangements for the supervision and assessment of students
- the course is not to be delivered entirely by online or distance learning
- the School and any partner it engages to deliver a course or courses to overseas students has adequate staff and education resources, including facilities, equipment, learning and library resources and premises as needed to deliver the course to the overseas students enrolled with the School
- the maximum number of overseas students proposed by Hunter Christian School for the location reflects the appropriateness of the staff, resources and facilities for the delivery of the course.

Standard 11.3 requires that Hunter Christian School must submit to the Department of Education for approval, including through the DSA, information on any proposed changes to the provider's registration for a course as outlined in Standard 11.1 of the National Code at least 30 days prior to the time at which those changes are proposed to take effect.

Section 17A of the ESOS Act requires Hunter Christian School to notify the Department of Education of the occurrence of an event that would significantly affect Hunter Christian School's ability to comply with the ESOS Act.

Hunter Christian School must notify NSW Education Standards Authority (NESA) in writing via RANGS Online:

- when Hunter Christian School, or an associate of Hunter Christian School, or high managerial agent of Hunter Christian School who has been, is, or will be involved in the business of delivering programs to overseas students:
 - has been convicted of an offence
 - has been convicted of an offence under the ESOS Act at any time during the past five years
 - has ever had its CRICOS registration cancelled or suspended under the ESOS Act
 - has ever been issued with an Immigration Minister's suspension certificate
 - has ever had conditions imposed on its registration under the ESOS Act
 - has been bankrupt
 - has ever been disqualified from managing a corporation under the Corporation Act 2001 (Cth)
 - has been involved in the business of provision of courses by another provider that was listed in the points listed directly above
- of any change in the name or address of Hunter Christian School at least one month before such a change is to take effect
- of any intention to relocate premises (including the head office or principal place of business) at least three months before the relocation
- of any change in Hunter Christian School's name and/or name of a delivery site at least one month before such a change is to take place
- of any prospective changes to the ownership of Hunter Christian School as soon as practicable before the change is to take effect
- of any change to the details of courses approved including changes to course duration and course cost at least one month before such a change is to take place
- to request the cancellation or suspension of
- Hunter Christian School's approval and registration to deliver courses to the overseas students, at least three months before the cancellation or suspension.

Hunter Christian School may request to amend the scope of its approval to deliver courses to overseas students by submitting to NESA an Application to Amend Approval (CRICOS)

- in the case of requests to add or remove delivery sites, at least three months before implementing the change
- in the case of other amendments, including requests to add or withdraw a course, increase or decrease overseas student capacity or redistribute capacity across approved delivery sites, at least one month before implementing the change.

Policy

It is Hunter Christian School's policy to provide the following information to the Department of Education and NESA:

- the course duration, including holiday breaks
- modes of study, including online, distance or work-based training

- number of overseas students enrolled at the School, within the limit or maximum number approved by the Department of Education for each location
- arrangements with other education providers, including partners, in delivering a course or courses to overseas students
- the information required by section 17A of the ESOS Act.

To provide further clarification on the abovementioned list, Hunter Christian School will demonstrate any matters requested by the Department of Education and NESAs on how Hunter Christian School meets the National Code requirements including but not limited to:

- the expected duration of the course does not exceed the time required to complete the course on the basis of full-time study
- the expected duration of the course includes any holiday periods or any work-based training
- any work-based training to be undertaken as part of the course necessary for the student to gain the qualification and there are appropriate arrangements for the supervision and assessment of students
- the course is not to be delivered entirely by online or distance learning
- Hunter Christian School and any partner they engage to deliver a course or courses to overseas students has adequate staff and education resources, including facilities, equipment, learning and library resources and premises as are needed to deliver the course to the overseas students enrolled with the School
- the maximum number of overseas students proposed by Hunter Christian School for the School location reflects the appropriateness of the staff, resources and facilities for the delivery of the course.

Proposed Changes

Any proposed changes to Hunter Christian School's CRICOS registration requirements under Standard 11.1, will require Hunter Christian School to notify the Department of Education and NESAs at least 30 days prior to the time at which those changes take effect.

Section 17A Notification: Change of Ownership or Change to a Related Person

Section 17A of the ESOS Act requires Hunter Christian School to provide the Department of Education within 10 business days of the occurrence of the following events:

- any prospective changes to the ownership of the School or Hunter Christian School as soon as practicable before the change takes effect; or
- any prospective or actual change in relation to a "related person" of the School or Hunter Christian School:
 - if the change cannot be determined until it takes effect – within 10 business days of the change taking effect; or
 - otherwise – as soon as practicable before the change takes effect.

A "related person" is:

- an associate of Hunter Christian School who has been, or will be, involved in the business of the provision of Hunter Christian School courses; or
- a high managerial agent of the School.

A notice to the Department of Education under section 17A must be accompanied by information on the new owner or the related person of Hunter Christian School to enable the making of a decision under the Fit and Proper Provider Test.

Record Keeping

Hunter Christian School maintains the records in relation to activities and actions taken under this policy. Records will be maintained in accordance with our Overseas Students Records Management and Retention Policy.

Implementation

Notifications to NESAs will be made by the Executive Principal. Notifications to PRISMS will be made by the **Lead Associate International Relations**.

Hunter Christian School Procedure

Notifications to NESAs will be made by the Director of Education Strategy. Notifications to PRISMS will be made by the **Lead Associate International Relations**.

Deferring, Suspending or Cancelling an Overseas Student's Enrolment Policy

Source of Obligation

Standard 2.1 of the National Code requires Hunter Christian School to make available to the overseas student or intending overseas student, comprehensive, current and plain English information on the grounds on which an overseas student's enrolment may be deferred, suspended or cancelled.

Standard 9.1 of the National Code requires Hunter Christian School to have and implement a documented process for assessing, approving and recording a deferment of the commencement of study or suspension of study requested by an overseas student, including maintaining a record of any decisions.

Standard 9.2 states that Hunter Christian School may defer or suspend the enrolment of the student if it believes there are compassionate or compelling circumstances.

Standard 9.3 states that Hunter Christian School may suspend or cancel a student's enrolment including, but not limited to, on the basis of:

- misbehaviour by the student
- the student's failure to pay an amount they were required to pay Hunter Christian School to undertake or continue the course as stated in the written agreement
- a breach of course progress or attendance requirements by the overseas student, which must occur in accordance with Standard 8 (Overseas student visa requirements).

Policy

An overseas student's enrolment can be deferred, suspended or cancelled for different reasons. The student may initiate a deferment or suspension on the grounds of compassionate or compelling circumstances. The School may suspend or cancel an enrolment due to student misbehaviour, a failure to pay fees or a breach of course progress or attendance requirements.

