

St Peter's Catholic Primary School Accommodation and Welfare Policy



St Peter's Catholic Primary School approves the following accommodation options for overseas students:

- The student will live with a Parent as permitted by DIAC.
- For School vacation periods, the following accommodation options are available to FFPOS under 18 years of age:
 - Student returns/remains with the parent
- All students are required to notify the School of a change of address while enrolled in the course – it is the parent's responsibility to keep the school informed as the student is under 18 years of age.

St Peter's Catholic Primary School Complaints and Appeals Policy

A copy of this policy will be 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, and again within 7 days of the commencement of student attendance of the enrolled course.

- 1) Purpose
 - a) The purpose of St Peter's Catholic Primary School's Complaints and Appeals Policy is to provide a student or parent(s)/legal guardian with the opportunity to access procedures to facilitate the resolution of a dispute or complaint.
 - b) The internal complaints and appeals processes are conciliatory and non-legal.
- 2) Complaints against other students
 - a) Grievances brought by a student against another student will be dealt with under the school's Behaviour Policy/Code of Conduct.
- 3) Informal Complaints Resolution
 - a) In the first instance, St Peters Catholic Primary School requests there is an attempt to informally resolve the issue through mediation/informal resolution of the complaint.
 - b) Students should contact the class teacher in the first instance to attempt mediation/informal resolution of the complaint.
 - c) If the matter cannot be resolved through mediation, the matter will be referred to the Principal and St Peters Catholic Primary School's internal formal complaints and appeals handling procedure will be followed.
- 4) Formal Complaints Handling Procedure
 - a) The process of this grievance procedure is confidential and any complaints or appeals are a matter between the parties concerned and those directly involved in the complaints handling process.
 - b) The student must notify the school in writing of the nature and details of the complaint or appeal.
 - c) Written complaints or appeals are to be lodged with the Principal.

- d)** Where the internal complaints and appeals process is being accessed because the student has received notice by the school that the school intends to report him/her for unsatisfactory course attendance, unsatisfactory course progress or suspension or cancellation of enrolment, the student has 20 working days from the date of receipt of notification in which to lodge a written appeal.
- e)** Complaints and appeals processes are available to students at no cost.
- f)** Each complainant has the opportunity to present his/her case to the Principal.
- g)** Students and / or the School may be accompanied and assisted by support person at all relevant meetings.
- h)** The formal grievance process will commence within 10 working days of the lodgement of the complaint or appeal with the Principal.
- i)** Once the Principal has come to a decision regarding the complaint or appeal, the student will be informed in writing of the outcome and the reasons for the outcome, and a copy will be retained on the student's file.
- j)** If the grievance procedure finds in favour of the student, St Peter's Catholic Primary School will immediately implement the decision and any corrective and preventative action required, and advise the student of the outcome.
- k)** St Peter's Catholic Primary School undertakes to finalise all grievance procedures within 10 working days.
- l)** For the duration of the appeals process, the student's enrolment and attendance must be maintained.
- m)** It is the strong preference of the school for issue resolution to be effected at school level. However, in the event that an issue remains unresolved after consultation with the school Principal/Leadership Team, at the request of either party, the matter can be referred in writing to the Brisbane Catholic Education Area Supervisor for assistance. It is important that confidentiality be maintained at all times to ensure the dignity of each person is preserved.

5) External Appeals Processes

- a)** If the student is dissatisfied with the conduct or result of the complaints procedure, he/she may seek independent mediation through an external body at minimal or no cost.

- b) St Peter's Catholic Primary School recommends further complaints and appeals are directed to: <http://www.oso.gov.au/contact-us/>

Email: ombudsman@ombudsman.gov.au

Call: 1300 362 072* within Australia. Outside Australia call +61 2 6276 0111.

Enquiries: 9:00am to 5:00pm Monday to Friday, Australian Eastern Standard Time
(Australian Eastern Daylight Time when daylight savings is in effect)

Fax: 02 6276 0123 within Australia. Outside Australia +61 2 6276 0123.

