

TKIS International Policies

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The Australian ESOS Framework under which TKIS operates

All accredited education providers in Australia are governed by a wide range of regulations and standards that are defined under the ESOS Act and the National Code (of Ethics). The Act (and Code) serve to ensure that the high standards of Australian education providers is maintained and that students coming to Australia can be assured of quality education and transparency and fairness from education providers.

In practice, education providers like TKIS are required to provide clear policy statements in relation to all aspects of the delivery of education to international students.

Apart from the list of Application Forms in the rear Appendix, the remainder of this booklet is largely dedicated to communicating these various policies. Though the language used in these policies is sometimes difficult to understand, this is because the use of legal terminology and phrasing is required given the nature and importance of the policies they represent.

It is important that every student considering applying to attend TKIS should carefully read and ensure they understand the implications of these policies. If you need assistance with understanding the various policies, we suggest you seek translation services which are available from many sources, including the Australian Embassies and Consulates.

Appendix A

- Refund Policy
- Deferment, Suspension, Cancellation, Complaints and Appeals Policy
- Behavioural Policy/Code of Conduct
- Student Transfer Policy
- Welfare and Accommodation Policy
- Course Progress and Attendance Policy

APPLICATION FORM:

TKIS Application forms are now published online.

Please access the school's current official application form by visiting:

http://www.tkis.qld.edu.au/form_a1.pdf

Appendix A - TKIS Refund Policy

A copy of this policy is provided to the student (or parent(s)/legal guardian if the student is under 18) at a reasonable time prior to a written agreement being signed or an amount is paid for a registered course, whichever happens first.

- 1) This refund policy applies to all course monies paid to the school and includes any course monies paid to an education agent to be remitted to the school.
- 2) Fees for services paid to education agents by students (or parent(s)/legal guardian if the student is under 18) are not covered by this refund policy.
- 3) The application fee is non-refundable.
- 4) Payment of Course Fees and Refunds
 - a. Fees are payable 12 months in advance.
 - b. All fees must be paid in Australian dollars.
 - c. If the student changes visa status (e.g. becomes a temporary or permanent resident) he/she will continue to pay full overseas student's fees for the duration of that year.
 - d. Refunds will be reimbursed in Australian dollars and the payment sent to the applicant's home country unless otherwise requested in writing.
 - e. Refunds will be paid to the person who enters into the written agreement unless the school receives written advice from the person who enters the written agreement to pay the refund to someone else.
- 5) All notification of withdrawal from a course, or applications for refunds, must be made in writing and submitted to the Bursar.
- 6) Unsuccessful Enrolment/Visa Rejection
 - a. The school will refund within four weeks all course monies paid where the student's application for enrolment is refused by the school. [Applicable only if payment of fees has accompanied the application/enrolment form and lodgement of the written agreement.]
 - b. The school will refund within four weeks all course monies paid where the student produces evidence that the application made by the student for a student visa has been rejected by the Australian immigration authorities.
- 7) Student Default
 - a. Refunds for student default apply to tuition fees only. Course monies (excluding tuition fees) will be refunded on a pro rata basis proportional to the amount of time the student was studying in the course, except where a non-refundable payment on behalf of the student has been made.
 - b. If the student does not provide written notice of withdrawal and does not start the course on the agreed starting date, only one term's (or ten weeks) tuition fees will be refunded from the annual tuition fee.
 - c. The school will refund within four weeks of the receipt of written notification of withdrawal by the student (or parent(s)/legal guardian if the student is under 18) tuition fees paid by or on behalf of the student less the amounts to be retained as agreed and detailed below.
 - i. If written notice is received up to four weeks prior to commencement of the course, the school will be entitled to retain an administration fee of \$400
 - ii. If written notice is received less than four weeks prior to commencement of the course 70% of the tuition fee will be refunded.
 - iii. If written notice is received within six months of the commencement date of the student's course, only one term's (or ten weeks) tuition fees will be refunded from the annual tuition fee.
 - iv. If written notice is received more than six months after the commencement date of the student's course no refund of tuition fees will be made.
 - d. No refund of tuition fees will be made where a student's enrolment is cancelled for any of the following reasons:
 - i. Failure to maintain satisfactory course progress (visa condition 8202)
Please see [School Refund Policy]
 - ii. Failure to maintain satisfactory attendance (visa condition 8202)
Please see [School Refund Policy]
 - iii. Failure to maintain approved welfare and accommodation arrangements (visa condition 8532)
 - iv. Failure to pay course fees
 - v. Any behaviour identified as resulting in enrolment cancellation in The Kooralbyn International School's Behaviour Policy/Code of Conduct. [Students are required to act in a legal, courteous, respectful manner in keeping with the high expectations of behaviour, dress and work rate of a TKIS student.]
- 8) School Default
 - a. If for any reason the school is unable to offer a course, a full refund of fees paid will be made within 14 days of the agreed starting day.
 - b. If for any reason the school is unable to continue offering a course after student commencement, a full refund of fees paid, including for the portion of the course already taught, will be made within 14 days of the day the course ceased to be delivered.
- 9) 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.
- 10) Definitions
 - a. *Course money* – includes tuition fees, any amount received by the school for Overseas Student Health Cover (OSHC) and any other amount the student has to pay in order to undertake the course.

