



NEWCASTLE  
GRAMMAR  
SCHOOL

# Overseas Students Policies and Procedures

Policy Number (PN): 7.2

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# Younger Overseas Students Policy

**Reviewed:** October 2023

January 2026 – formatting and reviewed to align with updated School processes using advice documents from ISNSW

**Due for review:** January 2028

## 1. Introduction

Newcastle Grammar School Ltd trading as Newcastle Grammar School (NGS) is listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). The School's CRICOS Provider Code is 02344D.

As a CRICOS provider, the School is registered to deliver Junior Secondary (Years 7-10) CRICOS course code 042217B and Senior Secondary (Years 11 and 12) CRICOS course code 042218A to overseas students. Any references in this document to the 'registered provider', 'provider' or 'School provider' means the School or the School as a CRICOS provider.

### 1.1 Purpose and Scope

This policy should be read with the School's Enrolment policy and Terms and Conditions of Enrolment. A CRICOS overseas student is a person (within or outside Australia) who holds a student visa (subclass 500). In this policy and procedures, the terms 'overseas student' and 'International student' mean the same thing and are used interchangeably. See *Appendix 1* for Glossary and *Appendix 2* for Acronyms and abbreviations. NGS does not use Education Agents.

### 1.2 Legislation

Both State and Commonwealth governments are responsible for the approval and registration of providers to deliver courses to overseas students. NSW Government and Commonwealth legislation provide the framework for CRICOS approval.

NSW legislation includes the *Education Act 1990*.

The Commonwealth legislative framework includes:

- [Education Services for Overseas Students Act 2000](#)
- [National Code of Practice for Providers of Education and Training to Overseas Students](#)
- [ELICOS Standards](#)
- [Foundation Program Standards](#)

- [Education Services for Overseas Students Regulations 2019](#)
- [Education Services for Overseas Students \(Registration Charges\) Act 1997](#)
- [The Education Services for Overseas Students \(TPS Levies\) Act 2012](#)
- [Education Services for Overseas Students \(Calculation of Refund\) Specification 2014](#)

## **2. Policy**

NGS meets legislative and other regulatory requirements relating to child welfare and protection in relation to overseas students aged under 18.

NGS provides students with emergency contact information and information about how to report actual or alleged abuse.

NGS only accepts enrolments from overseas students living with a parent or relative approved by the Australian Government Department of Home Affairs. Overseas students and/or their parent/legal guardian must notify the School of any change to contact details within 7 days of the change.

The School enrolls overseas students in an ethical and responsible manner and provides information that enables students to make informed decisions about studying at the School.

## **3. Procedure for enrolling a younger overseas student**

### **3.1 Enrolling students who are under 18 years of age**

The Head of Enrolments will ensure overseas students under 18 years of age are given age- and-culturally-appropriate information during an induction visit to the School and as part of the orientation pack including:

- who to contact in emergency situations, including contact numbers of a nominated staff member and/or other service providers
- how to seek assistance and report any incident or allegation involving actual or alleged sexual, physical or other abuse.

The Head of Enrolments provides in the pre-enrolment information (available on the School website) the policy and process for approving the accommodation, support and general welfare arrangements for younger overseas students to prospective overseas students.

### **3.2 Contact details of overseas student and parent/legal guardian**

Every six months during an overseas student's enrolment, the Head of Enrolments will contact the parent/legal guardian for up-to-date contact details, including:

- the overseas student's current residential address, mobile number (if any) and email address (if any)
- contact details of the overseas student's parent/legal guardian or any adult responsible for overseas student's welfare
- who to contact in emergency situations.

The Head of Enrolments will enter updated details into TASS and PRISMS.

The Head of Enrolments will maintain a record of all correspondence in each overseas student's file.

### **3.3 Accommodation options for overseas students under 18 years of age**

NGS only accepts overseas students who live with a DHA approved parent or relative.

### **3.4 Concerns about or disruption to accommodation and/or welfare for overseas students**

If NGS enrolls an overseas student under 18 years of age who has welfare arrangements approved by another CRICOS School provider, as the receiving provider the Head of Enrolments will implement the Overseas Student Transfer Policy and Procedures.

The School's Critical Incident Policy includes the processes for managing emergency situations for overseas students and/or when welfare arrangements are disrupted for overseas students under 18 years of age.

If a concern arises about the accommodation or welfare of an overseas student under 18 years of age, other policies and procedures will apply such as:

- Child Protection Policy and Procedures
- Child Safe Policy
- Attendance Policy

If staff are unable to contact a student and have concerns for the student's welfare, the Deputy Head of School – Wellbeing and School Life will make all reasonable efforts to locate the overseas student, including by phone and email. The Deputy Head of School – Wellbeing and School Life will notify the police and any other relevant government agencies as soon as practicable. All other relevant policies including Critical Incident Policy and Child Protection Policy will be implemented.

The Deputy Head of School – Wellbeing and School Life will maintain all records related to the incident in the student's file.

#### **4. Monitoring the living arrangements of overseas students living with a parent or DHA approved relative**

The Deputy Head of School – Wellbeing and School Life monitors the living arrangements of overseas students living with a parent or DHA approved relative.

Monitoring will take place at regular 6 month intervals and in the form of either:

- a meeting at the School or at parent teacher evenings;
- phone call;
- email; or,
- meeting with the overseas student.

The Head of Enrolments maintains records of monitoring accommodation and welfare in each overseas student's file.

If a concern arises, other policies such as Child Protection or Critical Incident Policy will be implemented as relevant to the concern.

#### **5. Health Insurance**

All student visa holders are required to have Overseas Student Health Cover (OSHC) which must commence from the date you arrive in Australia on a student visa and must be in effect until you leave Australia or transfer to a non-student visa.

#### **6. Related Policies**

Enrolment Policy

Child Protection Policy

Child Safe Policy

Critical Incident Policy

Privacy Policy

Student Code of Conduct

Terms and Conditions of Enrolment

NGS International Students Handbook

International Fees Schedule

Assessment of English language proficiency and educational qualifications Policy

Visa Requirements Policy

Refunds, Cancellations and Default Policy

Critical Incident Policy – International Students

Student Transfers Policy

Deferring, Suspending or Cancelling Enrolment Policy

Complaints and Appeals Policy – International Students

Additional CRICOS Registration Requirements

## Appendix 1 – Glossary

<b>Agent</b>	See Education Agent.
<b>Australian Government Department of Education</b>	The Australian Government Department of Education administers the ESOS Act, manages CRICOS and PRISMS and monitors compliance with the ESOS Act and the Standards in the National Code.
<b>Cancellation of enrolment</b>	Enrolment may be cancelled by the student or by the registered provider. The provider notifies the Australian Government Department of Education through PRISMS that it wishes to permanently cancel the student's enrolment. Once this process is complete, the student's CoE status will be listed as 'cancelled'.
<b>Compassionate or compelling circumstances</b>	Circumstance beyond the control of the student which affects the student's course progress or wellbeing.
<b>Compulsory study period</b>	A compulsory study period is one in which the student must enrol unless granted a deferment or suspension from enrolment or leave of absence under National Code Standard 9 (Deferring, suspending or cancelling the student's enrolment). A compulsory study period does not include periods in which the student can elect to undertake additional studies. See also 'Study period'.
<b>Confirmation of Enrolment (CoE)</b>	A document, provided electronically, that the registered provider issues to intending overseas students and which must accompany their application for a student visa. It confirms the overseas student's eligibility to enrol in the particular course of the registered provider.
<b>Course</b>	A course of education or training as defined in the ESOS Act.
<b>Course-related fees</b>	Includes tuition fees as defined by section 7 of the ESOS Act and all applicable non-tuition fees including all optional fees or charges.
<b>Course credit</b>	Exemption from enrolment in a particular part of the course as a result of previous study, experience or recognition of a competency currently held. Includes academic credit and recognition of prior learning or experience

<b>CRICOS</b>	Courses for Overseas Students (CRICOS) is the register prescribed under section 10 of the ESOS Act.
<b>Deferment of enrolment</b>	Before the commencement of study, a student may request a temporary deferment of his or her enrolment on the grounds of compassionate or compelling circumstances. If the request is granted, the provider notifies the Australian Government Department of Education via PRISMS of the deferment of enrolment.
<b>Designated State Authority</b>	As defined by section 5 of the ESOS Act, means a person responsible under the law of a state for approving providers to provide courses to overseas students in that state.
<b>Distance learning</b>	Study in which the teacher and overseas student are separated in time or space throughout the duration of the unit of study (including online learning), but does not include study where the student is resident in his or her home country or another country offshore and does not hold a student visa. Distance learning differs from online learning in that the study may be undertaken through written correspondence and exchange of hard copy materials.
<b>Duration of study</b>	The time required for an overseas student to complete an approved course of study as specified in their Confirmation of Enrolment (CoE).
<b>Education agent</b>	A formally appointed person or organisation (in or outside Australia) who represents or acts on behalf of the provider, including by having the capacity to create a legal relationship (such as an agreement that binds the parties) between the provider and a student.
<b>ESOS agency</b>	The ESOS agency for the School sector is the Australian Government Department of Education.
<b>Enrolment</b>	Where the student has been issued with a CoE to confirm acceptance by the registered provider and is occupying a place in the CRICOS registered course for which the student was accepted and is progressing towards the completion of the course requirements.  The period of enrolment includes scheduled breaks between study periods.