Postal: GPO Box 442 Canberra ACT 2601.

- c) If the student wishes to appeal against a decision of St Peter's Catholic Primary School, he/she may seek independent advice through the following external body at no cost: see section b) above.
- d) If a student is concerned about the actions of the school they may approach the chief executive of the Department of Education, Training and Employment, who, under part 2, division 2 of the Education (Overseas students) Act 1996, may suspend or cancel the registration of a provider of a course if a breach of the requirements of registration provision is proved. Concerns or complaints about the conduct of a registered provider should be addressed in writing to:

The Manager
International Quality Unit (CRICOS)
Training and International Quality
LMB 527
BRISBANE QLD 4001

6) Other legal redress

Nothing in the School's Complaints and Appeals Policy negates the right of an overseas student to pursue other legal remedies.

7) Definitions

- a) Working Day – any day other than a Saturday, Sunday or public holiday during term time
- b) Student – a student enrolled at St Peter's Catholic Primary School or the parent(s)/legal guardian of a student where that student is under 18 years of age

- c) Support person – for example, a friend/teacher/relative not involved in the grievance.

St Peter's Catholic Primary School 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 study period of enrolment.
- c) Students who have begun part way through a semester will be assessed after one full study period.
- d) To demonstrate satisfactory course progress, students will need to achieve competency by demonstrating achievement standards as per year level statements of learning areas in any study period.
- e) If a student does not achieve competency in the learning areas covered and the student is at risk of failing to demonstrate satisfactory course progress in a study period the class teacher or inclusion teacher will formally contact the parent(s) to advise there will be a meeting with the student to develop an intervention strategy for academic improvement. This may include;
 - i) After hours tutorial support
 - ii) Subject tutorial support in class time
 - iii) Mentoring
 - iv) Additional ESL support
 - v) Counselling – time management
 - vi) Counselling – academic skills
 - vii) Counselling – personal
 - viii) Other intervention strategies as deemed necessary

[Schools will have their own policies for the point at which intervention occurs. Under the National Code 2007, at a minimum the school must implement an intervention strategy if a student is deemed not competent in 50% or more of the units in any one study period.]

- 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 study period by 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 study period, St Peter's Catholic Primary 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 the National ESOS Authority 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

- 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 it is clear the student will not be able to complete their course within the expected duration due to:
 - i) compassionate or compelling circumstances (see Definitions below)
 - 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 St Peter's Catholic Primary 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 this change via PRISMS within 14 days and/or issue a new COE if required.

3) Monitoring Course attendance

- a) Satisfactory course attendance is attendance of 80% of scheduled course contact hours.
- b) Student attendance is:
 - i) checked and recorded daily
 - ii) assessed regularly
 - iii) recorded and calculated over each study period.
- c) Late arrival at school will be recorded and will be included in attendance calculations.

- d) All absences from school will be included in absentee calculations and should be accompanied by a medical certificate, an explanatory communication from the student's parent or evidence that leave has been approved by the Principal.
- e) Any absences longer than 3 consecutive days without approval will be investigated.
- f) Student attendance will be monitored by Class Teacher every day over a study period to assess student attendance using the following method.
 - i) The number of days the student would have to be absent to fall below the attendance threshold for a study period e.g. $20 \text{ weeks} \times 5 \text{ days} \times 20\% = 20 \text{ days absent}$
 - 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) Parents of students at risk of breaching St Peter's Catholic Primary School's attendance requirements will be contacted by email/phone and students will be counselled and offered any necessary support when they have absences totalling 10 days absent during any study period.
- h) If the calculation at 3.f. indicates that the student has passed the attendance threshold for the study period, St Peter's Catholic Primary 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 the National ESOS Authority 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; $20 \text{ weeks} \times 5 \text{ days} \times 30\% = 3 \text{ days absent}$

- 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 St Peter's Catholic Primary School's Deferment, Suspension and Cancellation Policy.
- m) If the student does not obtain a suspension of studies under St Peter's Catholic Primary 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.k. – 3.l.