Any decision to defer, suspend or cancel an overseas student's enrolment must be made in accordance with the requirements of the National Code.

Deferral or Suspension Initiated by Student

An overseas student can apply to defer or suspend their enrolment at the School on the grounds of compassionate or compelling circumstances.

Student Application to Defer/Suspend Enrolment

An overseas student must submit an application in writing via enrolment@hunterchristian.nsw.edu.au to the School detailing their reasons for their request for a deferral or suspension. The application must include suitable documentary evidence to substantiate the overseas student's compassionate or compelling circumstances.

The overseas student's application for deferment/suspension must be submitted to the **Lead Associate International Relations** for review.

Deferment or Suspension by Hunter Christian School: Compassionate or Compelling Circumstances

Hunter Christian School may agree to defer or suspend an overseas student's enrolment if it believes there are compassionate or compelling circumstances.

Hunter Christian School will consider the following as compassionate and compelling circumstances:

- medical illness or injury of the overseas student or overseas student's close relative which requires hospitalisation or impedes activities of daily living. For example, being affected by COVID-19
- a mental health condition of the student or a student's close relative that results in hospitalisation or functional impairment
- death of a close family member
- adverse experience that has impacted on the overseas student which could include:
 - being a witness to or victim of a serious accident
 - being a witness to or victim of a crime, natural disaster, or terrorism event
- major political upheaval or natural disaster in the overseas student's home country which requires immediate emergency travel
- inability to begin study in a program on the agreed starting date due to a delay in receiving an overseas student visa
- where the School is unable to offer a prerequisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol
- other compassionate or compelling circumstances at the discretion of the School.

There is no maximum period for a deferral for compassionate or compelling reasons, but the deferral must be assessed in accordance with the processes in this policy.

Suitable Evidence of Compassionate or Compelling Circumstances

In order for Hunter Christian School to grant the overseas student a deferment or suspension of their enrolment on the grounds of compassionate and compelling circumstances, the overseas student must provide Hunter Christian School with suitable documentary evidence to prove the compassionate and compelling circumstances. This may include:

a medical certificate

- a report from a counsellor/**Psychologist**
- death certificate (when possible).

If Hunter Christian School becomes aware that the student has provided us with fraudulent evidence or documents given to support a claim of compassionate or compelling circumstances, we may decide to suspend or cancel their enrolment.

If the deferral or suspension is approved by the **Executive Principal** they will:

- advise the overseas student in writing of the approved deferral period and their new commencement date, as well as the impact this may have on their visa status; and
- report the change to the overseas student's enrolment under section 19 of the ESOS Act. For more information, refer to PRISMS Maintenance Obligations.

If the deferral or suspension is refused by the **Executive Principal** they will advise the overseas student in writing of the refusal and advise the overseas student of their right to appeal through Hunter Christian School's internal complaints and appeals process, in accordance with Standard 10 (Complaints and appeals) and our Overseas Students Complaints Handling Policy. The overseas student has 20 working days to lodge an appeal of the decision with Hunter Christian School.

Student-Initiated Cancellation

Overseas Students may have their enrolment cancelled if the overseas student applies to cancel their enrolment (e.g. transfer to another institution due to serious illness).

Where an overseas student cancels their enrolment, the Refund Policy applies to any refund.

Suspension or Cancellation by Hunter Christian School: Misbehaviour, Failure to Pay Fees, Breach of Course Progress or Attendance Requirements

Hunter Christian School may decide to suspend or cancel an overseas student's enrolment on the basis of, but not limited to:

- misbehaviour by the student

- the student's or the student's parents/guardians' failure to pay an amount they were required to pay Hunter Christian School to undertake or continue the course as stated in the written agreement
- a breach of course progress or attendance requirements by the overseas student, which must occur in accordance with Standard 8 (Overseas student visa requirements). Refer to our Unsatisfactory Course Progress or Attendance Policy.

For breaches of course progress or attendance requirements, a decision to suspend or cancel an overseas student's enrolment for any of the reasons above cannot take effect until both an internal appeals process and any external appeals process are completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk. Refer to the Initiating Suspension or Cancellation section below.

Initiating Suspension or Cancellation

Standard 9.4 requires that if Hunter Christian School initiates a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation, Hunter Christian School must:

- inform the overseas student and their parents/guardians of that intention and the reasons for doing so, in writing and
- advise the overseas student of their right to appeal through the School's internal complaints and appeals process, in accordance with Standard 10 (Complaints and appeals) and our Overseas Students Complaints Handling Policy within 20 working days.

Accessing Internal and External Appeal Processes

Student Misbehaviour or Fee Non-Payment

If the suspension or cancellation action is due to the overseas student's misbehaviour or non-payment of fees, and the overseas student decides to lodge an internal appeal, Hunter Christian School will wait until the assessment of the appeal is concluded before acting to suspend or cancel the enrolment.

If the overseas student is not successful in its appeal to Hunter Christian School and is dissatisfied with the outcome, Hunter Christian School will offer the overseas student access to an external complaints handling and appeals process via the Commonwealth Overseas Students Ombudsman (OSO). For more information about our internal appeals process and accessing the OSO, refer to our Complaints Handling Policy.

Hunter Christian School can take action to cancel or suspend the overseas student's enrolment without waiting for the OSO's investigative process to be completed.

Failure to Meet Course Progress or Course Attendance Requirements

If the overseas student is failing to meet course progress or course attendance requirements and Hunter Christian School has notified them of our intention to report them to PRISMS in writing. The overseas student can participate in our internal complaints and appeals process. For more information about our internal appeals process, refer to our Complaints Handling Policy.

If the overseas student is not successful in their appeal to Hunter Christian School and is dissatisfied with the outcome, Hunter Christian School will offer the overseas student access to an external complaints handling and appeals process via the OSO. If, as part of the external appeals process, the overseas student has contacted the OSO in accordance with the Complaints Handling Policy, Hunter Christian School must wait for the OSO to conclude its complaint investigation process before taking any action. Hunter Christian School must then only report the overseas student if the OSO concluded at the completion of its investigation that it supports Hunter Christian School in our decision to report.

Deferral, Suspension or Cancellation Action

Standard 9.5 requires that when there is any deferral, suspension or cancellation action taken by Hunter Christian School under this Standard, the School or Hunter Christian School will:

- inform the overseas student of the need to seek advice from the Department of Home Affairs on the potential impact on their student visa (see Effect on CoE below)
- report the change to the overseas student's enrolment under section 19 of the ESOS Act. Refer to PRISMS Maintenance Obligations.

