

Agent Appointment, Monitoring and Termination Procedure

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Purpose

International Education Agents are often the first point of contact between prospective students and the Australian international education industry. Their activities and ethics are important to Australia's reputation as a desirable destination for students. The University is therefore committed to ensuring its agents, and the agents of its Partner Providers, act ethically and appropriately when recruiting students to study Federation University courses/qualifications.

To this end, the University requires agents to have an appropriate knowledge and understanding of the Australian international education industry, and to act honestly and with integrity.

This procedure aims to ensure that the actions of appointed agents recruiting students for Federation University courses are ethical and comply with the Universitys obligations under the:

- Education Services for Overseas StudentsAct 2000 (ESOS Act);
- Education Services for Overseas Student (ESOS) Regulations 2019;
- National Code of Practice for Providers of Education and Training to Overseas Students (the National Code);





- · Migration Act 1958; and
- Migration Regulations 1994.

Scope

This procedure applies to:

- · Agents of the University;
- Agents of the University's Partner Providers involved in the recruitment of students to Federation University courses/qualifications; and
- Staff of the University and at Partner Providers involved in the recruitment, and monitoring of education agents.

Legislative Context

- Federation University Australia Act 2010
- The Migration Act 1958.
- The Migration Regulations 1994.
- Education Services for Overseas Students Act 2000.
- The National Code of Practice for Providers of Education and Training to Overseas Students 2018

Definitions

TERM	DEFINITION	
Agent	An accredited person or organisation with the authority to promote the University's courses/qualifications and services to students or intending students in nominated regions.	
Agent Agreement	Agreement between the agent and the University or Partner Provider, including the schedules.	
Agent Code of Ethics	Australian International Education and Training Agent Code of Ethics	
Business Days	Monday to Friday excluding public holidays.	
СоЕ	Confirmation of Enrolment - A document provided electronically which is issued by the University to intending international students and which m accompany their application for a student visa. It confirms the student's eligibility to enrol in the course/qualification of the University, at a specificaching location.	
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students	
ESOS Act	Education Services for Overseas Students Act 2000 of the Commonweal of Australia, as amended from time to time.	
Deferrals	Deferred commencement of studies for students who have not commenced studies yet; or leave from studies for enrolled students. Referred to as deferral, deferring or deferred in the ESOS Act.	



fdlGrades	Computer system which the University uses to monitor the progress of students through their courses/qualifications. May be abbreviated to FDL.	
HE	Higher Education. Students studying in a higher education course by coursework or research.	
Incompletion	Enrolments which are terminated due to the following and are considered "Incompletions" in PRISMS:	
	 the student not commencing their studies* 	
	 the student notifying cessation of their studies* 	
	 the student deferring or suspending their enrolment* 	
	the student transferring to a course at another provider	
	 the provider ceasing the student's enrolment due to non-payment of fees, the student no longer holding a student visa, or disciplinary reasons 	
	non-compliance with student visa conditions due to unsatisfactory course progress or unsatisfactory attendance	
	* Non-commencements, cessations, deferrals, or suspensions where a new enrolment is recorded in PRISMS for the same course/qualification, provider and agent within 1 day of the termination being reported will not be included in Incompletion statistics in PRISMS.	
National Code 2018	National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, as amended from time to time.	
Partner Provider	Educational institution providing courses/qualifications of the University through an approved education agreement	
PowerBI	Software which collates data from multiple sources to display it in ways that make trends easier to spot	
PRISMS	Provider Registration and International Student Management System.	
Course	Course of education and training for HE. Defined as Course in the ESOS Act.	
Prospective Student	A person who intends to become, or who has taken any steps towards becoming, an 'overseas student' or 'intending overseas student' as defined by the ESOS Act	
Qualification	Qualification of education and training for VET. Defined as Course in the ESOS Act.	
Student	A person who holds an Australian student visa and is an 'overseas student' as defined by the ESOS Act	
StudyLink	The online application system currently used by the University	
Teaching Location	Where Federation University courses/qualifications are delivered. May be a University campus or a Partner Provider location.	
Teaching Period	A period of study within a course/qualification. May be a semester, trimester or term.	