Appendix A - Deferment, Suspension and Cancellation Policy

- 1) **Deferment of commencement of study requested by student**
 - a) The Kooralbyn International School will only grant a deferment of commencement of studies for compassionate and compelling circumstances. These include but are not limited to:
 - i) illness, where a medical certificate states that the student was unable to attend classes
 - ii) bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
 - iii) major political upheaval or natural disaster in the home country requiring emergency travel that has impacted on studies
 - iv) a traumatic experience which has impacted on the student (these cases should be where possible supported by police or psychologists' reports)
 - b) The final decision for assessing and granting a deferment of commencement of studies lies with the [insert position].
 - c) Deferment will be recorded on PRISMS depending on the students CoE status.
- 2) **Suspension of study requested by student**
 - a) Once the student has commenced the course, The Kooralbyn International School will only grant a suspension of study for compassionate and compelling circumstances. These include but are not limited to;
 - i) illness, where a medical certificate states that the student was unable to attend classes
 - ii) bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
 - iii) major political upheaval or natural disaster in the home country requiring emergency travel that has impacted on studies
 - iv) a traumatic experience which has impacted on the student (these cases should be where possible supported by police or psychologists' reports)
 - b) Suspensions will be recorded on PRISMS.
 - c) The period of suspension will not be included in attendance calculations.
 - d) The final decision for assessing and granting a suspension of studies lies with the Principal.
- 3) **Assessing requests for deferment or suspension of studies**
 - a) Applications will be assessed on merit by the Principal.
 - b) All applications for deferment or suspension will be considered within 14 working days.
- 4) **Exclusion from class (1 – 28 days)**
 - a) *The Kooralbyn International School* may exclude a student from class studies on the grounds of misbehaviour by the student. Exclusion will occur as the result of any behaviour identified as resulting in exclusion in *The Kooralbyn International School's Behaviour Policy/Code of Conduct*.
 - b) Excluded students must abide by the conditions of their exclusion from studies which will depend on the welfare and accommodation arrangements in place for each student and which will be determined by the Principal.
 - c) Where the student is provided with homework or other studies for the period of the exclusion, the student must continue to meet the academic requirements of the course.
 - d) Exclusions from class will not be recorded on PRISMS.
 - e) Since periods of 'exclusion from class' will not exceed 2% of course time, they will be included in attendance calculations as per *The Kooralbyn International School's Course Progress and Attendance Policy*
- 5) **School initiated suspension of studies (28 days +)**
 - a) The Kooralbyn International School may initiate a suspension of studies for a student on the grounds of misbehaviour by the student. Suspension will occur as the result of any behaviour identified as resulting in suspension in *The Kooralbyn International School's Behaviour Policy/Code of Conduct*.
 - b) Suspended students must abide by the conditions of their suspension from studies which will depend on the welfare and accommodation arrangements in place for each student and which will be determined by the [insert position].
 - c) Students who have been suspended for more than 28 days may need to contact DIAC.
 - d) If special circumstances exist, the student must abide by the conditions of his or her suspension which will depend on the welfare and accommodation arrangements in place for each student and which will be determined by the Principal.
 - e) Suspensions will be recorded on PRISMS.
 - f) The period of suspension will not be included in attendance calculations.
- 6) **Cancellation of enrolment**
 - a) *The Kooralbyn International School* will cancel the enrolment of a student under the following conditions;
 - i) Failure to pay course fees
 - ii) Failure to maintain approved welfare and accommodation arrangements (visa condition 8532)
 - iii) Any behaviour identified as resulting in cancellation in *The Kooralbyn International School's Behaviour Policy/Code of Conduct*.
 - b) *The Kooralbyn International School* is required to report failure to maintain satisfactory course progress and failure to maintain satisfactory attendance to DIAC which will result in automatic cancellation.