Effect on Confirmation of Enrolment (CoE)

Hunter Christian School must inform overseas students that deferring, suspending or cancelling an enrolment on any grounds may affect their student visa.

Procedural Fairness

Hunter Christian School is committed to ensuring procedural fairness when suspending or cancelling an overseas student's enrolment with Hunter Christian School.

Where a decision has been considered to suspend or cancel the enrolment of the student, the Principal will:

- write to the student, and the student's parents/guardians stating:
 - the reasons that the student's enrolment is under consideration for suspension or cancellation
 - the relevant rules, policies, standards of behaviour alleged to be breached
 - the relevant allegations said to warrant suspension or expulsion

- allow the student and/or the student's parents/guardians to give a response, either in writing or verbally
- allow the student to have a support person of the student's choosing
- arrange a meeting with the student, the student's support person where applicable, and the student's parents/guardians where possible
- arrange for an interpreter, if one is required
- ensure that any meetings are documented.

Impact of Deferral and Suspension on Student Attendance

If an overseas student's enrolment is deferred or suspended, the period of suspension or deferral of enrolment (as recorded in PRISMS) should not be included in attendance monitoring calculations. Refer to our Monitoring Course Attendance Policy.

Record Keeping

Each decision relating to overseas students' enrolment, including evidence of any assessments made by Hunter Christian School and notifications to the Department of Education through PRISMS, is recorded and maintained on the file, in accordance with our Overseas Students Records Management and Retention Policy.

Implementation

Decisions to suspend or cancel enrolment will be made by the Executive Principal.

The Executive Principal will work in liaison with the relevant **Head of School, the Associate International Relations**, the Accountant and the **Lead Associate International Relations** depending on whether the decision is related to:

- Compelling circumstances
- Misbehaviour
- Course Progress or attendance
- Failure to pay fees

The Executive Principal will manage the process of procedural fairness and inform the student and parents of the right to appeal Notifications to PRISMS will be made by the **Lead Associate International Relations**.

Hunter Christian School Procedure

The Executive Principal (PEO) will work in liaison with the

- **Lead Associate International Relations**
- **Associate International Relations**

- Accountant
- Strategic Leadership Team
- Family Engagement Team

depending on whether the decision is related to:

- Compelling circumstances
- Misbehaviour
- Course Progress or attendance
- Failure to pay fees.

The Executive Principal (PEO) will manage the process of procedural fairness and inform the student and parents of the right to appeal.

Formalisation of Overseas Student Enrolment and Written Agreements Policy

Source of Obligation

Standard 3.1 of the National Code requires Hunter Christian School to enter into a written agreement with an overseas student or intending overseas student, signed or otherwise accepted by the student, concurrently with or prior to accepting payment of tuition fees and non-tuition fees.

A written agreement may take any form, provided it meets the requirements of the ESOS Act and the National Code.

Acceptance of Written Agreements for Younger Overseas Students

Under Standard 3.2, if the overseas student or intending overseas student is under 18 years of age (a younger overseas student), the written agreement must be signed or other accepted by their parent/guardian.

Written Agreement Requirements

Standard 3.3 requires that in addition to all requirements in the ESOS Act, the written agreement must, in plain English:

- 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 (including, if permitted under the ESOS Act, that the student may choose to pay more than 50 per cent of their tuition fees before their course commences)
- 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 by Hunter Christian School, the Commonwealth including the Tuition Protection Service (TPS),

or state or territory agencies, in accordance with the Privacy Act 1988 (Cth) and Hunter Christian School's Privacy Policy

- outline Hunter Christian School's internal and external complaints and appeals processes, in accordance with Standard 10 (Complaints and Appeals) and with Hunter Christian School's Overseas Students Complaints Handling Policy
- state it is the responsibility of the student to keep a copy of the written agreement as supplied by Hunter Christian School, and receipts of any payments of tuition fees or non-tuition fees
- only use hyperlinks to provide supplementary material.

Standard 3.4 requires Hunter Christian School to also include the following information in the written agreement in relation to refunds of tuition fees and non-tuition fees in the case of student default and/or Hunter Christian School's default:

- amounts that may or may not be repaid to the overseas student (including any tuition and non-tuition fees collected by Education Agents on behalf of Hunter Christian School)
- processes for claiming a refund
- the specified person(s), other than the overseas student, who can receive a refund in respect of the overseas student identified in the in the written agreement, consistent with the ESOS Act
- a plain English explanation of what happens in the event of a course not being delivered, including the role of the TPS
- the following statement reserving the student's rights in Australian Consumer Law:

"This written agreement, and the right to make complaints and seek appeals of decisions and actions 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."

Standard 3.5 requires overseas students, while in Australia and studying with Hunter Christian School, to advise the School of their 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 seven days of the change.

Policy

It is Hunter Christian School's policy that our written agreements with each overseas student and intending overseas student comply with the requirements under Standard 3 of the National Code and the ESOS Act.

Timing of Signing or Acceptance

The written agreement between Hunter Christian School and the overseas student or intending overseas student (or their parents/guardians if under 18 years of age) must be signed or accepted at the same time or prior to Hunter Christian School accepting payment of any tuition or non-tuition fees.

Payment of Fees Before a Course Commences

Section 27 of the ESOS Act prohibits Hunter Christian School from receiving more than 50 per cent of an overseas student or intending overseas student's total tuition fees for a course before the student has begun the course unless the student or the person responsible for pay those fees chooses to pay more than 50 per cent.

Hunter Christian School may also receive more than 50 per cent of the fees before the course starts if the course has a duration of 25 weeks or less.

If Hunter Christian School receives tuition fees for a course before the course has begun, Hunter Christian School must manage that money in accordance with the requirements of sections 28-30 of the ESOS Act.

Refunds

The written agreement between Hunter Christian School and the overseas student or intending overseas student (or their parents/guardians if under 18 years of age) includes information regarding refunds.

Hunter Christian School must pay the refund to the following person:

- the overseas student
- if a person (other than the student) is specified in the agreement to receive any refund under this section – the specified person.

Refer to our Overseas Students Refund Policy.

Record Keeping

Hunter Christian School maintains evidence of compliance with this policy by maintaining records of all written agreements entered into with overseas students. Records will be maintained in accordance with our Overseas Students Records Management and Retention Policy.

Implementation

Hunter Christian School Procedure

The issuing of written agreements is monitored by the **Lead Associate International Relations** under the supervision of the Executive Principal (PEO).