<b>Formalisation of enrolment</b>	Written agreement between registered provider and student (or parent or legal guardian if the student is under 18 years of age) which sets out the obligations and rights of both the registered provider and the student.
<b>High managerial agent</b>	An employee, agent or officer of the provider with duties of such responsibility that their conduct may fairly be assumed to represent the provider in relation to the provision of courses (ESOS Act 5).
<b>International student</b>	See Overseas student.
<b>Migration Act</b>	The Migration Act 1958 reinforces the obligations of overseas students studying in Australia under their student visas.
<b>Migration agent</b>	A person registered as a migration agent as per section 286 of the Migration Act 1958.
<b>National Code 2018</b>	The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018.
<b>Overseas student</b>	A person (whether within or outside Australia) who holds a student visa as defined by the ESOS Act, but does not include students of a kind prescribed in the ESOS Regulations.
<b>Principal course of study</b>	The main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study. This is typically the last course in a package of courses.
<b>PRISMS</b>	The Provider Registration and International Student Management System (PRISMS) is the system used to process information given to the Secretary of the Australian Government Department of Education by registered providers.
<b>RANGS Online</b>	Website for making online applications and notifications to NESA using a secure account login.
<b>Registered provider</b>	A higher education provider, VET provider, approved School provider, ELICOS provider or Foundation Course provider that has been registered on CRICOS by the Australian Government to deliver a specified course(s) at a specified location(s) to overseas students.
<b>Scheduled course contact hours</b>	The hours for which students enrolled in a course are scheduled to attend classes, course-related information sessions, supervised study sessions,

	mandatory and supervised work-based training and examinations.
<b>School provider</b>	A NSW government School or registered non-government School approved by NESAs, the Designated State Authority, to deliver courses to overseas students in NSW.
<b>School system provider</b>	An entity that has been approved to deliver courses to overseas students enrolled at Schools owned and operated by the entity or for which the entity is the recognised School authority for the purpose of the relevant legislation.
<b>Study period</b>	A discrete period of study within a course, namely term, semester, trimester, short course of similar or lesser duration, or as otherwise defined by the registered provider.
<b>Suspension of enrolment</b>	To suspend enrolment means to temporarily put studies on hold. Providers do this by notifying the Australian Government Department of Education via PRISMS of the suspension of enrolment. A student may request a temporary suspension to his or her enrolment on the grounds of compassionate or compelling circumstances. Providers may suspend an enrolment due to disciplinary reasons.
<b>Transfer (between registered providers)</b>	Students may seek to transfer from one registered provider to another. Registered providers may not enrol transferring students until after the first six months of the first registered School sector course except under conditions indicated in 3.10 of the Guidelines.
<b>Tuition Protection Service (TPS)</b>	A system introduced in 2012 to ensure that overseas students receive the course they have paid for. If a provider is unable to meet its teaching obligations to a student (for any reason whatever) one of the other providers in the scheme may take over teaching the student or the student may be reimbursed for any tuition fees already paid. Providers must pay Tuition Protection Service levies each calendar year.
<b>Unit</b>	A discrete component of study within a course; the term includes 'subject' and 'module'.

## Appendix 2 - Acronyms and Abbreviations

<b>AQF</b>	Australian Qualifications Framework
<b>CoE</b>	Confirmation of Enrolment
<b>CRICOS</b>	Commonwealth Register of Institutions and Courses for Overseas Students
<b>DHA</b>	Department of Home Affairs (subsumed Department of Immigration and Border Protection in December 2017)
<b>ELICOS</b>	English Language Intensive Courses for Overseas Students
<b>ESOS Act</b>	<i>Education Services for Overseas Students Act 2000</i>
<b>NEAS</b>	National ELT (English Language Teaching) Accreditation Scheme
<b>NESA</b>	NSW Education Standards Authority
<b>PRISMS</b>	Provider Registration and International Students Management System
<b>RTO</b>	Registered Training Organisation
<b>The Secretary</b>	The Secretary of the Australian Government Department of Education.
<b>TESOL</b>	Teachers of English to Speakers of Other Languages
<b>TPS</b>	Tuition Protection Service
<b>VET</b>	Vocational Education and Training

# **Assessment of English Language Proficiency and Educational Qualifications Policy**

**Reviewed:** October 2023

January 2026 – formatting and reviewed to align with updated School processes using advice documents from ISNSW

**Due for review:** January 2028

## **1. Introduction**

Newcastle Grammar School Ltd trading as Newcastle Grammar School (NGS) is listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). The School's CRICOS Provider Code is 02344D.

As a CRICOS provider, the School is registered to deliver Junior Secondary (Years 7-10) CRICOS course code 042217B and Senior Secondary (Years 11 and 12) CRICOS course code 042218A to overseas students. Any references in this document to the 'registered provider', 'provider' or 'school provider' means the School or the School as a CRICOS provider.

### **3.1 Purpose and Scope**

This policy should be read with the School's Enrolment policy and Terms and Conditions of Enrolment. A CRICOS overseas student is a person (within or outside Australia) who holds a student visa (subclass 500). In this policy and procedures, the terms 'overseas student' and 'International student' mean the same thing and are used interchangeably. NGS does not use Education Agents.

## **2. Policy**

NGS recruits overseas students responsibly. NGS will ensure that prospective overseas students have appropriate educational qualifications/experience and a level of English language proficiency that will allow them to be successful in the course they apply to enrol in. All costs associated with testing are to be paid by the family/student.

The minimum levels of English language proficiency required for enrolment as an overseas student at NGS are outlined below:

For enrolment in Years 7 to 12, English language proficiency will be assessed through the Application for Enrolment process and by the Enrolments Officer in liaison with the Deputy Head of School – Learning and Teaching. If required, students will be asked to complete the Australian Education Assessment Services (AEAS) test. A minimum English language proficiency level of 70+ is considered suitable for enrolment. Students may instead

complete the International English Language Testing System (IELTS) test. The minimum IELTS English language proficiency level required for enrolment in Years 7 to 12 is 7.0.

NGS will provide English language support for International students.

### **3. Procedure**

An application for enrolment at NGS will be considered for the Year of schooling that is appropriate for the age and previous education of the prospective overseas student.

An application for enrolment must be accompanied by School reports from the home country. NGS may require that the School reports are translated into English.

Prospective overseas students must submit the following with an application for enrolment:

- references from teachers in current School in home country
- certified copies of the passports for both the student and parent/legal guardian
- certificates for public examinations, where relevant.

The Head of School as Principal Executive Officer (PEO) or delegate may request further documentation to make a determination about English language proficiency.

If a formal English language proficiency test is requested for enrolment, the test results must be submitted in the timeframe requested.

If the Head of School decides that the prospective overseas student's previous education is not appropriate an offer of enrolment will not be made.

NGS will assess English language proficiency for Years 7 to 12 using:

- Australian Education Assessment Services AEAS test, or
- International English Language Testing System (IELTS), and/or
- an interview with the Deputy Head – Learning and Teaching and written and/or verbal assessment of English language proficiency.

An application for enrolment in Years 7 to 12 at NGS may be made without an English language proficiency test and the School may decide to make a conditional offer of enrolment. If this occurs, an English language proficiency test certificate must be provided no later than 6 months prior to the course commencement date. NGS reserves the right to cancel the conditional offer of enrolment if the test certificate is not provided within the required timeframe.

The minimum level of English language proficiency required for:

- Years 7-12 is an AEAS score of 70+
- Years 7-12 is an IELTS score of 7.0.

The Deputy Head – Learning and Teaching and the Head of School will assess a student's English language proficiency using formal test scores/interview(s) and/or requested documentation.

If a student's English language proficiency is not sufficient to be successful in a course, NGS will either:

- refuse the enrolment
- make a conditional offer of enrolment that the required level of proficiency is demonstrated prior to the commencement of the course.

The student and parent/legal guardian will be notified in writing by the Head of School if the enrolment is refused or if a conditional offer is made.

The Head of School's decision is final.

