**Overview of the National Code**

## The following is an overview of the National Code. For a full and complete understanding of the National Code it is recommended that you refer to the [National Code of Practice for Providers of Education and Training to Overseas Students 2018.](https://www.legislation.gov.au/Details/F2017L01182)

**Standard 1 – Marketing information and practices**

* + - Marketing and promotion of the University’s programs must not be false or misleading
		- The University must provide clarity about a program’s prerequisites, including English language requirements
		- The University must not provide migration advice
		- When promoting programs, the University’s registered name and CRICOS provider code 00123M must be displayed. This includes email signatures.
		- Programs cannot be promoted to overseas students before they have been CRICOS registered
		- The University must not actively recruit students who are within their first six months of study with another Australian provider

**Standard 2 – Recruitment of an overseas student**

* + - Specific information must be provided to students prior to accepting them into a program. This includes minimum levels of English, educational qualifications, work experience and course credit.
		- The University must have policies and processes for assessing the student’s English, qualifications and work experience to ensure it is sufficient to enter the program.
		- The University must have a policy and process for assessing credit. It must keep a record of the decision to award credit and provide the student with a written record.
		- If credit reduces the duration of the student’s program this must be reflected on their Confirmation of Enrolment (CoE)

**Standard 3 – Formalisation of enrolment and written agreements**

* Students must accept a written offer from the University which contains specified information such as program name, location, mode of delivery, tuition fees, refund policy, circumstances in which their personal information will be shared and the complaints and appeals process.
* All international students must advise of a change to their contact details within 7 days.

**Standard 4 – Education agents**

The University must:

* + - Have a written agreement which includes specific information outlined in the code with any education agent it engages to formally represent it.
		- Monitor the activities of its agents and take corrective action, including termination if they do not comply with the terms of the agreement.
		- Ensure that its education agents have access to up-to-date and accurate marketing information and do not engage in dishonest practices.

**Standard 5 – Younger overseas students**

The University must:

* + - Meet all Commonwealth, state and territory regulatory requirements relating to child welfare.
		- Provide age appropriate information about who to contact in emergency situations and how to seek assistance in the event of sexual/physical abuse.
		- Where the University takes responsibility for the accommodation, support and welfare of students under 18 years of age it ensures:
		- Those adults involved have the appropriate working with children clearances;
		- Accommodation is appropriate;
		- There is a process for managing emergency situations;
		- Reasonable efforts are made to locate a student if unable to contact them, including notifying the police

The welfare monitoring arrangements for students travelling to Australia without a guardian are managed by University of Adelaide College on behalf of the University. The University requires students to be at least 17 years of age to be eligible for the welfare monitoring.

**Standard 6 – Overseas student support services**

The University must:

* + - Support students to adjust to study and life in Australia by providing an age and culturally appropriate orientation program which provides specific information such as support services available, workplace rights, appeal rights, etc.
		- Provide reasonable support to students to enable them to achieve expected learning outcomes irrespective of whether they are studying face to face or by remote learning.
		- Have a designated point of contact for overseas students such as International Student Support. The team must be appropriately resourced.
		- Staff who work with international students must be aware of the University’s obligations under ESOS.
		- The University must have a critical incidents policy, and must keep a record of critical incidents and remedial action.
		- The University must provide a safe environment on campus, and provide students with information concerning their personal security and safety.

**Standard 7 – Overseas student transfers**

International students cannot change registered providers within their first six months of study in their principal program unless specified conditions exist.

The University must:

* + - Have a policy for assessing transfer requests from UoA students who wish to transfer prior to completing six months in their principal program at UoA.
		- The policy must explain how to apply for a transfer, require a valid offer from the receiving provider and outline the circumstances in which a transfer will be approved or refused.
		- Students must be advised of a transfer refusal in writing, with the refusal providing the reasons for the refusal and the student’s appeal rights.

Transfer requests are assessed by International Admissions and International Student Support.

**Standard 8 – Overseas student visa requirements**

The University must monitor the academic progress of its international students and have documented intervention policies and processes to assist them to complete their studies within the time specified on their CoE.

The University can only extend a student’s enrolment if:

* + - There are documented compassionate or compelling circumstances;
		- The University has implemented an intervention strategy as the student is at risk of not meeting progression requirements;
		- An approved deferral or suspension has been approved under Standard 9.

The University must not deliver:

* + - A program exclusively by online or distance learning to an overseas student;
		- More than one-third of a program by online or distance learning to an overseas student;

An overseas student must study at least one face to face course in each compulsory study period unless it is their last course.

The ELC as an ELICOS provider is required to keep and monitor attendance records.

**Standard 9 – Deferring, suspending or cancelling the overseas student’s enrolment**

The University:

* + - Must have a documented process for assessing, approving and recording a deferment or suspension of study;
		- May defer or suspend the enrolment of a student if there are compassionate or compelling circumstances;
		- May suspend or cancel a student’s enrolment if have misbehaved, made unsatisfactory progress, or failed to pay their tuition fees.

In the event that the University initiates a suspension or cancellation of enrolment the student must be issued a written notice outlining the reasons and their appeal rights. The suspension or cancellation cannot take effect until the internal appeals process is completed.

**Standard 10 – Complaints and appeals**

The University must have and implement a documented internal complaint handling and appeals process and policy, and provide overseas students with comprehensive, free and easily accessible information about the process and policy.

The internal process must meet the requirements outlined in the National Code.

If unsuccessful the University must provide the student with information about the external appeals options available to them within 10 days.

**Standard 11 – Additional registration requirements**

The University must have its fulltime programs approved by TEQSA to offer them to overseas students.

Specified information must be provided to TEQSA when seeking registration of a program.

The registered duration of the program cannot exceed the time required to complete the program on the basis of fulltime study.

There must be appropriate arrangements for the supervision and assessment of students involved in work-based training.

The University must have adequate staff and education resources, including facilities, equipment, learning and library resources and premises as are needed to deliver its programs to international students.

The University must undertake an independent external audit to enable TEQSA to assess its application for re-registration.