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University	Federation University
VET	Vocational Education and Training

Actions

Agent Appointment Procedure

	ACTIVITY	RESPONSIBILITY	STEPS
A	Sending Approved Agent Application Form to prospective agent	Coordinator, International Education Agents; Manager, International Student Recruitment; or International Recruitment staff.	Send the form to an agent the International Student Recruitment team is interested in working with.
В	Completing the Approved Agent Application Form	Agent	Complete all sections of the form and gather the supporting documentation requested on the form
			2. Provide the details of three referees. These referees should have agreed to be the referee of the agent, and aware that they will be contacted by the University. The referees should preferably be from Australian universities, but Australian private or vocational providers, overseas universities, and similar institutions may also be acceptable under some circumstances.
			3. Email the completed form, referees, and documents to the Coordinator, International Education Agents.
С	Checking available information to determine whether the agent is suitable to appoint	Coordinator, International Education Agents	Check whether PRISMS data is available for this agent, and if so, whether the agent currently meets the Agent Performance and Compliance Measures detailed below.
			Check the agent's website and social media profiles to determine whether their marketing is of appropriate



	ACTIVITY	RESPONSIBILITY	STEPS
			quality, ethics and professionalism.
D	Contacting referees for completion of Agent Reference Check form	Coordinator, International Education Agents	 Email referees the Agent Reference Check form, and ask them to complete it. In cases where referees do not respond to emails or are unable to complete the Agent Reference Check form due to the policies of their institution, email the agent and request they provide a replacement referee. (Where referees refuse to complete the form for other reasons, these will be taken on a case-by-case basis and may reflect negatively on the prospective agent.) Consider the referees' answers on the form, and any other information provided, to determine the suitability of the agent for appointment. A minimum of two positive references is required to appoint.
Е	Conducting a final assessment of suitability to appoint, in light of all available information	Coordinator, International Education Agents	Review all available information and documentation and determine whether the agent is suitable to appoint.
F	Prepare Agent Agreement	Coordinator, International Education Agents	1. If agent is approved for an Agent Agreement, use details on the Approved Agent Application Form to fill in the relevant sections of the Agent Agreement template. This template will have been prepared in coordination with the University's Legal team and must be updated as required to include any newDepartment of Home Affairs or Department of Education, Skills and Employment or University regulations and requirements.



	ACTIVITY	RESPONSIBILITY	STEPS
			 The term of the agreement should generally be one year for new agents. The territory should reflect the countries where the agent has offices, or where it can otherwise demonstrate adequate quality control and support measures are in place for the recruitment of students.
G	Send Agent Agreement PDF to Agent	Coordinator, International Education Agents	Email the Agent Agreement PDF to the agent.
H	Sign and return the Agent Agreement	Agent	 The key contact at the agent (eg the CEO or General Manager) signs the Agent Agreement. Another staff member witnesses this signature. Email the signed and witnessed agent agreement back to the Coordinator, International Education Agents.
I	Countersign the Agent Agreement	Coordinator, International Education Agents; and Manager, International Student Recruitment.	 The Manager, International Student Recruitment countersigns the Agent Agreement. Another staff member, usually the Coordinator, International Education Agents, witnesses this signature.
J	Returning the countersigned Agent Agreement to the agent	Coordinator, International Education Agents	Email the countersigned Agent Agreement to the agent.
К	Update appropriate files and databases	Coordinator, International Education Agents	 Create a folder for this agent on SharePoint. Upload the countersigned Agent Agreement, Approved Agent Application Form, Agent Reference Check forms, and any other relevant documents, notes or correspondence to the SharePoint folder. Contact StudyLink to have this agent added to the



	ACTIVITY	RESPONSIBILITY	STEPS
			University's system, so they can submit applications.
			4. Update the Agent Contract tracking spreadsheet in SharePoint with the details of this agent's agreement, including expiry date.
			 5. Link to the relevant agent offices/locations in the AscentOne Easy Agent system, or take other actions as required to ensure the agent is displayed on the public-facing University website. 6. Add or link agent's details in PRISMS.
L	Inform agent of negative outcome of application	Coordinator, International Education Agents; Manager, International Student Recruitment; or International Recruitment staff.	 If an agent is deemed not suitable to appoint at or before activity E, email them to inform them of this outcome. The Coordinator, International Education Agents should ensure this happens, but the email can be sent by the Manager, International Student Recruitment or the International Recruitment staff member who first flagged the opportunity to work with the agent, if deemed appropriate.