The Head of Enrolments will maintain all records relating to the assessment of English language proficiency in the overseas student's file

#### **4. Related Policies**

Enrolment Policy

Child Protection Policy

Child Safe Policy

Critical Incident Policy

Privacy Policy

Student Code of Conduct

Terms and Conditions of Enrolment

NGS International Students Handbook

International Fees Schedule

Younger Overseas Student Policy

Visa Requirements Policy

Refunds, Cancellations and Default Policy

Critical Incident Policy – International Students

Student Transfers Policy

Deferring, Suspending or Cancelling Enrolment Policy

Complaints and Appeals Policy – International Students

Additional CRICOS Registration Requirements

# **Visa Requirements Policy – Monitoring Attendance and Course Progress**

**Reviewed:** October 2023

January 2026 – formatting and reviewed to align with updated School processes using advice documents from ISNSW

**Due for review:** January 2028

## **1. Introduction**

Newcastle Grammar School Ltd trading as Newcastle Grammar School (NGS) is listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). The School's CRICOS Provider Code is 02344D.

As a CRICOS provider, the School is registered to deliver Junior Secondary (Years 7-10) CRICOS course code 042217B and Senior Secondary (Years 11 and 12) CRICOS course code 042218A to overseas students. Any references in this document to the 'registered provider', 'provider' or 'School provider' means the School or the School as a CRICOS provider.

### **1.1 Purpose and Scope**

This policy should be read with the School's Enrolment policy and Terms and Conditions of Enrolment. A CRICOS overseas student is a person (within or outside Australia) who holds a student visa (subclass 500). In this policy and procedures, the terms 'overseas student' and 'International student' mean the same thing and are used interchangeably. NGS does not use Education Agents.

## **2. Policy**

### **2.1 Attendance and course progress definitions**

NGS supports overseas students to complete their course within the required duration and to fulfil their visa requirements for course progress and attendance.

NGS monitors overseas students course progress and attendance rates.

Students are informed if they are at risk of not meeting the requirements for course progress or attendance. NGS will implement interventions to support students who have been identified as 'at risk' of not meeting requirements, always attempting to support them to improve their course progress and attendance rates.

If required, the School will report overseas students for not meeting attendance or course progress visa requirements.

Attendance requirement – overseas students must maintain a rate of at least 80% attendance as a visa requirement. A rate of less than 80% will be reported to the Australian Government for breach of visa conditions through PRISMS unless there are compelling or

compassionate circumstances. Any overseas student whose attendance rate drops to 70% or less will be reported to the Australian Government for breach of visa conditions.

Course progress requirement – at NGS a student must achieve competency in 50% or more of units in any semester of enrolment. This could be indicated by a Grade A – C in 50% or more of their units reported in the Semester 1 or 2 reporting cycle. Students who do not meet the course progress requirement will be reported to the Australian Government for breach of visa conditions through PRISMS.

## **2.2 Modes of delivery**

NGS does not use online learning as a format for course delivery, but from time to time may implement aspects of online learning to benefit learning outcomes for overseas students. If online learning is required, it will not disadvantage overseas students.

NGS does not provide online or distance learning to enrolled students.

## **2.3 Duration of study**

The expected duration of study specified in an overseas student's Confirmation of Enrolment (CoE) will not exceed the CRICOS registered duration of a course.

## **3. Procedure**

### **3.1 Communication of visa requirements for course progress and attendance to overseas students**

The Head of Enrolments provides (via the School website, the Overseas Student Handbook and the orientation pack) overseas students with information about visa requirements for course progress and attendance before they commence their course.

### **3.2 Monitoring course attendance**

Daily attendance for each student is recorded in the daily attendance register in TASS for NGS (see Attendance Policy for processes).

If an overseas student is absent for 5 consecutive days or more without prior approval the Deputy Head – Wellbeing and School Life will be notified by Student Services when it is flagged through Teacher Kiosk. Attendance rates are determined each semester during the formal reporting period and the attendance rate is noted on the overseas student's School report. The House Mentor also recognises when there are periods of absence during daily roll call and will address concerns with the student and report as necessary.

Overseas student attendance rates are reviewed by the Deputy Head – Wellbeing and School Life every term by reviewing attendance data in TASS. Records of monitoring course attendance will be filed in the overseas student's file by the Deputy Head – Wellbeing and School Life.

An overseas student is defined as 'at risk' of not meeting attendance requirements if their attendance rate is 80% or less in any one semester.

### **3.3 Triggering interventions**

If the Deputy Head – Wellbeing and School Life identifies that an overseas student is ‘at risk’, that is, their attendance rate is 80% in any one semester, interventions to improve course progress and attendance will commence (see section 3.5).

If an overseas student is absent for 5 consecutive days or more without prior approval, the Deputy Head – Wellbeing and School Life will contact the overseas student and parent/legal guardian. This absence will immediately trigger a meeting to implement an attendance intervention plan.

### **3.4 Monitoring of satisfactory course progress**

Overseas student’s course progress will be monitored and assessed by the Deputy Head – Learning and Teaching every semester.

Overseas student course progress will be monitored by one or more of the following methods:

- Reviewing academic reports
- Communication with and feedback from the overseas student’s teachers
- Reviewing assessment results
- Reviewing homework and class work

The Deputy Head – Learning and Teaching will work with the Deputy Head – Wellbeing and School Life to identify if an overseas student is ‘at risk’ of not meeting satisfactory course progress requirements as defined in this policy (see section 3.5).

Records of monitoring course progress will be filed in the overseas student’s file by the Deputy Head – Learning and Teaching.

### **3.5 Interventions to improve course progress and attendance**

If an overseas student is identified as being ‘at risk’ of not meeting course progress and/or attendance requirements the Deputy Head – Wellbeing and School Life will contact the parents/legal guardian and the overseas student to arrange a meeting.

If required, an interpreter will be available at the meeting.

Other relevant people may also be invited to the meeting such as any local guardian or other key adult to support the student and/or relevant School support services staff, Learning Support, Head of House (pastoral care) may be included.

At the meeting, the Deputy Head – Wellbeing and School Life, will coordinate the development of an intervention plan with relevant staff, the student and their parent/legal guardian, including a timeframe for review and assessment, to support the overseas student.

A record of the meeting and a copy of the intervention plan will be stored in the overseas student's file by the or the Deputy Head – Wellbeing and School Life. The student and their parent/legal guardian will be provided a copy. It will be translated if required.

The or the Deputy Head – Wellbeing and School Life and the Deputy Head – Learning and Teaching will monitor implementation of the intervention plan.

If the student's attendance/course progress improves, the or the Deputy Head – Wellbeing and School Life will determine next steps. Any continuing intervention will be recorded, communicated to the parent/legal guardian (including translation if required) and records will be stored in the overseas student's file by the or the Deputy Head – Wellbeing and School Life.

If there is no or minimal improvement the or the Deputy Head – Wellbeing and School Life will determine if the overseas student remains 'at risk' of not achieving satisfactory course progress and/or attendance requirements.

A second intervention plan may be implemented. Parents/legal guardians will be provided all communication (including translation if required) and all records placed in the overseas student's file by the or the Deputy Head – Wellbeing and School Life.

The or the Deputy Head – Wellbeing and School Life and the Deputy Head – Learning and Teaching will determine if the if the intervention plan is still required, OR if the student is determined as not meeting satisfactory course progress/attendance requirements. Timeframes for this decision will vary according to the individual intervention plan.

If the or the Deputy Head – Wellbeing and School Life and Deputy Head – Learning and Teaching determine that the student has not met course progress/attendance requirements, section 3.7 will be implemented.

### **3.6 Intervention strategies**

NGS implements a range of attendance monitoring and improvement strategies to increase engagement in School and learning.

Strategies included in an intervention plan to improve attendance/course progress may include:

- Additional help from the classroom teacher outside of class time (e.g. lunch) and/or the provision of further resources (e.g. websites, texts) that the student could consult to support their learning
- Learning support assistance through the after-School Homework Centre in the School Library
- Assistance with time management, planning, organisation and/or study skills
- Voluntary sessions with the School Psychologist
- Learning support sought through the Deputy Head – Learning and Teaching and the Learning Support staff

- Other intervention strategies as deemed necessary by the Deputy Head – Learning and Teaching

NGS will implement School policies and procedures for attendance (developed in compliance with the *NSW Registered and Accredited Individual Non-government Schools Manual*) for all overseas students as students enrolled in the School.

### **3.7 Reporting unsatisfactory course progress or unsatisfactory course attendance**

The Deputy Head – Wellbeing and School Life is responsible for reporting overseas students for unsatisfactory course progress and/or unsatisfactory course attendance in PRISMS.

