

## 025-PP-MGS **Student Engagement Before Enrolment and Formalisation of Enrolment Policy**

### 1. **Purpose and Scope**

This policy looks at several aspects of student engagement before enrolment, including the supply of information about courses and living in Australia, English language proficiency requirements and grounds to defer, suspend or cancel enrolment.

It deals with the requirements of:

- National Code Standard 1/NESA Guidelines, Requirement 3.5: Student engagement before enrolment
- National Code Standard 2/NESA Guidelines, Requirement 3.5: Student engagement before enrolment
- National Code Standard 3/NESA Guidelines, Requirement 3.5: Formalisation of enrolment

### 2. **Responsibilities**

The International Marketing Officer and the Admissions Officer have overall responsibility for ensuring that engagement with potential students before and during enrolment is appropriate and compliant, and ensures that they are making an informed decision about their institution and course of study.

All staff who have contact with potential students before enrolment must be familiar with this policy document.

### 3. **Provision of Information to Students Before Enrolment**

It is essential that students are provided with adequate information before enrolling, as set out in 015-Marketing, Promotional and Advertising Material Policy and Procedure.

### 4. **'Anti-Poaching Provision': Not Recruiting Students in the Early Stages of Their Principal Course Without a Letter of Release**

The important point here is to avoid recruiting students who have completed less than six months of their principal course on a student visa, or who have not yet completed courses before their principal course as part of a package of courses. The exception is that they can provide a letter of release from their provider and (if under 18) evidence of permission from their parent(s) or legal guardian. Under no circumstances will MGS actively recruit these students. Further, MGS will take reasonable steps to avoid inadvertent enrolment of such students.

070-Admissions Procedure (International Students) must be followed. The first step of this ("Assess the Application") includes the relevant checks. PRISMS should alert MGS to the fact that a student is studying with another provider during the eCoE creation process, but it is still prudent to check directly with the student also.

An exception is where a provider has ceased to provide a course, in which case MGS may decide to participate in the student placement programme, to allow students to continue their studies.

## **5. Assessment of Each Student's Qualifications, Experience and English Language Proficiency**

This must be carried out in accordance with 070-Admissions Procedure (International Students)

## **6. Formalisation of Enrolment, Including Who Can Sign**

Again, this should be carried out in accordance with 070-Admissions Procedure (International Students), which will ensure that the following general procedures are adhered to:

- It must be emphasised that agreements should be signed by the student's parent or legal guardian if the student is under 18 at the time of signing (or by the student if the student has reached their eighteenth birthday). Under no circumstances may an agreement be accepted that is signed by any other person, e.g. agent or guardian appointed by a guardianship agent who doesn't have legal guardian status. Reasonable steps to verify signatures will also be taken, by requiring that an official document bearing the signature such as driving licence or passport be submitted at the same time.
- No course money will be accepted before the parent/legal guardian has fully entered into a written agreement with MGS (this may happen at the same time as, or after, the written agreement is fully signed); if attempts to pay are made before the agreement has been signed by both parties, the payment should be rejected if possible and an explanation given. If the money has been paid into the school's bank account, the parent/legal guardian must be informed immediately of the need for the agreement to be signed, and if this has not happened within three working days, the money will be immediately refunded. In the meantime, the money should not be touched. Records of all steps taken and the reasons for them should be kept on file.
- English language proficiency evaluation is to be carried out before accepting the student.
- The written agreement includes the following information (*NOT* simply links to the information):
  - the title and CRICOS number of the course
  - any conditions on the student's enrolment such as the need to meet a particular level of English language proficiency
  - an itemised list of all money payable, including but not only tuition fees, OSHC fees, materials fees, etc
  - the MGS refund policy, including:
    - amounts that can and cannot be repaid
    - process for claiming refunds
    - plain English explanation of what happens in the event of a course not being delivered
    - the statement "This agreement, and the availability of complaints and appeals processes, does not remove the right of the student to take action

under Australia's consumer protection laws", and a plain English explanation of this statement

- the circumstances in which the personal information of the student, parent(s) or legal guardian(s) may be shared with others, including homestay agencies and other service providers, the Australian Government, designated authorities and the Tuition Protection Service, including information about a suspected breach by the student of their visa conditions
- the requirement that the student advises MGS of any change of address while enrolled with MGS
- instructions not to pay until the agreement is fully signed or accepted electronically by both parties

Agreements will either be signed by both parties, or acceptance of the agreement will be electronic. If the latter, the form of electronic acceptance must be of a type that is expected to survive a legal challenge.

If a particular student will study more than one course at MGS (e.g. ELICOS followed by High School) then a single written agreement may cover both courses as long as the details of both courses are included. Note that this only applies because both courses are registered on CRICOS with MGS; should another provider be involved, the student will need a separate agreement with the other provider.

## 7. Revision history

Review date: 9 Oct 2016

Version	Date	Description of modifications
5.0	30 Sept 2015	Complete review; title change from <i>Student Engagement before Enrolment</i> to <i>Student Engagement before Enrolment and Formalisation of Enrolment Policy</i> to reflect the broadened scope of this document
5.1	9 Oct 2015	Greater emphasis given to who may sign the written agreements
5.2	30 Oct 2015	Minor revisions to 'anti-poaching provision' to align with newly revised 099-Transfer of international students between registered providers
5.3	27 Mar 2016	Roles, Titles and Responsibilities
5.4	27 Mar 2016	National Code changes, Roles and Responsibilities
6.0	22 Mar 2023	reviewed Roles, Responsibilities and Procedures