Agent Auditing and Monitoring Procedure

	ACTIVITY	RESPONSIBILITY	STEPS
A	Review agent performance	Coordinator, International Education Agents	1. Review the agent's data from PRISMS, StudyLink and fdlGrades to determine whether they have met the appropriate benchmarks. This should be done immediately prior to the expiry of an Agent Agreement, as part of the renewal process, or else annually around the anniversary of the Agent Agreement being created/renewed.



			Collate any feedback from International Student Recruitment team from their agent site visits and other recruitment activities.
В	Send Agent Audit form	Coordinator, International Education Agents	1. Email the Agent Audit form to the agent. If the agent's data reveals issues which need to be addressed, seek an explanation for these in the email.
С	Complete and return Agent Audit form	Agent	 Complete the Agent Audit form. Collect any supporting documentation required for the Agent Audit form. Investigate and prepare a response for any issues that have been raised by the Coordinator, International Education Agents. Email the form, documents and response (if required) to the Coordinator, International Education Agents.
D	Review Agent Audit form, supporting documents and other information	Coordinator, International Education Agents	 Review the Agent Audit form and supporting documents to confirm the agent continues to meet compliance requirements. In considering the performance of the agent, the University or the Coordinator, International Education Agents may consider: The agent's compliance with the Agent Agreement and any conditions placed on the agent by the University; The number of students the agent has recruited; The conversion rate of Student applications to University offers, and University offers to actual enrolment of students; The reasons why applications from potential



- students did not proceed to student enrolment status:
- The number of student visa refusals for students recruited by the agent;
- The reasons for visa refusals (eg fraud) for students recruited by the agent;
- The post-arrival performance of students recruited by the agent, including CoEcancellations, academic performance, and non-payment of fees;
- Any feedback or information from students or third parties regarding the agent;
- The quality, accuracy and currency of information and advice provided by the agent to students;
- The quality of the appointment as assessed by the University; and
- any other relevant information obtained by the University.
- If there are compliance issues arising from the form or documents, address these with the agent.
- If the agent has provided a response to these queries, or queries raised earlier in the process, consider this response and ask them to take corrective action if required.
- 4. Collate any feedback that has been received from the Student Post-Arrival Appraisal of Agent survey since the last audit and check to see the agent's performance has been satisfactory. If unsatisfactory performance is discovered, ask them to take corrective action or consider terminating the Agent Agreement as appropriate.



			5. Collate any feedback from University staff (eg the International Admissions team) that has been received since the last audit, and check to see the agent's performance has been satisfactory. If unsatisfactory performance is discovered, ask them to take corrective action or consider terminating the Agent Agreement as appropriate.
E	Monitor semester's agent data on an ongoing basis	Coordinator, International Education Agents	At the conclusion of each teaching period, review agent performance data from but not limited to PRISMS, FDL and/or PowerBI against Agent Performance Measures and Agent Compliance Measures as referred to below.
			Review feedback from International Student Recruitment team from their agent site visits and other recruitment activities.
			3. Review feedback from the Student Post-Arrival Appraisal of Agent survey as it is received, to determine whether any critical issues have been identified
			4. Review feedback from University staff (eg the International Admissions team) as it is received, to determine whether any critical issues have been identified.
			5. Where the latest data show a concerning trend against any of the relevant metrics, or where critical issues have been identified in student or staff feedback, conduct an indepth investigation as to the reasons for these trends, as well as the agent's overall performance over the last few years, to determine whether corrective action and/or termination may be required.

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			6.	Where an issue has been identified or an Agent Compliance Measure has not been met and a Partner Provider/s recruits students to the University through the same agent, the Coordinator, International Education Agents will advise the Partner Provider/s of the issue or noncompliance and request details of or recommend appropriate corrective actions to be undertaken.
			7.	Each Partner Provider will be responsible for monitoring their agents' activities with regard to the recruitment of students to study Federation University courses/ qualifications, and where false, misleading or unprofessional conduct is found, responsible for taking appropriate corrective action. Outcomes of audits and
			8.	reviews will be communicated to International Student Recruitment staff.
F	Provide ongoing feedback on agents	International Student Recruitment / Coordinator, International Education Agents	1.	International Student Recruitment staff are to notify Coordinator, International Education Agents of any issues identified through regular agent site visits and other recruitment activities.
			2.	Coordinator, International Education Agents will notify International Student Recruitment and International Admissions staff of any issues identified through audits and reviews.