The Deputy Head – Wellbeing and School Life will provide written notice to a student and their parent/legal guardian of an intention to report unsatisfactory progress and/or attendance in PRISMS **before** making a report and only **after** the above *Interventions to improve course progress and attendance* procedures have been implemented.

The written notice will include:

- a statement that NGS intends to report the overseas student for unsatisfactory course progress and/or unsatisfactory course attendance
- the reasons for the intention to report
- advice that the overseas student and the parent/legal guardian can access the School's complaints and appeals process, in accordance with National Code Standard 10, within 20 working days.

If required, communications to the parent/legal guardian will be translated.

A record of the written notice will be filed in the overseas student's file by the Deputy Head – Wellbeing and School Life

The Deputy Head – Wellbeing and School Life will only make the report unsatisfactory course progress and/or attendance in PRISMS if:

- any internal and external complaints process is complete, and the decision or recommendation supports NGS, 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 withdraws from the internal or external appeals processes by notifying the Deputy Head – Wellbeing and School Life in writing.

If the above conditions have been met, the Deputy Head – Wellbeing and School Life will make the unsatisfactory course progress/attendance report in PRISMS.

### **3.8 Compassionate or compelling circumstances**

If a student has an attendance rate of at least 70%, and compassionate or compelling circumstances exist, NGS may decide not to report an overseas student for breaching the visa attendance requirement.

The Head of School will make the decision about whether circumstances are compassionate and compelling for NGS not to report the student.

The Head of School may require documentation when deciding if a circumstance is compassionate or compelling.

Compassionate or compelling circumstances could 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)
- major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies; or
- a traumatic experience, which could include:
  - involvement in, or witnessing of a serious accident; or
  - 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)

The Head of School's decision is final.

Records related to reporting attendance rates will be maintained in the overseas student's file by the Deputy Head – Wellbeing and School Life.

### **3.9 Course duration**

The Head of Enrolments reviews all CoEs at the end of each Semester to confirm alignment of CoE end date and expected completion of course date for students.

The Head of Enrolments completes reviews by checking CoE dates in PRISMS.

NGS does not generally use a pathways, accumulation or repeated Years of study program for overseas students.

Overseas students will be issued CoE dates that align with the usual length of time appropriate to the usual duration of the course for a domestic student undertaking the same course/credential at NGS. For example, for the award of the Record of School Achievement, 4 years/ for the Higher School Certificate, 2 years.

### **3.10 Allowable extensions of course duration**

NGS will not extend the duration of the overseas student's enrolment if a student is unable to complete the course within the expected duration, unless:

- there are compassionate or compelling circumstances, as assessed by the Deputy Head – Wellbeing and School Life based on demonstratable evidence, or
- the Deputy Head – Learning and Teaching 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 National Code Standard 9 (Deferring, suspending or cancelling the overseas student's enrolment).

If NGS extends the duration of an overseas student's enrolment, the Head of Enrolments will advise the overseas student and parent/legal guardian in writing. The written notice will include a statement that the student and parent/legal guardian should contact Immigration to seek advice on any impact on the student's visa, including the possible need to obtain a new visa.

All correspondence will be provided in English and translated if required. A copy of correspondence will be stored in the overseas student's file by the Head of Enrolments.

### **4. Related Policies**

Enrolment Policy

Child Protection Policy

Child Safe Policy

Critical Incident Policy

Privacy Policy

Student Code of Conduct

Terms and Conditions of Enrolment

NGS International Students Handbook

International Fees Schedule

Younger Overseas Student Policy

Assessment of English language proficiency and educational qualifications Policy

Refunds, Cancellations and Default Policy

Critical Incident Policy – International Students

Student Transfers Policy

Deferring, Suspending or Cancelling Enrolment Policy

Complaints and Appeals Policy – International Students

Additional CRICOS Registration Requirements

# Refunds, Cancellations and Default Policy

**Reviewed:** October 2023

January 2026 – formatting and reviewed to align with updated School processes using advice documents from ISNSW

**Due for review:** January 2028

## 1. Introduction

Newcastle Grammar School Ltd trading as Newcastle Grammar School (NGS) is listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). The School's CRICOS Provider Code is 02344D.

As a CRICOS provider, the School is registered to deliver Junior Secondary (Years 7-10) CRICOS course code 042217B and Senior Secondary (Years 11 and 12) CRICOS course code 042218A to overseas students. Any references in this document to the 'registered provider', 'provider' or 'School provider' means the School or the School as a CRICOS provider.

### 1.1 Purpose and Scope

This policy should be read with the School's Enrolment policy and Terms and Conditions of Enrolment. A CRICOS overseas student is a person (within or outside Australia) who holds a student visa (subclass 500). In this policy and procedures, the terms 'overseas student' and 'International student' mean the same thing and are used interchangeably. NGS does not use Education Agents.

## 2. Policy

The School's Terms and Conditions of Enrolment refers to this policy as it provides information about refunds to overseas students.

The terms and conditions for refunds associated with NGS's letter and acceptance of offer are fair and reasonable.

This policy with NGS's Terms and Conditions of Enrolment and enrolment contract:

- sets out the refund obligations that apply if an overseas student defaults in relation to a course at the School;

**and**

- meets the requirements set out in the National Code.

NGS provides a refund to overseas students in accordance with the provisions of the *ESOS Act 2000* and the *ESOS (Calculation of Refund) Specification Act 2014* in the following circumstances:

- overseas student default
  - due to visa refusal
  - where there is no written agreement in place
  - where the written agreement is not compliant

Visa refused by Department of Home Affairs (DHA)	Refund of all pre-paid tuition fees less Enrolment Application Fee where student produces Department of Home Affairs evidence of refusal
Failure of the student to meet English testing standards to ensure success at School	Refund of all pre-paid tuition fees less Enrolment Application Fee where student produces evidence of English testing standards
Written notice to the Head of School of cancellation of course more than 28 days before start of agreed course	Refund of all pre-paid tuition fees less enrolment application fee
Written notice to the Head of School of cancellation of course less than 28 days before start of agreed course	No refund of prepaid or enrolment application fees
Written notice to the Head of School for release from course after start of course and release has been approved by the Head of School on reasonable grounds	Refund based on pro-rata fees. Enrolment application fee is not refundable
Agreed course not taken up after start date	No Refund
Agreed course abandoned without written notice	No Refund
Visa conditions breached by student or visa cancelled	No Refund
Student expelled for improper actions by student	No Refund
Failure to pay course fees	No Refund

- NGS default, if the overseas student has not accepted any alternative course offered by the School.

The School withdraws course before agreed start date and student cannot be placed or student refuses an alternative course arranged by the School	Full refund of any unspent prepaid tuition fees paid to the School will be made in Australian Dollars within 14 days of the agreed course start date
The School is unable to continue offering course after student commencement and student cannot be placed or student refuses an alternative course arranged by the School	Full refund of any unspent prepaid tuition fees paid to the School will be made in Australian Dollars within 14 days of the agreed course start date

- a) The application for enrolment fee is non-refundable.
- b) Payment of course fees and refunds:
  - i. Fees are payable in accordance with the International Student Fee Schedule applying at the time of enrolment.
  - ii. One full term's written notice required to the Head of School by the last School day of the term prior to your child's leaving the School.
  - iii. All fees must be paid in Australian dollars.
  - iv. Refunds will be paid in Australian dollars using the banking details provided by you to the School's Finance and Business Services' Office.
  - v. Refunds will be paid to the person/s entering into the enrolment contract unless written notification to the Head of School from the person/s entering the enrolment contract to pay the refund to another party is received.

### **3. Procedure**

#### **3.1 Application for a refund**

An applicant must submit a request in writing to Head of School within 4 weeks of the end of the student's enrolment with NGS. Supporting documentation must be submitted with the request.

The Head of School will acknowledge receipt of the request for a refund, in writing, within 48hrs of receipt of the refund application.

NGS may request further documentation to support the application for a refund.

The Head of Finance and Business Services will review the request and supporting documentation.

#### **3.2 Deciding about a refund**

The Head of Finance and Business Services will confirm the specific circumstances that apply to the application and categorise the reason for the refund – student default, provider default, another circumstance for refund.

The Head of Finance and Business Services will recommend to the Head of School whether the refund should be paid under the legislative requirements, this policy or the written agreement and/or how much money should be refunded.

If the overseas student is entitled to a refund under the *ESOS Act*, The Head of Finance and Business Services will determine the amount of the refund using the *ESOS (Calculation of Refund) Specification Act 2014* (refund specification).

\*See the Commonwealth's [Explanatory Guidance on the Education Services for Overseas Students \(Calculation of Refund\) Specification 2014](#) for further guidance on the calculation of refunds.