7) Complaints and Appeals

- a) Student requested deferment and suspension are not subject to The Kooralbyn International Schools Complaints and Appeals Policy.
- b) Exclusion from class is subject to The Kooralbyn International School's Complaints and Appeals Policy.
- c) School initiated suspension, where the suspension is to be recorded in PRISMS, and cancellation are subject to The Kooralbyn International School's Complaints and Appeals Policy.
- d) For the duration of the appeals process, the student is required to maintain enrolment and attendance at all classes as normal. The Principal will determine if participation in studies will be in class or under a supervised arrangement outside of classes.
- e) If students access The Kooralbyn International School's complaints and appeals process regarding a school initiated suspension, where the suspension is recorded in PRISMS, or cancellation, the suspension or cancellation will not be reported in PRISMS until the complaints and appeals process is finalised, unless extenuating circumstances relating to the welfare of the student apply.
- f) Extenuating circumstances include;
 - i) the student refuses to maintain approved welfare and accommodation arrangements (for students under 18 years of age)
 - ii) the student is missing
 - iii) the student has medical concerns or severe depression or psychological issues which lead the school to fear for the student's wellbeing
 - iv) the student has engaged or threatened to engage in behaviour that is reasonably believed to endanger the student or others
 - v) is at risk of committing a criminal offence, or
 - vi) the student is the subject of investigation relating to criminal matters
- g) The use of extenuating circumstances by The Kooralbyn International School to suspend or cancel a student's enrolment prior to the completion of any complaints and appeals process will be supported by appropriate evidence.
- h) The final decision for evaluating extenuating circumstances lies with the Principal.

8) Student Advice

- a) Deferment, suspension and cancellation of enrolment can have an effect on a student's visa as a result of changes to enrolment status. Students will be informed to contact the Department of Immigration for advice.

9) Definitions

- a) *Day – any day including weekends and public holidays in or out of term time*

Appendix A - Behavioural Policy/Code of Conduct

The Kooralbyn International School provides every student with a Student Diary which includes detailed explanations of the school's Behavioural Management Strategies and itemises the standards of dress, behaviour, respect and work ethic that are expected of a student of TKIS.

Appendix A - Student Transfer Policy

- 1) Overseas students are restricted from transferring from their principal course of study for a period of six months. This restriction also applies to any course(s) packaged with their principal course of study.
- 2) Students can apply for a letter of release to enable them to transfer to another education provider. However, if a student is under 18 years of age, conditions apply.
- 3) Students under 18 years of age MUST also have;
 - a) Written evidence that the student's parent(s)/legal guardian supports the transfer
 - b) Written confirmation that the new provider will accept responsibility for approving the student's accommodation, support, and general welfare arrangements where the student is not living with a parent / legal guardian or a suitable nominated relative
 - c) Evidence that the student is always in DIAC approved welfare and accommodation arrangements
- 4) The Kooralbyn International School will only provide a letter of release to students in the first six months of their principal course in the following circumstances:
 - a) The student has changed welfare and accommodation arrangements and is no longer within a reasonable travelling time of the school
 - b) It has been agreed by the school the student would be better placed in a course that is not available at The Kooralbyn International School.
 - c) Any other reason stated in the policies of The Kooralbyn International School
- 5) The Kooralbyn International School will NOT provide a letter of release to students in the first six months of their principal course in the following circumstances:
 - a) The student's progress is likely to be academically disadvantaged
 - b) The Kooralbyn International School is concerned that the student's application to transfer is a consequence of the adverse influence of another party
 - c) The student has not had sufficient time to settle into a new environment in order to make an informed decision about transfer
 - d) The student has not accessed school support services which may assist with making adjustments to a new environment, including academic and personal counselling services
- 6) In order to apply for a letter of release, all students must first have a letter of offer from the receiving provider.
- 7) Applications to transfer to another registered provider may have visa implications. The student is advised to contact the Department of Immigration and Citizenship office as soon as possible to discuss any implications. The address of the nearest Office is:
Gold Coast Office, Level 1, 72 Nerang Street, Southport QLD 4215
Other contact details are: Tel: 131 881
E: studentcentre@immi.gov.au
- 8) It is a requirement under Queensland legislation that letters of release, whether provided by this School or by another registered provider, give information about whether the student has demonstrated a commitment to studies during the course, had a good attendance record for the course, and paid all fees for the course.
- 9) All applications for transfer will be considered within 5 working days and the applicant notified of the decision.
- 10) Students whose request for transfer has been refused may appeal the decision in accordance with The Kooralbyn International School's complaints and appeals policy. The complaints and appeals policy is available at Student Counter.

