

ACADEMIC AREAS COMPLIANCE WITH THE EDUCATION SERVICES FOR OVERSEAS STUDENTS (ESOS) ACT



CHECKLIST AND REPORTING ON PROGRAMS

The ESOS Act requires that all programs offered to international students be registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). For programs to be registered, they must meet certain criteria and be marketed in a certain way. This form is designed to:

- advise staff in academic areas of their key responsibilities under the Act
- monitor compliance with minimum requirements of the Act

PROGRAM DELIVERY AND ACCREDITATION

PROGRAMS

- must be available on a full-time (FT) basis
- must be available in internal mode - i.e. students must be able to undertake at least 75% of their enrolment in courses with all or predominantly face-to-face teaching
- must be available on a continuous basis – e.g. students cannot complete coursework at the end of a trimester and have to wait until the beginning of the next semester to begin a dissertation
- must be registered on CRICOS for the duration required to complete the program on a 100% study load in each session
- courses must be structured to fit exactly into the teaching period in which they are offered, i.e. students can not be required to be over or under-loaded when they arrive

COURSES

- actual teaching must correspond with formal teaching sessions
- formal work placements must be registered on CRICOS or students who do not have work rights will be in breach of their visa conditions by undertaking them

CANCELLATION OR RESTRUCTURE

- cancellations must be reported
- should not be cancelled or significantly altered after international students have received offers to them – offers are made to international students up to a year ahead of their start date
- programs can be cancelled and offers can be withdrawn under ESOS at any time as long as the University provides a full refund to students within 2 weeks. However, late cancellations would expose the University to legal action under the *Trade Practices Act 1975* (Cth) and in contract and negligence

REGISTERING CHANGES

- CRICOS registration is managed by the International Office
- all new programs and program revisions and deletions will be reported by the Program Approval Committee to the International Office

MARKETING AND RECRUITMENT

PROSPECTIVE STUDENT INQUIRIES

All statements made by email, telephone or in person must:

- be prepared and delivered with integrity and accuracy
- be accurate, clear and unambiguous
- be delivered in a prompt, courteous and culturally sensitive manner
- not give false or misleading information or advice in relation to:
 - claims of association between providers
 - the employment outcomes associated with a program
 - automatic acceptance into another program
 - possible migration outcomes

RECRUITMENT ACTIVITIES

All staff attending recruitment events must:

- be clear and sympathetic communicators
- be appropriately trained in cultural sensitivity
- be well-informed on the academic and administrative details of the programs they are promoting
- understand the Australian education system
- refer inquiries they cannot answer, rather than giving vague or incorrect information

INFORMATION FOR UNIVERSITY PUBLICATIONS

Schools must maintain, and provide as requested, course-specific information required in University publications and offer letters, including:

- incidental fees for all courses (including laboratory coats, course readers etc)
- assessment, teaching methods, audio-visual teaching aids etc

FACULTY PUBLICATIONS

Must be developed according to the University's ESOS Checklists for Preparing Publications, available at <http://www.adelaide.edu.au/esos/staff/>

DEALING WITH AGENTS

Staff members are not required to liaise with agents, and may:

- refer communication from agents to the International Office
- chose to respond to inquires regarding academic content but should not engage in negotiations regarding applications, articulation, RPL or other requests for special arrangements for students.

BREACHES OF THE UNIVERSITY'S OBLIGATIONS

A comprehensive monitoring and punitive regime is part of the ESOS legislation. DEST or DIAC can audit the University and request details of all student records and program information. If the University is found to be in breach of the legislation it risks fines, deregistration and limits on its international student intake.