If a student is entitled to a refund under the written agreement or this policy, the Head of Finance and Business Services will make a recommendation to the Head of School about the amount of the refund.

The Head of School makes decisions about refunds. All decisions will be made in line with the *ESOS Act*, this policy, the written agreement and the individual circumstances of any application.

The Head of School will inform the overseas student of the decision in writing.

If the decision is to provide a refund, the Head of Finance and Business Services will organise the money to be paid to the person who has signed the written agreement with the School.

If a refund will be paid because of provider default, the Head of Finance and Business Services will implement actions noted below.

### **3.3 Finalising a refund**

The Head of Finance and Business Services will ensure that refunds due to provider default are completed within 14 days.

The Head of Finance and Business Services will ensure that refunds due to student default or another reason are finalised within 4 weeks after receiving the written request for a refund.

If the Head of School refuses the request for a refund, the overseas student will be provided with the School's Complaints and appeals policy and procedures.

If the overseas student does not access the complaints and appeals process within 20 days, the Head of School will send a letter to the overseas student confirming the decision and finalising the matter.

The Head of Finance and Business Services will maintain all records relating to refunds, in each overseas student's file.

### **3.4 Notifications – Provider default by Newcastle Grammar School**

The Head of Finance and Business Services will make a default notification in PRISMS within 3 business days of the default. The notification will include all required information in the format required by PRISMS.

The Head of School will notify affected overseas students in writing within 3 business days of the default.

### **3.5 Obligations – Provider default by Newcastle Grammar School**

NGS will discharge its obligations to overseas students within 14 days after the default day (the ***provider obligation period***).

NGS will have discharged its obligations to overseas students if both of the following apply:

- NGS arranges for overseas students to be offered a place in a course;  
**and**
- the overseas student accepts the offer in writing;  
**or**
- the School provides a refund in accordance with the refund specification.

NGS may arrange for overseas students to be offered a place in an alternative course at the School's expense.

If overseas students don't accept an offer of a place in an alternative course, or a place in an alternative course isn't identified, NGS will refund an amount in accordance with the refund specification \*[This Fact Sheet can help determine the amount to be paid.](#)

The Head of Enrolments will ensure all offers of placement and acceptance will be in writing and records will be kept on the student's file.

### **3.6 Notification of outcome of discharge of obligations – Provider default by Newcastle Grammar School**

NGS must give a notice to the DHA and the TPS Director via PRISMS within 7 days after the end of the provider obligation period (i.e. within 21 days after the default).

The Head of Finance and Business Services will enter the notice in PRISMS in the required form and containing the required information.

## **4. Related Policies**

Enrolment Policy

Child Protection Policy

Child Safe Policy

Critical Incident Policy

Privacy Policy

Student Code of Conduct

Terms and Conditions of Enrolment

NGS International Students Handbook

International Fees Schedule

Younger Overseas Student Policy

Assessment of English language proficiency and educational qualifications Policy

Visa Requirements Policy

Critical Incident Policy – International Students

Student Transfers Policy

Deferring, Suspending or Cancelling Enrolment Policy

Complaints and Appeals Policy – International Students

Additional CRICOS Registration Requirements

## **Appendix 1 – Information about Refunds**

### **What is a refund?**

A refund is when money that has been paid to NGS for enrolment in a course is returned to the person who signed the overseas student written agreement with NGS.

### **Who can apply for a refund?**

The person who signed the overseas student written agreement can apply for a refund from NGS.

### **How can I apply for a refund if I need one?**

A refund can be requested in writing to the Head of School via email to EA to Head of School [Kate.Grogan@ngs.nsw.edu.au](mailto:Kate.Grogan@ngs.nsw.edu.au). When a written request for a refund is submitted, the applicant will receive an email acknowledging receipt.

### **What are the reasons that I can apply for and receive a refund?**

1. If NGS defaults. A 'provider default' is when:
  - NGS failed to start delivering the course for the student at the School on the agreed starting day

OR

  - NGS was prevented from providing a course at the School because a sanction has been imposed on it under Part 6 of the *ESOS Act*

OR

  - the course ceased to be provided to the student by the School at any time after it started but before it is completed (\*except in the case of suspension or cancellation of enrolment, see *Deferring, suspending or cancelling enrolment policy*)
2. NGS defaults, and offers me another course, but I don't accept it.
3. If I don't start my course at NGS because my visa is refused.
4. If I start my course at NGS, but then my visa is cancelled or refused.
5. I withdraw from my course at NGS giving a Term's notice.
6. I transfer to a different School provider.

### **What are the reasons I can apply for a refund, but I might not be given one?**

1. If my visa is refused or cancelled because I breach the visa conditions.
2. If my visa is refused or cancelled because I don't pay NGS the required fees.

3. If I misbehave and act against NGS policies and my behaviour results in the suspension or cancellation of my enrolment.

### **How is a refund amount calculated?**

The minimum amount to be calculated for specific situations is determined by law in the *ESOS (Calculation of Refund) Specification Act 2014* NGS cannot pay any less than the amount used in this calculation in specific situations.

NGS might choose to pay more than the minimum amount in some circumstances for compassionate or compelling reasons. The Head of School will make this decision based on an application for a refund.

### **Some specific examples of how to calculate refunds are below**

#### Example 1: A refund based on visa refusal

- if the visa was refused before the overseas student starts the course, a full refund of course fees already paid minus an administrative fee of 5% or \$500 (whichever is the lesser amount) will be provided to the student.
- if the visa was refused after the overseas student started the course, a refund of course fees already paid for the part of the course after the date of the student's withdrawal will be provided to the student.

#### Example 2: A refund because there is no written agreement in place, or the written agreement is non-compliant

- the refunded amount must equal the weekly tuition fee x the weeks in default period (*section 8 of the Education Services for Overseas Students (Calculation of Refund) Specification 2014*)

#### Example 3: A refund because NGS has defaulted and a student has not accepted any alternative course offered by NGS

- the refunded amount must be the weekly tuition fee x the weeks in default period (*section 7 of the Education Services for Overseas Students (Calculation of Refund) Specification 2014*).

[\\*More examples of how to calculate refunds using the Education Services for Overseas Students \(Calculation of Refund\) Specification 2014 are available.](#)

### **What payments will or won't be refunded?**

Tuition fee refunds are based on the *Education Services for Overseas Students (Calculation of Refund) Specification 2014*. NGS may calculate refunds for other non-tuition fees such as application, administration or co-curricular fees differently and will consider administrative costs and un-spent fees in calculating refunds.

NGS will not refund enrolment application fees.

**How long does a refund take?**

If the refund is because of NGS default, the refund will be paid within 14 days of the default.

If the refund is because of student visa refusal. because a student has withdrawn from course or because of another reason, refunds will be finalised within 4 weeks of the School receiving a completed application.

**How do I get more information about refunds if I need it?**

You should read your letter of offer and Terms and Conditions of Enrolment carefully. It contains information about withdrawing from your course, the percentage of tuition fees that will be paid with certain notice periods.

If you need more details about refunds you can ask the Business Office.

# **Critical Incidents Policy – International Students**

**Reviewed:** October 2023

January 2026 – formatting and reviewed to align with updated School processes using advice documents from ISNSW

**Due for review:** January 2028

## **1. Introduction**

Newcastle Grammar School Ltd trading as Newcastle Grammar School (NGS) is listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). The School's CRICOS Provider Code is 02344D.

As a CRICOS provider, the School is registered to deliver Junior Secondary (Years 7-10) CRICOS course code 042217B and Senior Secondary (Years 11 and 12) CRICOS course code 042218A to overseas students. Any references in this document to the 'registered provider', 'provider' or 'School provider' means the School or the School as a CRICOS provider.

### **1.1 Purpose and Scope**

This policy should be read with the School's Enrolment policy and Terms and Conditions of Enrolment and the School's Critical Incident Policy. A CRICOS overseas student is a person (within or outside Australia) who holds a student visa (subclass 500). In this policy and procedures, the terms 'overseas student' and 'International student' mean the same thing and are used interchangeably. NGS does not use Education Agents.

## **2. Policy**

The School's *Critical Incident Policy and Procedures* refers to the management and response procedures for critical incidents that apply to all students who attend NGS.

NGS also manages critical incidents that could affect the overseas student's ability to undertake or complete a course.

This policy should be read in conjunction with the suite of policies and procedure documents produced by NGS and updated from time to time, as they apply to the totality of the experience of an overseas student for the duration of their enrolment at NGS.

## **3. Procedure**

The School's *Critical Incident Policy and Procedures* defines a critical incident.