APPENDIX A - Student Welfare and Accommodation Policy

The Kooralbyn International School approves the following accommodation options for overseas students:

- The student will live with a parent or relative as permitted by DIAC.
In this case the School does not provide a welfare letter (CAAW) via PRISMS. The student's family provides proof of relationship to DIAC for the purposes of visa application.
- The student will live in school approved accommodation and the School will generate the welfare letter (CAAW) via PRISMS to accompany the student's Confirmation of Enrolment (CoE).
- School approved accommodation options for FFPOS under 18 years of age include: *[Delete any which do not apply]*
 - School Boarding House
 - Private accommodation arrangements approved by the School which meet all requirements under relevant state and commonwealth legislation
- For School vacation periods, the following accommodation options are available to FFPOS under 18 years of age:
 - Student returns home to parents
 - Student continues to live in / is placed in Homestay arranged and approved by the school
 - Student may spend vacation with friend's family or relatives if all requirements are met in order to attain school approval and written approval has been received from BOTH sets of parents/guardians
 - Student may attend a supervised excursion, camp, etc., if all requirements are met in order to attain school approval
- If the School has taken responsibility for approving arrangements for student care and welfare, should the School not approve requests for changes to agreed arrangements, and the student refuses to maintain the approved and agreed arrangements, the School will advise the student this will be reported to DIAC via the pro forma letter in PRISMS and the student may have his/her visa cancelled. DIAC will contact the student directly to ensure visa implications are understood. This includes any requests by students under 18 years of age to attend "Schoolies Week" on completion of Year 12.
- Accommodation options for FFPOS 18 years and older include:
 - School Boarding House
 - Private accommodation arrangements
- For School vacation periods, the following accommodation options are available to FFPOS 18 years or older:
 - Student returns home to parents
 - Student continues to live in / is placed in Homestay, details of which are recorded by the School
 - Student may spend vacation with friend's family or relatives, provided details are given
 - Student may attend a supervised excursion, camp, etc., provided details are given
 - Student may travel unaccompanied during vacation periods, provided details are given and written approval has been obtained from student's parents/guardians.

All students are required to notify the School of a change of address while enrolled in the course, and students who live in school approved accommodation must not change agreed arrangements without prior approval of the School.

APPENDIX A - Course Progress and Attendance Policy

1) Course Progress

- a) The school will monitor, record and assess the course progress of each student for the course in which the student is currently enrolled.
- b) The course progress of all students will be assessed at the end of each semester of enrolment.
- c) Students who have begun part way through a semester will be assessed after one full period of attendance.
- d) To demonstrate satisfactory course progress, students will need to achieve competency in at least 40% of units in any study period.
- e) If a student does not achieve competency in at least 40% of units studied in an assessment period, the Principal will meet with the student to develop an intervention strategy for academic improvement. This may include;
 - i) additional supervised study periods
 - ii) tutorial assistance
 - iii) other intervention strategies as deemed necessary
- f) A copy of the student's individual strategy and progress reports in achieving improvement will be forwarded to parents.
- g) The student's individual strategy for academic improvement will be monitored over the following semester by the Principal and records of student response to the strategy will be kept.
- h) If the student does not improve sufficiently academically and achieve satisfactory course progress by the end of the next assessment period, The Kooralbyn International School will advise the student in writing of its intention to report the student for breach of visa condition 8202, and that he/she has 20 working days in which to access the school's internal complaints and appeals process.
- i) The school will notify DEEWR via PRISMS of the student not achieving satisfactory course progress as soon as practicable where
 - i) the student does not access the complaints and appeals process within 20 days, or
 - ii) withdraws from the complaints and appeals process, or
 - iii) the complaints and appeals process results in favour of the school