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
- d) *Study period* – a discrete period of study within a course which cannot exceed 24 weeks. St Peter's Catholic Primary School defines a "study period" for the purposes of monitoring course attendance progress as a *semester*.

St Peter's Catholic Primary School Critical Incident Policy

- 1) St Peter's Catholic Primary School recognises the duty of care owed to its students and that planning for the management of a critical incident is essential.
- 2) A critical incident is a traumatic event, or the threat of such (within or outside Australia) which causes extreme stress, fear or injury. This may include but is not limited to:
 - a) Serious injury, illness or death of a student or staff
 - b) Students or staff lost or injured on an excursion
 - c) A missing student
 - d) Severe verbal or psychological aggression
 - e) Physical assault
 - f) Student or staff witnessing a serious accident or incident of violence
 - g) Natural disaster e.g. earthquake, flood, windstorm, hailstorm or extremes of temperature
 - h) Fire, bomb threat, explosion, gas or chemical hazard
 - i) Social issues e.g. drug use, sexual assault
- 3) **Critical Incident Committee**
 - a) St Peter's Catholic Primary School has a Critical Incident Committee to assist the principal in the prevention and management of critical incidents at the school, or off campus in the case of an overseas student for whom the school has undertaken care responsibilities.
 - b) *Jim Midgley* is the critical incident team leader.
 - c) The Critical Incident Committee also includes:
 - i) APA and APRE
 - ii) Michael Ward
 - iii) School Counsellor
 - iv) Office Staff
 - d) The responsibilities of the committee include:
 - i) risk assessment of hazards and situations which may require emergency action
 - ii) analysis of requirements to address these hazards
 - iii) establishment of liaison with all relevant emergency services e.g. police, fire brigade, ambulance, hospital, poisons information centre, community health services
 - iv) 24 hour access to contact details for all students and their families
 - v) development of a critical incident plan for each critical incident identified
 - vi) dissemination of planned procedures
 - vii) organisation of practice drills
 - viii) regular review of the critical incident plan

- ix) assisting with implementation of the critical incident plan
- x) arranging appropriate staff development
- xi) budget allocation for emergencies

4) **Critical Incident Plans**

- a) All critical incident plans assign responsibilities among relevant staff members; cover all the actions to be taken and timelines for doing so.
- b) Immediate Action (within 24 hours)
 - i) Identify the nature of the critical incident
 - ii) Notification of the critical incident committee/team leader
 - iii) Implement the appropriate management plan or action strategy
 - iv) Assignment of duties and resources to school staff
 - v) Seeking advice and help from any necessary emergency services/hospital/medical services
 - vi) Dissemination of information to parents and family members
 - vii) Completion of a critical incident report
 - viii) Media response if required (see below)
 - ix) Assess the need for support and counselling for those directly and indirectly involved
- c) Additional Action (48 – 72 hours)
 - i) Assess the need for support and counselling for those directly and indirectly involved (ongoing)
 - ii) Provide staff and students with factual information as appropriate
 - iii) Restore normal functioning and school delivery
- d) Follow-up – monitoring, support, evaluation
 - i) Identification of any other people who may be affected by critical incident and access of support services for affected community members
 - ii) Maintain contact with any injured/affected parties
 - iii) Provision of accurate information to staff and students where appropriate
 - iv) Evaluation of critical incident management
 - v) Be aware of any possible longer term disturbances e.g. inquests, legal proceedings

5) **Resources**

- a) The nature of critical incidents is such that resources cannot always be provided in anticipation of events. The critical incident committee uses its discretion to provide adequate resources – both physical and personnel – to meet the needs of specific situations. Staff will be reimbursed for any out-of-pocket expenses.