In addition, the National Code defines a critical incident for an overseas student as a "traumatic event, or the threat of such (within or outside Australia), which causes extreme

stress, fear or injury". This does not include academic misconduct. Critical incidents could include, but are not limited to:

- managing emergency situations
- welfare arrangements disrupted for students under 18 years of age
- missing students
- severe verbal or psychological aggression
- death, serious injury or any threat of these
- natural disaster
- issues such as domestic violence, physical, sexual or other abuse, and
- other non-life-threatening events
- incidents that may cause physical or psychological harm.

In the event of a critical incident, the School's *Critical Incident Policy and Procedures* will be implemented. A critical incident response plan will be generated.

NGS recognises that a critical incident could affect an overseas student's ability to undertake or complete a course in the expected duration nominated on their Confirmation of Enrolment (CoE). This will be considered if a critical incident response plan is developed for a student.

See section 4. for a list of policies and procedures that may be relevant in the event of a critical incident.

In the event of a disruption to approved accommodation and welfare arrangements for overseas students the relevant policies and procedures for accommodation and/or welfare arrangements will be implemented.

The Head of School or delegate will make all contact as specified in the critical incident response plan. This may include:

- contact with the overseas student, or emergency contacts for the overseas student. Contact details are in the overseas student's file.
- Police: 000
- Department of Home Affairs
- the overseas student's parent/legal guardian. Emergency contact details are in the overseas student's file.

NGS will maintain records of any critical incident and remedial action taken for an overseas student for at least 2 years after the overseas student ceases to be enrolled at NGS.

Deputy Head – Wellbeing and School Life will maintain records of critical incidents and remedial action in the student's file.

Deputy Head – Wellbeing and School Life will make an amendment to an overseas student's CoE or other information reported in PRISMS as soon as practicable or within the required timeframe if a critical incident response requires reportable action.

#### **4. Related Policies**

Enrolment Policy

Child Protection Policy

Child Safe Policy

Critical Incident Policy

Privacy Policy

Student Code of Conduct

Terms and Conditions of Enrolment

NGS International Students Handbook

International Fees Schedule

Younger Overseas Student Policy

Assessment of English language proficiency and educational qualifications Policy

Visa Requirements Policy

Refunds, Cancellations and Default Policy

Student Transfers Policy

Deferring, Suspending or Cancelling Enrolment Policy

Complaints and Appeals Policy – International Students

Additional CRICOS Registration Requirements

# **Student Transfers Policy**

**Reviewed:** October 2023

January 2026 – formatting and reviewed to align with updated School processes using advice documents from ISNSW

**Due for review:** January 2028

## **1. Introduction**

Newcastle Grammar School Ltd trading as Newcastle Grammar School (NGS) is listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). The School's CRICOS Provider Code is 02344D.

As a CRICOS provider, the School is registered to deliver Junior Secondary (Years 7-10) CRICOS course code 042217B and Senior Secondary (Years 11 and 12) CRICOS course code 042218A to overseas students. Any references in this document to the 'registered provider', 'provider' or 'School provider' means the School or the School as a CRICOS provider.

### **1.1 Purpose and Scope**

This policy should be read with the School's Enrolment policy and Terms and Conditions of Enrolment. A CRICOS overseas student is a person (within or outside Australia) who holds a student visa (subclass 500). In this policy and procedures, the terms 'overseas student' and 'International student' mean the same thing and are used interchangeably. NGS does not use Education Agents.

## **2. Policy**

NGS will not knowingly enrol an overseas student wishing to transfer from another registered provider's course until after the first 6 months of their first School course, except in certain circumstances noted in the procedures below.

NGS will consider requests from an overseas student seeking to transfer to another School as required by the National Code Standard 7.

The processing of applications to transfer to another School provider will be at no cost to the overseas student and parent/legal guardian.

## **3. Procedure**

### **3.1 Transferring into NGS within the first 6 months at another School (receiving provider)**

If an overseas student requests a transfer into NGS in the first 6 months of their first School course at another School, the transfer request must be made in writing via email to the Head of Enrolments and must be addressed to the Head of School.

Additional documentation that must be submitted with the email including:

- application for enrolment for an overseas student
- all requirements from the *Assessment of English Language Proficiency and Educational Qualifications Policy and Procedures*
- written confirmation the overseas student's parent/legal guardian supports the transfer if the overseas student is under 18
- documentation supporting/outlining grounds for transfer.

If the overseas student is within the first 6 months of their first School course at another School, The Head of School or delegate will only consider an application for enrolment if any of the following apply:

- the releasing School provider, or the course in which the overseas student is enrolled, has ceased to be registered
- the releasing School provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing the course at that registered provider
- 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
- the releasing School provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS.

The Head of School or delegate may request additional information to assesses the request, including but not limited to:

- documentation from the current School provider
- using PRISMS/VEVO to search for the overseas student's study details and history
- contacting the DHA
- other methods as necessary.

The Head of School or delegate will make a decision about the transfer request within 2 weeks from the date received.

The Head of Enrolments will inform the applicant of the result of the application in writing.

The Head of School or delegate may make a conditional offer of enrolment.

The Head of Enrolments will provide the overseas student with all required pre-enrolment material with any conditional offer made. A conditional offer will include that the releasing provider approve the transfer request and release the student in PRISMS. Other conditions may be included.

If a conditional offer of enrolment is made, the written communication will:

- inform the overseas student of their visa obligation to maintain their current welfare arrangements until the transfer date, or have alternate welfare arrangements approved or return to their home country until the new approved welfare arrangements take effect
- note the date of the transfer.

The Head of Enrolments will confirm in PRISMS the overseas student's transfer has been approved by the releasing provider. If it has been approved in PRISMS, the Head of Enrolments will:

- negotiate the date of transfer of welfare and accommodation with the releasing provider
- create a CoE in PRISMS
- communicate in writing to the overseas student and parent/legal guardian that:
  - the condition of enrolment has been met and the enrolment will proceed or that the offer still remains conditional
  - provide the overseas student and parent/legal guardian with the new CoE
  - inform the overseas student of their visa obligation to maintain their current welfare arrangements until the transfer date or have alternate welfare arrangements approved or return to their home country until the new approved welfare arrangements take effect.

### **3.2 Transferring out of NGS within the first 6 months (releasing provider)**

If an overseas student requests a transfer from NGS in the first 6 months of the first course, the transfer request must be made in writing via email to the Head of Enrolments and must be addressed to the Head of School.

Additional documentation required to be submitted with the transfer request includes:

- an offer of enrolment from a receiving a School provider
- written confirmation the parent/legal guardian supports the transfer if the overseas student is under 18
- documentation supporting/outlining grounds for transfer.

NGS will approve the transfer request of an overseas student in first 6 months of study of the first course if one or more of the following apply:

- NGS or the course in which the overseas student is enrolled, has ceased to be registered
- NGS has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing their course
- 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
- NGS has agreed that compelling or compassionate circumstances exist including but not limited to:
  - serious illness or injury
  - bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
  - major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies
  - involvement in, or witnessing of a serious accident
  - 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)
  - failure to offer a pre-requisite 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
  - failure 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 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

The circumstances in which a transfer request will be refused may include, but are not limited to:

- supporting documentation not submitted or application incomplete

- none of the grounds for a transfer apply

When assessing the transfer request, the Head of School or delegate may request additional information including but not limited to:

- requesting documentation from the proposed new School provider
- phoning and/or meeting with the proposed new School provider
- using PRISMS/VEVO to search for the student and study history
- contacting the DHA
- other methods as necessary.

The Head of School or delegate will communicate an intention to refuse a transfer request in writing. The communication will identify the reason/s for the intention to refuse and will advise the overseas student of the right to access the School's *Complaints and Appeals Process* within 20 working days.

The Head of School or delegate will decide transfer requests within 2 weeks from the date of receipt.

The Head of Enrolments will inform the overseas student and parent/legal guardian of the result of the request in writing.

Approved requests are at no cost to the overseas student and parent/legal guardian and written communication will include:

- that the overseas student must contact Immigration to seek advice on whether a new student visa is required
- the transfer date.

The Head of Enrolments will finalise the transfer request in PRISMS.

- If the outcome of the transfer request is approval, finalisation in PRISMS will occur as soon as is practicable.
- If the outcome of the transfer request is refusal, this finalisation will only occur once:
  - a complaint or appeal finds in favour of NGS **OR**
  - a complaint and appeal has not been made within 20 working days **OR**
  - the student withdraws from the complaints and appeals process.

If the transfer request is approved, the Head of Finance and Business Services will consult the *Refunds, cancellations and defaults policy* to determine if a refund is required.