The **Lead Associate International Relations** is responsible to ensure a copy of the written agreement is saved to the student record in the School Management System and a signed hard copy is stored in the Family File of the student. The overseas cover sheet records the sending and receipt dates of the written agreement.

English Language Proficiency and Educational Qualifications Policy

Source of Obligation

Standard 2.2 of the National Code requires Hunter Christian School to implement a documented policy and process for assessing whether an overseas student's English language proficiency, educational qualifications or work experience is sufficient to enable them to enter the course.

Policy

It is Hunter Christian School's policy to assess an overseas student's English language proficiency and educational qualifications during the recruitment process and prior to their enrolment at Hunter Christian School.

Assessing English Language Proficiency

The School uses the following types of assessment to determine whether an intending overseas student satisfactorily meets the minimum level of English proficiency required for the course:

- the Australian Education Assessment Services (AEAS) English Language Proficiency Test
- the International English Language Testing System (IELTS)
- student academic reports
- in school testing (PAT and other instruments as required)

Assessing Educational Qualifications

Hunter Christian School may assess the educational qualifications of an intending overseas student by requesting:

- educational certificates
- school reports from the student's home country
- student academic reports from the school which the overseas student attended in their home country and/or the school they attend/ed overseas
- course material of the school which the overseas student attended in their home country and/or the school they attend/ed overseas
- ELICOS reports

Record Keeping

Hunter Christian School maintains evidence of compliance with this policy by maintaining records of assessments made in relation to overseas students. Records will be maintained in accordance with our Overseas Students Records Management and Retention Policy.

Implementation

Hunter Christian School Procedure

The process for assessment of language proficiency will be monitored by the **Lead Associate International Relations**. Access to documentation is available in the School Management System.

The **Lead Associate International Relations** is responsible to ensure copies of reports and test results for overseas students are stored in the School Management System. A hard copy is also stored with the physical family file. The date the records are received is recorded in the School Management System.

Overseas Student Transfers Policy

Source of Obligation

Standard 7 of the National Code sets out the requirements with which Hunter Christian School must comply when considering a transfer request:

- from an overseas student enrolled at Hunter Christian School to leave Hunter Christian School and enrol with another registered provider (Outbound Student Transfer)
- from an overseas student enrolled at another registered provider to enrol at Hunter Christian School (Inbound Student Transfer).

Policy

This Policy addresses four types of overseas student transfers:

- Inbound Student Transfer Request Within the First Six Months
- Outbound Student Transfer Request Within the First Six Months
- Inbound Student Transfer Request After the First Six Months
- Outbound Student Transfer Request After the First Six Months.

Hunter Christian School will not knowingly enrol an overseas student seeking to transfer from another registered provider within the first six months of their course (Inbound Student Transfer Request Within the First Six Months) except in circumstances that meet the exceptions under Standard 7.1 of the National Code.

Hunter Christian School will consider an Outbound Student Transfer Request Within the First Six Months in accordance with Standard 7.2 of the National Code.

For information about how to manage student transfers in PRISMS, refer to Additional Resources.

Inbound Student Transfer Request Within the First Six Months

If an Inbound Student Transfer Request is made prior to the overseas student completing the first six months of their first registered school sector course, we will not knowingly enrol that overseas student at Hunter Christian School unless one of the following exceptions applies:

- the releasing registered provider, or course in which the overseas student is enrolled, has ceased to be registered
- the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing their course at that registered provider

- the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
- any government sponsor of the overseas student considers the change to be in the overseas student's best interests and has provided written support for the change.

Where an Inbound Student Transfer Request Within the First Six Months is made based on one of the exceptions listed above, the overseas student must:

- submit a written request
- ensure that this is accompanied by evidence to demonstrate how the applicable exception applies to the overseas student.

If Hunter Christian School considers that, using the evidence available, the transfer meets one of the exceptions listed above, Hunter Christian School will grant the transfer request and agree to the enrolment of the student at the School.

Outbound Student Transfer Request Within the First Six Months

If an Outbound Student Transfer Request is made prior to the overseas student completing the first six months of their first registered school sector course at Hunter Christian School, the following process must be followed:

- submit a written request to the Executive Principal
- ensure that this is accompanied by evidence demonstrating why the transfer is in their best interests
- must be accompanied by a valid enrolment offer from another registered provider

Hunter Christian School will grant the transfer request and agree to the release of the overseas student where Hunter Christian School has made an assessment, using the evidence submitted by the overseas student, that the transfer is in the overseas student's best interests. Circumstances where a transfer will be in an overseas student's best interests include that:

- the overseas student will be reported or is at risk of being reported because they are unable to achieve satisfactory course progress at the level that they are studying, even after engaging with Hunter Christian School's intervention strategy, as outlined in our Academic Support Policy
- there is evidence of "compassionate or compelling circumstances" (outlined in more detail below)
- Hunter Christian School has failed, or will fail, to deliver the course as outlined in the written agreement
- there is evidence that the overseas student's reasonable expectations about their current course are not being met
- there is evidence that the overseas student was misled by Hunter Christian School or an education or migration agent regarding Hunter Christian School or its course and the course is therefore unsuitable to their needs and/or study objectives
- an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.

Standard 7.2.4 requires Hunter Christian School to set a reasonable timeframe for assessing the overseas student's Outbound Student Transfer request, having regard to the restriction period. It is the School's policy that we will respond to the overseas student's Outbound Student Transfer request within 10 business days of the overseas student lodging the document with the Executive Principal.

Compassionate or Compelling Circumstances

Circumstances where it would be appropriate to agree to an Outbound Student Transfer Request include the existence of "evidence of compassionate or compelling circumstances" (Standard 7.2.2.2. of the National Code).

Compassionate or compelling circumstances are generally those beyond the control of the overseas student and which have an impact upon the overseas student's course progress or wellbeing. These include, but are not limited to:

- serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes
- bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
- a major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies
- a traumatic experience, which could include:
 - involvement in, or witnessing of a serious incident
 - witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be supported by police or psychologists' reports)
- where the School was unable to offer a pre-requisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.

When determining whether compassionate or compelling circumstances exist, the School may require the student to provide documentary evidence to support a claim. Examples of appropriate documentary evidence include:

- a detailed medical statement from a physician or medical specialist (a doctor's certificate is not acceptable)
- a detailed statement from a **Counsellor/Psychologist** who has been involved in the assessment and/or treatment
- a police statement
- a copy of a death certificate or death notice for close family member.