2) Completion within expected duration of study (course progression)

- a) As noted in 1.a., the school will monitor, record and assess the course progress of each student for the course in which the student is currently enrolled.
- b) Part of the assessment of course progress at the end of each semester will include an assessment of whether the student's progress is such that they are expected to complete their course within the expected duration of the course.
- c) The school will only extend the duration of the student's study where the student will not complete their course within the expected duration due to:
 - i) compassionate or compelling circumstances
 - ii) student participation in an intervention strategy as outlined in 1.e.
 - iii) an approved deferment or suspension of study has been granted in accordance with The Kooralbyn International School's Deferment, Suspension and Cancellation Policy.
- d) Where the school decides to extend the duration of the student's study, the school will report via PRISMS and/or issue a new COE if required.

3) Course attendance

- a) Satisfactory course attendance is attendance of 90% of scheduled course contact hours.
- b) Student attendance is:
 - i) checked and recorded daily
 - ii) assessed regularly
 - iii) recorded and calculated over each semester.
- c) Late arrival at school will be recorded and will be included in attendance calculations.
- d) All absences from school should be accompanied by a medical certificate, an explanatory communication from the student's carer or evidence that leave has been approved by the Principal/Head of School.
- e) Any absences longer than 3 consecutive days without approval will be investigated.
- f) Student attendance will be monitored by Student Services Officers every 4 weeks over a semester to assess student attendance using the following method.
 - i) Calculating the number of hours the student would have to be absent to fall below the attendance threshold for a semester e.g. number of study days x contact hours x 10%. [For example, a ten week semester with 5 contact hours a day would equal 250 contact hours. 10% of this is 25 hours.]
 - ii) Any period of exclusion from class will not be included in student attendance calculations. [See Standard 13 – Deferring, suspending and cancelling enrolment for an explanation of this item]
- g) Students at risk of breaching The Kooralbyn International School's attendance requirements will be counselled and offered any necessary support when they have absences totalling 25 hours during any assessment period.
- h) If the calculation at 3.f. indicates that the student has passed the attendance threshold for the study period, The Kooralbyn International School will advise the student of its intention to report the student for breach of visa condition 8202, and that he/she has 20 working days in which to access the school's internal complaints and appeals process except in the circumstances outlined in 3.j.

- i) The school will notify DEEWR via PRISMS of the student not achieving satisfactory course attendance as soon as practicable where:
 - i) the student does not access the complaints and appeals process within 20 days
 - ii) withdraws from the complaints and appeals process
 - iii) the complaints and appeals process results in a decision for the school.
- j) Students will not be reported for failing to meet the 80% threshold where:
 - i) the student produces documentary evidence clearly demonstrating compassionate or compelling circumstances e.g., medical illness supported by a medical certificate, and
 - ii) has not fallen below 70% attendance.
- k) The method for calculating 70% attendance is the same as that outlined in 3.f. with the following change; number of study days x contact hours x 30%.
- l) If a student is assessed as having nearly reached the threshold for 70% attendance, the Principal will assess whether a suspension of studies is in the interests of the student as per The Kooralbyn International School's Deferment, Suspension and Cancellation Policy.
- m) If the student does not obtain a suspension of studies under The Kooralbyn International School's Deferment, Suspension and Cancellation Policy, and falls below the 70% threshold for attendance, the process for reporting the student for unsatisfactory attendance (breach of visa condition 8202) will occur as outlined in 3.h. – 3.i

4) Definitions

- a) *Compassionate or compelling circumstances* - circumstances beyond the control of the student that are having an impact on the student's progress through a course. These could include:
 - i) serious illness, where a medical certificate states that the student was unable to attend classes
 - ii) bereavement of close family members such as parents or grandparents
 - iii) major political upheaval or natural disaster in the home country requiring their emergency travel that has impacted on their studies
 - iv) a traumatic experience which has impacted on the student (these cases should be where possible supported by police or psychologists' reports)
 - v) where the school was unable to offer a pre-requisite unit
 - vi) inability to begin studying on the course commencement date due to delay in receiving a student visa

For other circumstances to be considered as compassionate or compelling, evidence would need to be provided to show that these were having an impact on the student's progress through a course.

- b) *Expected duration* – the length of time it takes to complete the course studying full-time. This is the same as the registered course duration on CRICOS.
- c) *School day* – any day for which the school has scheduled course contact hours