### **3.3 Transferring into NGS after the first 6 months of study**

If an overseas student requests a transfer into NGS after the first 6 months of their first course at another School, the transfer must be made in writing via email to the Head of Enrolments and must be addressed to the Head of School.

Additional documentation that must be submitted with the email includes:

- application for enrolment for an overseas student
- all requirements from the *Assessment of English Language Proficiency and Educational Qualifications Policy and Procedures*
- written confirmation the overseas student's parent/legal guardian supports the transfer if the overseas student is under 18.

The Head of Enrolments will check PRISMS to confirm the overseas student has completed 6 months of study in their first School course.

The Head of School as PEO will review the transfer request and decide whether to make an offer of enrolment.

The overseas student and parent/legal guardian will be informed of the result of the application in writing by the Head of Enrolments within 2 weeks of receipt of the application.

If the application for enrolment and transfer request is approved written communication will:

- provide the overseas student with all required pre-enrolment material
- provide an offer of enrolment (which may be a conditional offer subject to welfare arrangements being finalised)
- inform the overseas student of their visa obligation to maintain their current welfare arrangements until the transfer date, or have alternate welfare arrangements approved or return to their home country until the new approved welfare arrangements take effect
- note the date of the transfer.

Following receipt of the acceptance of the offer of enrolment from the overseas student and parent/legal guardian and Head of Enrolments will:

- negotiate the date of transfer of welfare and accommodation with the overseas student's current School provider
- create a CoE in PRISMS and provide a copy to the overseas student and parent/legal guardian
- communicate in writing to the overseas student and parent/legal guardian:

- confirmation that enrolment will proceed or that the offer still remains conditional
- that the overseas student's visa obligations require them to maintain their current welfare arrangements until the transfer date or have alternate welfare arrangements approved or return to their home country until the new approved welfare arrangements take effect remain.

### **3.4 Transferring out of NGS after the first 6 months**

If an overseas student plans to transfer from NGS to another School provider after the first 6 months of their first School course with NGS, documentation must be provided to the Head of School regarding the transfer of enrolment.

Documentation includes:

- cancellation/written transfer of enrolment request
- offer of enrolment from the new School provider
- written confirmation the parent/legal guardian supports the transfer if the overseas student is under 18

The Head of Enrolments will review the documentation to ensure NGS has all information to complete PRISMS reporting requirements.

The overseas student and their parent/legal guardian will be issued a letter by the Head of Enrolments informing them that:

- all required documentation has been submitted
- that the overseas student must contact Immigration to seek advice on whether a new student visa is required
- the transfer date.

The Head of Enrolments will record the transfer in PRISMS. The Head of Enrolments will confirm and complete any other reporting requirements.

The Head of Finance and Business Services will consult the *Refunds, cancellation and defaults policy* for refund eligibility and required actions.

If all required documentation is not submitted, the Head of Enrolments and the Head of School or delegate will consult other relevant policies and procedures. Additional reporting in PRISMS and/or contact with the parent/legal guardian may be required.

### **3.5 Staff informed of policy and procedures**

The Risk and Compliance Officer will make this policy available to staff via Policy Connect and to students on Schoolbox and during orientation.

### **3.6 Records maintained**

The Head of Enrolments will maintain the following records in the overseas student's file:

- request for transfer to another registered School provider
- written approval from a parent/legal guardian for the transfer if the student is under 18
- decision of the transfer request if the request is made in the first 6 months of the first School course
- communication of the outcome of the request to the overseas student and parent/legal guardian if the student is under 18
- change to the overseas student's enrolment in PRISMS.

#### **4. Related Policies**

Enrolment Policy

Child Protection Policy

Child Safe Policy

Critical Incident Policy

Privacy Policy

Student Code of Conduct

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Additional CRICOS Registration Requirements

# **Deferring, Suspending or Cancelling Enrolment Policy**

**Reviewed:** October 2023

January 2026 – formatting and reviewed to align with updated School processes using advice documents from ISNSW

**Due for review:** January 2028

## **1. Introduction**

Newcastle Grammar School Ltd trading as Newcastle Grammar School (NGS) is listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). The School's CRICOS Provider Code is 02344D.

As a CRICOS provider, the School is registered to deliver Junior Secondary (Years 7-10) CRICOS course code 042217B and Senior Secondary (Years 11 and 12) CRICOS course code 042218A to overseas students. Any references in this document to the 'registered provider', 'provider' or 'School provider' means the School or the School as a CRICOS provider.

### **1.1 Purpose and Scope**

This policy should be read with the School's Enrolment policy and Terms and Conditions of Enrolment. A CRICOS overseas student is a person (within or outside Australia) who holds a student visa (subclass 500). In this policy and procedures, the terms 'overseas student' and 'International student' mean the same thing and are used interchangeably. NGS does not use Education Agents.

## **2. Policy**

NGS manages the enrolment of overseas students appropriately and provides all necessary information about enrolments to the relevant government department by maintaining information in the Provider Registration and International Student Management System (PRISMS) database.

### **2.1 Definitions**

Deferral – to delay the overseas student's commencement date for a course, initiated by the student through a request to NGS prior to commencement of study on the grounds of compassionate or compelling circumstances.

Suspension – temporary suspension of study of an overseas student and putting their enrolment on hold for a defined period after the enrolment has commenced, initiated by the overseas student (on compassionate or compelling circumstances) or by NGS (due to disciplinary reasons, misbehaviour of the overseas student or a breach of course progress or attendance requirements).

Cancellation – the termination the overseas student’s enrolment in a course, may be initiated by the student or the School.

### **3. Procedure**

#### **3.1 Student initiated – deferment, suspension or cancellation**

An overseas student can request to defer the commencement of their study, suspend their study or cancel their enrolment.

To initiate any of these options the overseas student must submit a written request with supporting documentation including agreement from their parent/legal guardian if the student is under 18, to the Head of School

The Head of School or delegate may request additional documentation to assess a request.

NGS may agree to the request of the overseas student if it believes there are compassionate or compelling circumstances.

Compelling and compassionate circumstances may 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)
- major political upheaval or natural disaster in the student’s home country requiring emergency travel and this has impacted on the overseas student’s studies; or
- a traumatic experience, which could include:
  - involvement in, or witnessing of a serious accident; or
  - 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)
- if NGS was unable to offer a pre-requisite 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.

A decision about an overseas student-initiated deferment, suspension of study or cancellation of enrolment will be made by the Head of School or delegate by reviewing the documentation provided.

If an overseas student-initiated deferral, suspension or cancellation of enrolment is approved, the Head of Enrolments will advise the student and their parent/legal guardian

in writing. This will include advising the overseas student of the need to seek advice from Immigration on the potential impact on the overseas student's visa.

If an overseas student-initiated deferral, suspension or cancellation of enrolment is not approved, the Head of Enrolments will advise the student and their parent/legal guardian in writing. This will include the right to appeal through the School's internal *Complaints and appeals policy and procedure*, in accordance with National Code Standard 10, within 20 working days.

If an appeal is lodged, the *Complaints and appeals policy and procedure* will be implemented.

If a student-initiated deferral, suspension or cancellation of enrolment is approved, the Head of Enrolments will report the change in PRISMS.

### **3.2 Reasons for NGS initiated suspension of study or cancellation of enrolment**

The reasons NGS may suspend or cancel an overseas student's study may include, but are not limited to:

- misbehaviour by an overseas student
- an overseas student's failure to pay an amount due as stated in the written agreement
- a breach of course progress or attendance requirements
- significant concern for the health, safety and/or wellbeing of the overseas student

### **3.3 Assessment of NGS initiated suspension or cancellation of enrolment**

If NGS is considering a suspension or cancellation of enrolment for an overseas student, a procedurally fair process will be implemented.

The Head of School or delegate may direct the overseas student not to attend School while the process takes place.

The process will include the overseas student and the parent/legal guardian being provided all relevant information, including the reasons for the potential of suspension or cancellation. The Head of School or delegate will provide the overseas student and parent/legal guardian an opportunity to respond.

The Head of School or delegate will consider all information and make a decision as to whether the enrolment of the overseas student should be suspended or cancelled.

The Head of School or delegate will communicate the decision to the overseas student and their parent/legal guardian in writing.

If The Head of School or delegate decides to suspend study or cancel the enrolment of an overseas student the following will occur:

- the overseas student and parent/legal guardian will be informed of the decision and the reasons for the decision in writing
- the overseas student and the parent/legal guardian will be given information about the right to appeal through the *Complaints and appeals policy and procedure* within 20 working days.

If an appeal is not lodged within 20 working days, The Head of School or delegate will finalise the matter and advise the overseas student and parent/legal guardian of the finalisation in writing.

If an appeal is lodged the *Complaints and appeals policy and procedure* will be implemented.