Supporting documentation for compassionate or compelling circumstances must be from an independent source or authority, and clearly indicate:

- what the special circumstances were
- when they occurred
- how long they lasted
- the level of impact of the special circumstances

Outbound Student Transfer Request After the First Six Months

If an Outbound Student Transfer Request is made after the overseas student has completed the first six months of their first registered school sector course at Hunter Christian School, the following process must be followed:

- submit a written request to the Executive Principal
- the document must be accompanied by a valid enrolment offer from another registered provider

Inbound or Outbound Transfer request of an Overseas Student Under 18

If an Inbound or Outbound Student Transfer Request relates to an overseas student who is under 18 years of age Hunter Christian School must have written confirmation that the overseas student's parent/guardian supports the Transfer request.

Further, where there is an Inbound Student Transfer Request from a student who is under 18 years of age and the overseas student is not being cared for in Australia by a parent or a suitable nominated relative, Hunter Christian School must confirm that it accepts the responsibility for approving the student's accommodation, support and general welfare arrangements in accordance with Standard 5 (Younger overseas students).

For more information, refer to our Younger Overseas Students Policy.

Hunter Christian School ensures that we meet these requirements of Standard 7.3 of the National Code.

It is the responsibility of the receiving provider to ensure that there are no gaps in the overseas student's welfare arrangements.

No Cost Release

If Hunter Christian School grants a release, it will be at no cost to the overseas student and Hunter Christian School will advise the overseas student to contact the Department of Home Affairs to seek advice on whether a new student visa is required.

Refusal of Outbound Student Transfer Request Made Within the First Six Months

Hunter Christian School will refuse a request for an Outbound Student Transfer where we consider it is reasonable to do so.

Reasonable grounds include:

- the transfer is not in the overseas student's best interests
- the written application for transfer is not accompanied by a valid offer of enrolment from another provider
- Hunter Christian School does not have written confirmation that the overseas student's parent/guardian supports the transfer
- where the overseas student is under 18 years of age, and is not being cared for in Australia by a parent or a suitable nominated relative, Hunter Christian School does not have confirmation that the receiving provider accepts the responsibility for approving the student's accommodation, support and general welfare arrangements in accordance with Standard 5 (younger overseas students)
- the overseas student has outstanding debts owed to Hunter Christian School
- the overseas student wants to live somewhere else
- the overseas student is not at risk of failing to achieve satisfactory course progress at the level they are studying
- there is no evidence of compassionate or compelling circumstances that should be considered by Hunter Christian School
- Hunter Christian School has not and will not fail to deliver the course as outlined in the written agreement
- there is no evidence that the overseas student's reasonable expectations about their current course are not being met
- there is no evidence that the overseas student was misled by Hunter Christian School or an education migration agent regarding Hunter Christian School or its course and the course is therefore unsuitable to their needs and/or study objectives.

When Hunter Christian School intends to refuse a request, Hunter Christian School will inform the overseas student in writing (can be by email) of:

- the reasons for refusal; and
- the overseas student's right to access Hunter Christian School complaints and appeals process, outlined in our Overseas Student's Complaints Handling Policy within 20 working days of the decision being made.

Actions Following Outbound Student Transfer Request: Successful Request

The **Associate International Relations** will:

- provide the overseas students with a Successful Transfer Request Letter via email. It is Hunter Christian School's policy that the Successful Transfer Request Letter advises the overseas student to contact Home Affairs to seek advice on whether a new student visa is required
- cancel/report the overseas student's CoE via PRISMS
- ensure that the overseas student's Application for Outbound Student Transfer Request, evidence and outcome are recorded on the overseas student's file
- record the overseas student's transfer outcome in PRISMS.

The release will be at no cost to the overseas student.

Actions Following Outbound Student Transfer Request: Unsuccessful Request

Hunter Christian School will only finalise the overseas student's refusal status in PRISMS when:

- any appeal finds in favour of Hunter Christian School
- the overseas student has chosen not to access the complaints and appeals process within the 20 working day period; or
- the overseas student withdraws from the process.

Attendance

The submission of a request to transfer by an overseas student does not preclude the overseas student from maintaining course attendance requirements.

Recruitment

It is our policy that we will not recruit any overseas student who is enrolled at another registered provider in conflict with our obligations under section 7.1 of the National Code.

Availability

To ensure that this policy is publicly available to staff and overseas students, we provide this policy on our public website.

Record Keeping

Standard 7.7 requires Hunter Christian School to maintain records of all requests from overseas students for a release and the assessment of, and decisions regarding, the request, for two years after the overseas student ceases to be an accepted student.

Hunter Christian School maintains all records of requests from overseas students for a student transfer and the assessment of, and decisions regarding, the request will be maintained in accordance with our Overseas Students Records Management and Retention Policy for two years after the overseas student ceases to be an accepted student.

Implementation

Hunter Christian School Procedure

The Executive Principal (PEO) is responsible for

- Decisions in relation to approval or refusal of transfer
- The complaints and appeals process.

The **Lead Associate International Relations** is responsible to ensure all obligations regarding:

- Documentation in relation to transfer processes.
- timings in relation to complaints and appeals process,
- PRISM notifications are carried out according to the obligations of the national Code and the School Transfer Policy.

Recognition of Prior Learning Policy

Source of Obligation

Standard 2.3 of the National Code requires Hunter Christian School to have and implement a documented policy and process for assessing and recording recognition of prior learning (RPL), and granting and recording course credit, if Hunter Christian School intends to assess or grant course credit.

Hunter Christian School's decision to assess RPL or grant course credit must preserve the integrity of the award to which it applies and comply with the requirements of the educational framework of the course.

Recognition of Prior Learning (RPL)

RPL is an assessment process that involves an assessment of an overseas student's prior learning, including formal, informal and non-formal learning, to determine the learning outcomes of an individual.

Policy

It is Hunter Christian School's policy to assess and record prior learning of an overseas student upon request by the student and, if applicable, make a decision to recognise that prior learning for the purposes of enrolment in a course at Hunter Christian School.

Hunter Christian School must ensure that the decision to assess and record the overseas student's prior learning preserves the integrity of the award and complies with the requirements of the educational framework of the course.

The decision must be recorded in accordance with our Overseas Students Records Management and Retention Policy.

Assessing RPL

When Hunter Christian School is assessing an overseas student's prior learning, Hunter Christian School will assess:

- the overseas student's academic report from the school they attended overseas
- statement of attainment or similar
- education certificates obtained overseas.

Granting of RPL

Under Standard 2.4, if Hunter Christian School grants RPL to an overseas student, Hunter Christian School must give a written record of the decision to the overseas student. Hunter Christian School retains the written record of acceptance in accordance with our Overseas Students Records Management and Retention Policy.