6) **Managing the Media**

- a) Manage access of the media to the scene, and to staff, students and relatives

- b) The principal should normally handle all initial media calls
- c) Determine what the official school response will be
- d) All facts should be checked before speaking to the media
- e) If accurate information is unavailable or the issue is of a sensitive nature, explain that questions cannot be answered at this time
- f) Avoid implying blame or fault for any part of the incident as this can have significant legal implications
- g) The principal may delegate media liaison to another member of staff

7) **Evaluation and review of management plan**

- a) After every critical incident, a meeting of the critical incident committee will be held to evaluate the critical incident report and the effectiveness of the management plan and to make modifications if required. If appropriate this process will incorporate feedback from all staff, students and local community representatives.

1) Deferment of commencement of study requested by student

- a) St Peter's Catholic Primary 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 Principal.
- c) Deferment will be recorded on PRISMS within 14 days of being granted.

2) Suspension of study requested by student

- a) Once the student has commenced the course, St Peter's Catholic Primary 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 within 14 days of being granted.
- 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) Student initiated cancellation of enrolment

- a) All notification of withdrawal from a course, or applications for refunds, must be made in writing and submitted to the Principal. Please see St Peter's Catholic Primary School's Refund Policy for information regarding refunds

4) Assessing requests for deferment or suspension of studies

- a) Applications will be assessed on merit by Principal.
- b) All applications for deferment or suspension will be considered within 10 working days.

5) Exclusion from class (1 – 28 days)

- a) St Peter's Catholic Primary 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 St Peter's Catholic Primary 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) Periods of 'exclusion from class' for up to 5 days will not be included in attendance calculations as per St Peter's Catholic Primary School's Course Progress and Attendance Policy

6) School initiated suspension of studies (28 days +)

- a) St Peter's Catholic Primary 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 St Peter's Catholic 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 Principal.
- 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.

7) Cancellation of enrolment

- a) St Peter's Catholic Primary 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 St Peter's Catholic Primary School's [Behaviour Policy/Code of Conduct](#).
- b) St Peter's Catholic Primary 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.
- c) St Peter's Catholic Primary School may cancel the enrolment of a student for failure to disclose a pre-existing condition requiring a high degree of specialised support or care.

8) Student initiated cancellation

- a) Student must apply in writing to the Principal to cancel enrolment
- b) St Peter's Catholic Primary School to advise student in writing of the acceptance or rejection of their cancellation and that cancellation may affect their visa status with DIAC
- c) Student should refer to refund policy to determine if a refund applies [Refund Policy](#)
- d) St Peter's Catholic Primary School to report student default in PRISMS data base within 14 days

9) Complaints and Appeals

- a) Student requested deferment and suspension are not subject to St Peter's Catholic Schools Complaints and Appeals Policy.
- b) Exclusion from class is subject to St Peter's Catholic Primary School's Complaints and Appeals Policy.
- c) School initiated suspension, where the suspension is to be recorded in PRISMS, and cancellation are subject to St Peter's Catholic Primary 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 St Peter's Catholic Primary 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 St Peter's Catholic Primary 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.

10) Student to seek information from DIAC

- 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 can visit the DIAC Website www.immi.gov.au/students/ for further information about their visa conditions and obligations.

11) Definitions

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

(Ref: National Code 2007 Standard 3; ESOS Act 2000; ESOS Regulations 2001)

St Peter's Catholic Primary School 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.

A refund will be paid if the student does not start the course on the agreed date or withdraws before completion.

- 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 of AU\$110.00 is non-refundable.
- 4) Payment of Course Fees and Refunds
 - a. Fees are payable in advance for each study period (one semester).
 - b. All fees must be paid in Australian dollars. Fees are calculated on a 10 month school year therefore fees will be refunded on a pro-rata basis of enrolment using months in attendance as the divisor e.g. enrolled 3 months, 3/10 or 30%.
 - 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 Student or the person specified in the written agreement unless otherwise requested in writing.
 - e. Where a refund is given it will include a statement of how the amount of refund was calculated according to appropriate legislative instruments.