### **3.4 Notifications in PRISMS of NGS initiated suspension or cancellation of enrolment**

The suspension or cancellation of an overseas student's enrolment under National Code Standard 9.3 cannot take effect until the School's internal complaints/appeals process is completed, unless the student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

The outcome of an appeal will be communicated to the overseas student in writing by The Head of School or delegate and will ensure consistency with the School provider's *Complaints and appeals policy and procedure*. This correspondence will inform the overseas student and parent/legal guardian of the need to seek advice from Immigration on the potential impact on the overseas student's visa.

If a suspension or cancellation is initiated by NGS, and the appeals process has been completed and the decision is in the favour of NGS or no appeals process has been sought, the Head of Enrolments will report in PRISMS.

### **3.5 Refund due to student default**

The Head of Finance and Business Services will consult the *Refunds, cancellation and default policy and procedures* in the case of a suspension or cancellation of an overseas student's enrolment.

### **3.6 Records**

The Head of Enrolments will maintain all records of applications, processes, and correspondence related to a deferment, suspension of study or cancellation of enrolment in the overseas student's files.

#### **4. Related Policies**

Enrolment Policy

Child Protection Policy

Child Safe Policy

Critical Incident Policy

Privacy Policy

Student Code of Conduct

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Assessment of English language proficiency and educational qualifications Policy

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Critical Incident Policy – International Students

Student Transfers Policy

Complaints and Appeals Policy – International Students

Additional CRICOS Registration Requirements

# **Complaints and Appeals Policy – International Students**

**Reviewed:** October 2023

January 2026 – formatting and reviewed to align with updated School processes using advice documents from ISNSW

**Due for review:** January 2028

## **1. Introduction**

Newcastle Grammar School Ltd trading as Newcastle Grammar School (NGS) is listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). The School's CRICOS Provider Code is 02344D.

As a CRICOS provider, the School is registered to deliver Junior Secondary (Years 7-10) CRICOS course code 042217B and Senior Secondary (Years 11 and 12) CRICOS course code 042218A to overseas students. Any references in this document to the 'registered provider', 'provider' or 'School provider' means the School or the School as a CRICOS provider.

### **1.1 Purpose and Scope**

This policy should be read with the School's Enrolment policy, Terms and Conditions of Enrolment and the School's Complaints Resolution Policy and Procedures – School Community. A CRICOS overseas student is a person (within or outside Australia) who holds a student visa (subclass 500). In this policy and procedures, the terms 'overseas student' and 'International student' mean the same thing and are used interchangeably. NGS does not use Education Agents.

## **2. Policy**

A complaint or grievance is an expression of dissatisfaction made to the School about an educational and/or operational matter relating to services provided by NGS, or the behaviour or decisions of a staff member, student, contractor or volunteer, including misconduct.

Complaints may be made by a student or parent/carer(s) or other members of the School community. NGS complaints resolution processes are conciliatory and non-legal. The School will seek to resolve complaints informally where possible but acknowledges that in some cases a person may wish to proceed with a formal grievance.

Issues or concerns may arise because of a misunderstanding, miscommunication, or mistake and NGS would prefer that a student first addresses an issue or concern informally. NGS will always provide students with access to professional, timely, inexpensive processes for handling complaints and appeals, to protect overseas students' right to natural justice and procedurally fair processes.

Employees of NGS are responsible for managing the resolution of enquiries, concerns, complaints and disputes lodged by students, parent/carer(s) and members of the community. Employees will make every effort to resolve all enquiries, concerns, complaints and disputes promptly and in accordance with procedural fairness/natural justice.

The Head of School or delegate (i.e. Deputy Head of School, Head of Primary, Head of People & Culture etc.) is responsible for establishing and maintaining processes for the management and review of enquiries, concerns, complaints and disputes.

A Complaints Register is kept by the Executive Assistant to the Head of School. Complaints are reviewed regularly by the School's Executive staff.

### **3. Procedure**

An overseas student can approach any member of staff at NGS for an initial discussion at any time about an issue or concern.

If informal approaches have not worked or are not appropriate, an overseas student may wish to make a formal complaint.

A student can make a formal complaint about the School.

See the School's Complaints Resolution Policy and Procedures – School Community.

#### **3.1 How to submit a formal complaint/appeal**

After following the Informal Complaints Resolution process, if a successful outcome is not achieved, the overseas student may lodge a formal complaint or appeal with the Head of School. The overseas student may submit accompanying documentation to support the complaint/appeal.

#### **3.2 Assessment of a formal complaint/appeal**

When a complaint/appeal is received, the Head of School or delegate will provide a written acknowledgement to the overseas student and parent/legal guardian. The following details or documentation will be in the acknowledgement:

- an assessment of the issues raised will commence within 10 working days of the complaint/appeal being made and the outcome will be finalised as soon as practicable
- the overseas student's enrolment will be maintained while the complaint/appeal is being assessed
- a summary of the assessment process
- the overseas student can present their case at no cost and be accompanied or assisted by a support person at any meetings

- further documentation may be requested during the assessment of the complaint/appeal
- a copy of the *Complaints and appeals policy and procedures*.

The Head of School or delegate will commence an assessment of the complaint/appeal within 10 working days of it being submitted and the outcome will be finalised as soon as practicable.

The Head of School or delegate will investigate a complaint/appeal. An investigation may include, but is not limited to, interviews and reviewing relevant documentation submitted by the overseas student or others.

The overseas student will have the opportunity to formally present their case and be accompanied by a support person in all meetings. The Head of School or delegate will explain the process to the student.

The Deputy Head – Wellbeing and School Life, the investigator, will make a recommendation to the Head of School who will decide the outcome of a complaint/appeal.

### **3.3 Communication of the decision about a complaint/appeal**

The overseas student and the parent/legal guardian will be given a written statement of the decision about the complaint/appeal, including reasons for the decision.

If the decision is not in favour of the overseas student, the Head of School will advise the overseas student and the parent/legal guardian in writing within 10 working days of concluding the investigation, of their right to access an external complaint handling and appeals process at minimal or no cost.

The contact details of the Overseas Student Ombudsman and Independent Schools NSW will be provided to the overseas student in this communication.

### **3.4 Decision in favour of the overseas student**

If the internal or any external complaints/appeal process results in a decision in favour of the overseas student and their parent/legal guardian, NGS will immediately implement the decision or recommendation.

NGS will immediately take the preventative or corrective action required by the decision and advise the overseas student and their parent/legal guardian of that action in writing.

### **3.5 Records**

Records relating to complaints, appeals, preventative or corrective actions will be stored in the overseas student's file by the Deputy Head – Wellbeing and School Life.

#### **4. Related Policies**

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Complaints Resolution Policy and Procedures – School Community

Additional CRICOS Registration Requirements

## **Additional CRICOS Registration Requirements**

**Reviewed:** October 2023

January 2026 – formatting and reviewed to align with updated School processes using advice documents from ISNSW

**Due for review:** January 2028

### **1. Introduction**

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#### **1.1 Purpose and Scope**

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### **2. Policy**

NGS continues to meet the requirements for CRICOS registration. NGS provides NESAs with required information within timeframes and in the form required by NESAs. All information related to specific aspects of the School's courses and operations are kept up to date with NESAs and the Commonwealth as required.

### **3. Procedure**

If there are any proposed changes to NGS's CRICOS registration for a School course, the Head of Finance and Business Services will submit the notification or application to NESAs via RANGS Online at least 30 days prior to the time at which those changes are proposed to take effect. Changes to NGS's scope of approval may include:

- adding/removing registered courses
- adding/removing registered delivery sites
- increasing/decreasing the maximum number of overseas students that can be enrolled.

The Head of Finance and Business Services will notify NESAs in writing via RANGS online:

- of a change of the Head of School (Principal Executive Officer) within 7 days of the change, the notification will include a copy of a statutory declaration signed by the new PEO declaring that they are fit and proper using NESAs CRICOS PEO statutory declaration template located in RANGS Online
- when the School or an associate, or a high managerial agent 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 Corporations Act
  - has been involved in the business of provision of course by another provider that was subject to any of the points above.
- of any change in the name or address of NGS 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 the School 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 NGS 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 the School's approval and registration to deliver courses to overseas students, at least three months before the cancellation or suspension

- to add or withdraw a course at NGS, at least one month before implementing the change
- to request an increase or decrease to overseas student capacity of NGS, at least one month before implementing the change
- to request to re-distribute the School's approved capacity across delivery sites, at least one month before implementing the change
- to request to add to or remove a delivery site from NGS, at least three months before implementing the change.

Records of notifications to NESAs will be stored in the Compliance Sharepoint folder by the Head of Finance and Business Services.

#### **4. Related Policies**

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