If Hunter Christian School grants RPL or course credit that reduces the overseas student's course duration under Standard 2.5, Hunter Christian School must:

- inform the overseas student of the reduced course duration following the grant of RPL and ensure the confirmation of enrolment (CoE) is issued only for the reduced duration of the course
- report any change in course duration in PRISMS if RPL is granted after the overseas student's visa is granted.

Record Keeping

Hunter Christian School maintains evidence of compliance with this policy by maintaining records of assessments and decisions made regarding requests to grant RPL. Records will be maintained in accordance with our Overseas Students Records Management and Retention Policy.

Implementation

Hunter Christian School Procedure

The process for assessment of language proficiency will be monitored by the **Lead Associate International Relations and/or Associate International Relations**. Access to documentation is available in the School Management System. These roles should be cc'd into email communication re assessment of overseas students.

The **Lead Associate International Relations and/or Associate International Relations** is responsible to ensure copies of school reports, certificates or other relevant documentation is stored on the student's electronic and paper file. Decisions in relation to assessment of the student's prior learning are made by the **Executive Principal**. Any decision is recorded in the School Management System by the **Lead Associate International Relations** or delegate. The **Lead Associate International Relations and/or Associate International Relations** or delegate is responsible for reporting any change of course duration in PRISMS.

Recruitment of Overseas Students Policy

Source of Obligation

Standard 2.1 of the National Code requires Hunter Christian School, prior to accepting an overseas student or intending overseas student for enrolment, to make comprehensive, current and plain English information available to the overseas student or intending overseas student on:

- the requirements for an overseas student's acceptance into a course, including the minimum level of English language proficiency, educational qualifications or work experience requirements, and course credit if applicable
- the CRICOS course code, course content, modes of study for the course including compulsory online and/or work-based training, placements, other community-based learning and collaborative research training arrangements, and assessment methods
- course duration and holiday breaks
- course outcomes such as qualification, award or other outcomes
- campus locations and facilities, equipment and learning resources available to students
- the details of arrangements with another provider, person or business who will provide the course or part of the course
- indicative tuition and non-tuition fees, including advice on the potential for changes to fees over the duration of the course, and Hunter Christian School's cancellation and refund policies
- the grounds on which the overseas student's enrolment is deferred, suspended or cancelled
- the ESOS Framework, including official Australian Government material or links to this material online
- policies and processes Hunter Christian School has in place for approving the accommodation, support and general welfare arrangements for younger overseas students
- accommodation options and indicative costs of living in Australia.

Policy

It is Hunter Christian School's policy to ensure that, prior to accepting overseas students for enrolment, Hunter Christian School provides comprehensive, current and plain English information to the overseas student or intending overseas student on all matters required of Hunter Christian School by National Code Standard 2.1.

Younger Overseas Students

Younger overseas students are students who are under the age of 18.

As part of Hunter Christian School's commitment to keeping our overseas students safe, Hunter Christian School has implemented policies and procedures to ensure our overseas students, and in particular, our younger overseas students, remain safe.

Refer to our Younger Overseas Students Policy.

Cancellation and Refunds

Standard 2.1 of the National Code requires Hunter Christian School to have documented cancellation and refunds policies available for our overseas students or intending overseas students.

Refer to our Deferring, Suspending or Cancelling an Overseas Students Enrolment Policy and Overseas Students Refund Policy.

English Language Proficiency and Educational Qualifications

Standard 2.2 of the National Code requires Hunter Christian School to have a documented policy and process for assessing whether an overseas student's English language proficiency and educational qualifications are sufficient to enable them to enter the course.

Refer to our English Language Proficiency and Educational Qualifications Policy.

Recognition of Prior Learning

Standard 2.3 of the National Code requires Hunter Christian School to have and implement a documented policy and process for assessing, recording and granting recognition of prior learning (RPL).

Refer to our Recognition of Prior Learning Policy. The Recognition of Prior Learning Policy also applies to Standards 2.4 and 2.5.

Provision of CRICOS Course Information

Hunter Christian School's CRICOS course codes are:

- 118946C Primary (K-6)
- 118947B Junior Secondary (7-10)
- 118948A Senior Secondary (11-12)

The mode of study at Hunter Christian School are:

- in person/face-to-face
- online
- distance
- community based learning

The course duration follows Hunter Christian School's term dates and are located on the School's website.

Holiday Breaks

The School's holiday breaks are at the end of each school term and dates are published on our school website.

Course Qualifications

Upon completion of the Senior Secondary course, a successful overseas student will receive the Higher School Certificate (HSC).

Arrangements with Other Providers

Hunter Christian School works with a number of other providers, people or businesses such as:

- TAFE NSW
- Pacific Online

Tuition and Non-Tuition Fees

Hunter Christian School ensures that it provides information on the indicative tuition and non-tuition fees, including advice on potential changes to fees over the duration of the course, and Hunter Christian School's cancellation and refund policies prior to enrolment and commencement of the student.

Hunter Christian School's tuition fees are available in our written agreements and are available on request.

Hunter Christian School's non-tuition fees are detailed in our written agreements and are available on request.

If Hunter Christian School enters into an arrangement with one or more other providers to provide a course jointly, the arrangement will be one where:

- the student pays their tuition fees to Hunter Christian School and not directly to the other providers; or
- both:
 - be in writing; and
 - provide for the receipt and disbursement of any tuition fees paid by students directly to any of the other providers.

Any tuition fees paid by students directly to any of the other providers is taken to have been paid directly to Hunter Christian School.

Campus Location

Hunter Christian School's courses for overseas students are offered onsite at the School (Corner of Kerr and Bull streets, Mayfield NSW Australia).

Record Keeping

Hunter Christian School maintains evidence of compliance with this policy by maintaining records of information provided to overseas students. Records will be maintained in accordance with our Overseas Students Records Management and Retention Policy.

Implementation

Hunter Christian School Procedure

The process of recruitment will be monitored by the Executive Principal (PEO).

Additional Registration Obligations

Fit and Proper Provider Test

In deciding whether Hunter Christian School's CRICOS registration will be accepted or renewed, section 7A of the ESOS Act authorises either the Commonwealth Department of Education or NESAs to determine if Hunter Christian School is fit and proper to be registered.