PROCESS FOR CLAIMING A REFUND

- 5) All notification of withdrawal from a course, or applications for refunds, must be made in writing and submitted to the Principal.
- 6) Unsuccessful Enrolment/Visa Rejection
 - a. The school will refund within four weeks course monies paid as calculated using the appropriate [legislative instrument](#) 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 course monies paid as calculated using the appropriate [legislative instrument](#) 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 semester's 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. Refer to table of fees for administration fee, this fee is reviewed annually.
 - 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)
 - ii. Failure to maintain satisfactory attendance (visa condition 8202)
 - iii. Failure to maintain approved welfare and accommodation arrangements (visa condition 8532). This may not be applicable as the school is not providing accommodation arrangements. This may not be applicable as the school is not providing accommodation arrangements.
 - iv. Failure to pay course fees
 - v. Any behaviour identified as resulting in enrolment cancellation in St Peter's Catholic Primary School's Behaviour Policy/Code of Conduct.

8) School Default

[Any default by the school must be compliant with the provisions of the ESOS Act 2000 and the ESOS regulations 2012 (as amended).]

<http://www.comlaw.gov.au/Details/C2012C00587>

- i. If for any reason the school is unable to offer a course, a refund of fees paid will be calculated in accordance with the legislative instrument (above) and within 14 days of the agreed starting day.
- ii. If for any reason the school is unable to continue offering a course after student commencement, a refund of the unused portion of pre-paid tuition fees will be calculated in accordance with the legislative instrument (above) made within 14 days of the day the course ceased to be delivered.

In the event of a course not being delivered which is required under Standard 3.2., there are three options depending on whether the school

- a. is administered by a State Education Authority or in receipt of Commonwealth Recurrent Funding,
- b. is covered by a Tuition Protection Service ([TPS](#)), or
- c. has a Bank Guarantee/indemnity Agreement/Ministerial Exemption.

St Peter's Catholic Primary School may place students in an alternative course as an alternative to provision of a refund which may be applicable for schools which are part of a system such as Brisbane Catholic Education. If the student chooses placement in an alternative course over a full refund, they will need to sign a document to that affect.

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.
- b. **Calculation of the amount of unspent pre-paid fees – provider default**
All refunds in the event of provider default will be calculated in accordance with the following legislative instrument [Subsection 46D/7 of the Act](#)
- c. **Calculation of the amount of unspent pre-paid fees – Student Default**
All refunds in the event of Student default will be calculated in accordance with the following legislative instrument [47E \(4\) of the Act](#)



St Peter's Catholic Primary School 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) St Peter's Catholic Primary School will provide a letter of release to students prior to completing 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 St Peter's Catholic Primary School.
 - c) Any other reason stated in the policies of St Peter's Catholic Primary School
- 5) St Peter's Catholic Primary School will NOT provide a letter of release to students prior to completing six months of their principal course in the following circumstances:
 - a) The student's progress is likely to be academically disadvantaged
 - b) St Peter's Catholic Primary 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:
Ground Floor
299 Adelaide Street

Brisbane QLD 4000

Other contact details are: Tel: 131 881

E: student.centre@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 10 working days and the applicant notified of in writing of the decision.
- 10) Students whose request for transfer has been refused may appeal the decision in accordance with St Peter's Catholic Primary School's complaints and appeals policy. The complaints and appeals policy is available at St Peter's Catholic Primary School.
- 11) St Peter's Catholic Primary School will not knowingly enrol a student wishing to transfer from another registered provider's course prior to the student completing six months of his or her principal course of study except where (NCS7.1a,b,c,and d):
 - a. the original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered
 - b. the original registered provider has provided a written letter of release
 - c. the original registered provider has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing his or her principal course; or
 - d. any government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change.