Fit and Proper to Be Registered

In deciding whether Hunter Christian School is fit and proper to be (or remain) CRICOS registered, the Commonwealth Department of Education, or NESAs, must have regard to whether Hunter Christian School, or a related person of Hunter Christian School, has ever:

- been convicted of an offence;
- had their registration cancelled or suspended under the current or old ESOS Act;
- been issued with an Immigration Minister's suspension certificate;
- had a condition imposed under the ESOS Act on the registration of another provider;
- become bankrupt or insolvent;
- participated in any agreements for composition with creditors;
- made an assignment of the remuneration of the provider or person benefit of one or more creditors of the provider or person;
- been disqualified from managing corporations under Part 2D.6 of the Corporations Act 2001 (Cth);
- been involved in the business of another provider who has done or experienced any of the above, at the relevant time;
- any matters specified in a legislative instrument by the Minister; and
- any other relevant matter.

The Commonwealth Department of Education or NESAs may take into account any other relevant matters in making its determination.

For the current approval period, Hunter Christian School has a statutory declaration from the principal executive officer (the Executive Principal) who is the "Principal Executive Officer" of Hunter Christian School as defined by the ESOS Act section 5, declaring whether Hunter Christian School, or a related person of Hunter Christian School, who has been, is or who will be, involved in the business of delivering programs to overseas students is fit and proper to be registered. The declaration must have regard to any matters specified by the Minister in any legislative instrument made under section 7A(2)(ga) of the ESOS Act.

Related Person of the Provider

A related person of Hunter Christian School, as defined in section 7A(3) of the ESOS Act, is:

- an associate of Hunter Christian School who has been, is or will be, involved in the business of delivering programs to overseas students by Hunter Christian School provider; or
- a high managerial agent of Hunter Christian School.

Hunter Christian School Procedure

Processes for Monitoring Compliance are outlined in this procedural document and overseen by the

- **Lead Associate International Relations and/or Associate International Relations.**

Overseas Student Visa Requirements Policy for CRICOS NSW Schools

Policy

This policy outlines the requirements for overseas students seeking to study at CRICOS-registered schools in New South Wales (NSW), Australia.

1. Eligibility

1.1 Student Visa (Subclass 500)

All overseas students must obtain a valid Student Visa (Subclass 500) before commencing studies in Australia.

1.2 Age Requirements

Students must be of school age as defined by NSW education regulations.

1.3 English Language Proficiency

Students must demonstrate English language proficiency through recognized tests (e.g., IELTS, AEAS) or other approved methods.

2. Application Process

2.1 School Selection

Students must choose a CRICOS-registered school in NSW.

2.2 Confirmation of Enrolment (CoE)

Students must obtain a CoE from the chosen school before applying for a visa.

2.3 Visa Application

Students must apply for the Student Visa (Subclass 500) through the Department of Home Affairs.

3. Financial Requirements

3.1 Tuition Fees

Students must pay tuition fees as set by the school.

3.2 Living Expenses

Students must demonstrate the ability to cover living expenses in Australia.

3.3 Overseas Student Health Cover (OSHC)

Students must obtain OSHC for the duration of their stay in Australia.

4. Academic Requirements

4.1 Course Progress

Students must maintain satisfactory course progress as defined by the school and education provider.

4.2 Attendance

Students must maintain a minimum attendance rate of 80% of scheduled course contact hours.

5. Compliance

5.1 Visa Conditions

Students must comply with all visa conditions set by the Department of Home Affairs.

5.2 School Rules

Students must adhere to the rules and regulations of their enrolled school.

6. Support Services

6.1 Orientation

Schools must provide a comprehensive orientation program for new international students.

6.2 Ongoing Support

Schools must offer academic and welfare support services throughout the student's enrolment.

7. Reporting and Monitoring

7.1 School Responsibilities

Schools must monitor and report on student attendance, course progress, and visa compliance to relevant authorities.

7.2 Student Responsibilities

Students must inform the school of any changes to their contact details or enrolment status.

8. Policy Review

This policy will be reviewed annually to ensure compliance with current legislation and best practices in international education.

Overseas Students Complaints Handling Policy

Source of Obligation

Standard 10 of the National Code requires Hunter Christian School to have and implement a documented internal complaints handling process and policy, and provide overseas students with comprehensive, free and easily accessible information about that process and policy.

Standard 6.1 requires Hunter Christian School to include information about our complaints handling process in our orientation program for overseas students.

Policy

Hunter Christian School's overseas students internal complaints policy and process for managing overseas students internal complaints, is the overseas students internal complaints policy and process of the School.

It is Hunter Christian Schools' policy to provide access to the School's Complaints Handling Policy to our overseas students for both formal and informal complaints.

The School will respond to any complaint that an overseas student makes regarding their dealings with the School or the Education Agents or any related third party that the School has an arrangement with to deliver the overseas student's course or related services.

Complainant

A "complainant" as the term is used in this Policy, can mean an overseas student or their parent/guardian.

A "complainant" can also be a friend or advocate of an overseas student, subject to the overseas student confirming the appointment of the friend or advocate to act on their behalf.

No Cost

Our internal complaints handling processes are available at no cost.

What is a Complaint?

A complaint is an expression of dissatisfaction made to the School, related to our services or operations or the complaints handling process itself where a response or resolution is explicitly or implicitly expected.

How Do We Encourage Complaints?

We are committed to handling and assessing complaints and appeals in a prompt, professional, fair and transparent manner, and to this end, we have adopted the following steps to make it easy for an overseas student to lodge a complaint or appeal:

- this overseas students Complaints Handling Policy is available on our public website
- all staff are made aware of the importance of capturing and recording critical feedback. Many complaints are received by email, and the ability of our staff to recognise a complaint, and to capture it effectively, is a central feature of our complaints handling process
- complaints or disputes do not need to be in writing
- overseas students are encouraged to discuss any issues verbally with staff in the first instance to try and resolve problems as quickly as possible
- where we identify that a complainant has limited literacy skills, we give them help in expressing their complaint
- where complainants have special needs, the availability of interpreters and staff who are cross-culturally trained, are provided
- complainants can make an anonymous complaint or use a pseudonym.

Prompt Acknowledgement of a Complaint

Hunter Christian School commits to acknowledging a complaint within 24 hours (or one business day) of receiving it.

The staff member who received the complaint will strive to make the acknowledgement in the same method in which it was received by the School (e.g. by phone, email, letter). If a complaint was received by phone, a written acknowledgement will be made in addition to an acknowledgement by phone.

If, for some reason, there is a delay in acknowledging a complaint, we will provide reasons for that delay.

The overseas student will receive a contact number and the name of a contact person as part of the acknowledgement of their complaint.

Assessment of Complaint

Once the complaint has been received and an acknowledgement has been delivered to the complainant, the Complaints Manager, or staff member will assess the complaint as being either:

- an informal complaint
- a formal complaint.

Informal Complaints Resolution

The vast majority of issues causing concern can be handled quickly and in an informal manner by the 'first point of contact' staff member. In most cases these issues can be resolved through informal, verbal discussions with appropriate staff members.

Lodging a Formal Complaint

It is the School's policy that formal complaints require further investigation. All formal complaints will be acknowledged in writing.

If an overseas student has been unable to resolve a matter informally, or simply wishes to make a formal complaint, they or their parent/guardian can do so by:

- informing a trusted teacher
- informing the School Psychologist
- informing a student's Class Teacher/Pastoral & Academic Care Teacher
- informing the Executive Principal.

All formal complaints need to be logged in writing to the Family Engagement Team for the attention of the Executive Principal or delegate.

Once the Executive Principal or delegate has received the complaint, they will review and manage the complaint.

The Executive Principal will inform the overseas student or their parents/guardians that the complaint has been received and the School will commence the assessment of the complaint within 10 working days from the date the complaint was lodged.

Our Internal Formal Complaints Handling Process

Step 1 – All formal complaints are logged in writing via email where they are screened by one of our Family Engagement Team or, in the case of complaints against staff directed immediately to the Executive Principal.

Step 2 – All formal complaints will be acknowledged in writing within 24 hours and allocated a status, priority and target resolution date.

It is our policy that the School will commence the assessment of the complaint within 10 working days from the date that the complaint was lodged.

It is our policy, where possible, to resolve all complaints as soon as practicable and, in any event, within 14 working days.

Step 3 – The **Associate International Relations** shall conduct an investigation into the issues raised, in a transparent manner and following principles of procedural fairness, before making a determination.

Step 4 – Following the determination, if appropriate, the **Lead Associate International Relations and/or Associate International Relations** shall formulate a resolution and provide a written response to the complainant, including detailed reasons for the outcome. The matter will be closed if this response is accepted.

Step 5 – If an overseas student or their parents/guardians are not satisfied with the initial result of the School's complaints handling process, they can decide to internally appeal the School's decision. The matter will be reviewed internally by the Executive Principal or the Executive Principal's delegate, who may seek additional information or submissions from the relevant parties. The Executive Principal or their delegate will seek to resolve all disputes within 14 days from the date that the review process is initiated.

The overseas student is given a written statement of the outcome of the internal appeal, including detailed reasons for the outcome. The matter will be closed if the response of the Executive Principal, or their delegate, is accepted.

Step 6 – All complaints received will be logged through the school management system and, where appropriate, a corrective action request will be made to address any underlying processes which the complaints investigation revealed may require improvement.

Step 7 – If the matter remains unresolved, the complainant will be advised that they may pursue external resolution alternatives.

Informing Student of Delay

In the event of a delay in the assessment or resolution of the overseas student's formal complaint, the **Associate International Relations** will keep overseas student and their parent/guardian informed about how their complaint is progressing.

Conflict of Interest

All staff involved in the complaints handling process are trained to recognise and report any real, potential or perceived conflict of interest including one that has not been previously reported. For example, a relationship with an overseas student. Staff must notify the **Lead Associate International Relations and/or Associate International Relations** immediately of any conflict of interest in accordance with our Conflicts of Interest Policy.

If the overseas student's complaint involves a staff member, we ensure that a different staff member is responsible for handling the complaint.

Cost and Student Support

The overseas student will be given the opportunity to present their case, including providing evidence, before a decision is made and at no cost.

The overseas student can be accompanied and assisted by a support person at any relevant meetings that occur as part of the informal and formal complaints handling processes.

Responsiveness

Where complainants have special needs, the availability of interpreters and staff who are cross-culturally trained, are provided.

Maintaining Enrolment

During the complaints and appeals process, the Hunter Christian School will maintain the enrolment of the overseas student. Enrolment will also be maintained while any external appeal is ongoing.

Right to Access External Appeals

If an overseas student or their parents/guardians are not successful in the School's internal complaints and appeals process, the School will advise the overseas student within 10 working days of concluding the internal complaints handling and appeals process of their right to access an external complaints handling and appeals process at minimal or no cost.

The School directs students to the Overseas Student Ombudsman (OSO).

The OSO investigates complaints about problems that overseas students or intending overseas students may have with private education and training in Australia. The contact details for the OSO are as follows.

Call: 1300 362 072 within Australia. Outside Australia call +61 2 6276 0111.

Enquiries: 9:00am to 5:00pm Monday to Friday, Australian Eastern Standard Time (Australian Eastern Daylight Time when daylight savings is in effect).

Postal: Commonwealth Ombudsman, GPO Box 442 Canberra ACT 2601.

Website: <https://www.ombudsman.gov.au/How-we-can-help/overseas-students>.

Purpose of External Appeals Process

The School will inform an overseas student who wishes to access the services of the OSO that, in most cases, the purpose of the OSO is to investigate whether the School has followed our own internal policies and procedures and treated the overseas student fairly. Generally, the OSO does not make a decision in place of Hunter Christian School.

Result of Appeal Process

If the internal or external appeal process results in a decision or recommendation in favour of the overseas student, Hunter Christian School will immediately implement the decision or recommendation and/or take preventative or corrective action required by the decision and advise the overseas student of that action.

Confidentiality

Confidentiality applies with respect to both information relating to the person making the complaint and, if relevant, to a person against whom a complaint is made. Hunter Christian School is committed to maintaining the confidentiality of information throughout the complaints process.

Personally identifiable information about a complainant will only be made available for the purpose of addressing the complaint and (unless the complainant consents) will be actively protected from disclosure.

Where the overseas student appoints a friend or advocate to make a complaint on their behalf, Hunter Christian School must ensure that the complainant's authority to act for the overseas student is confirmed so that personal information about the overseas student is not improperly disclosed to a third party. Accordingly, staff may ask questions or ask for evidence from the complainant and the overseas student to satisfy any confidentiality concerns they may have.

Implementation

Hunter Christian Schools Procedure

The Executive Principal (PEO) or delegate manages complaints in relation to Overseas Students. The **Lead Associate International Relations and/or Associate International Relations** will advise the school where required.

The **Lead Associate International Relations and/or Associate International Relations** will provide/source the required documentation working with school staff and leadership.

Record Keeping

The School ensures that we keep all records relating to the receipt, acknowledgement, management, assessment, resolution and appeal of any complaint.

Records include:

- file notes of verbal complaints and conversations held regarding a complaint
- acknowledgements, whether made in writing or verbally
- written resolutions of a complaint
- any evidence submitted by a complainant in relation to a complaint.

The School maintains a Complaints Register and all information relating to a complaint is kept by the School and maintained in accordance with our Overseas Students Records Management and Retention Policy.