Re-appointment of Agent Procedure

	ACTIVITY	RESPONSIBILITY	STEPS
А	Conduct an audit of the agent	Coordinator, International Education Agents	Determine which agents are due for re-appointment. The

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	ACTIVITY	RESPONSIBILITY	STEPS
			process should begin approximately one month before the existing agreement expires and will include consultation with Manager, International Student Recruitment (or nominee). 2. Conduct a full agent audit as per above procedure. Refer Agent Auditing and Monitoring
			Procedure, D-E. 3. If the agent has met the requirements of the audit, proceed to activities B-J of this procedure. If the agent has not met the requirements, refer to Termination of Agent Procedure.
В	Send the Approved Agent Application Form to the agent	Coordinator, International Education Agents	1. Email the Approved Agent Application Form to the agent, in order to collect the most upto-date details about the agent. If there are any particular issues arising from the audit, request these be addressed with a written response and/or supporting documentation as required.
С	Complete the Approved Agent Application Form	Agent	 Complete the Approved Agent Application Form, except for providing the three references. Prepare any written response and/or supporting documentation that may be required. Email the completed form, response and/or documents to the Coordinator, International Education Agents.
D	Review the Approved Agent Application Form and documents	Coordinator, International Education Agents	1. Review the form and documents to ensure that the agent has adequate infrastructure and arrangements in place to counsel students, and to ensure that they only send genuine students and genuine documents to the University,



	ACTIVITY	RESPONSIBILITY	STEPS
			for each of their proposed recruitment markets. 2. If these arrangements are in place, proceed with the reappointment. If not, refer to Termination of Agent Procedure.
E	Prepare a new Agent Agreement	Coordinator, International Education Agents	1. Use details on the Approved Agent Application Form to fill in the relevant sections of the Agent Agreement template. This template will have been prepared in coordination with the University's Legal team and must be updated as required to include any new Department of Home Affairs or Department of Education, Skills and Employment or University regulations and requirements.
			2. If the existing Agent Agreement has not yet expired by this stage of the re- appointment process, the new Agent Agreement should commence the day after the existing one expires. If it has expired, due to delays in this process, use today's date.
			3. The term of the agreement should be one year by default. However, trusted agents may be offered longer terms.
			4. The territory should reflect the countries where the agent has offices, or where it can otherwise demonstrate adequate quality control and support measures are in place for the recruitment of students. As agents may open or close offices from time to time, the Coordinator, International Education Agents must ensure that the new agreement reflects up-to-date arrangements.



	ACTIVITY	RESPONSIBILITY	STEPS
F	Send Agent Agreement PDF to Agent	Coordinator, International Education Agents	Email the Agent Agreement PDF to the agent.
G	Sign and return the Agent Agreement	Agent	 The key contact at the agent (eg the CEO or General Manager) signs the Agent Agreement. Another staff member witnesses this signature. Email the signed and witnessed agent agreement back to the Coordinator, International Education Agents.
Н	Countersign the Agent Agreement	Coordinator, International Education Agents; and Manager, International Student Recruitment.	 The Manager, International Student Recruitment countersigns the Agent Agreement. Another staff member, usually the Coordinator, International Education Agents, witnesses this signature.
I	Returning the countersigned Agent Agreement to the agent	Coordinator, International Education Agents	Email the countersigned Agent Agreement to the agent.
J	Update appropriate files and databases	Coordinator, International Education Agents	1. Upload the countersigned Agent Agreement, Approved Agent Application Form, Agent Reference Check forms, and any other relevant documents, notes or correspondence to the Agent's SharePoint folder.
			2. Check the list of approved agents in StudyLink to ensure the agent has appropriate access. If there are any issues, email StudyLink to resolve them
			3. Update the Agent Contract tracking spreadsheet in SharePoint with the details of this agent's agreement, including expiry date.
			4. Check the AscentOne Easy Agent system to ensure that the appropriate locations have been linked with the University (noting that this should reflect

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		the agent's territories and may not include all locations). Alternately, take other actions as required to ensure the agent is displayed on the public-facing University website.
		5. Check PRISMS to confirm the agent has been linked with the University and that details are up to date.

Termination of Agent Procedure

	ACTIVITY	RESPONSIBILITY	STEPS
A	Send Agent Warning Letter to agent	Manager, International Student Recruitment Coordinator, International Education Agents Pro Vice-Chancellor, International (or nominee)	1. If the Manager, International Student Recruitment or Coordinator, International Education Agents believes or suspects that an agent has engaged in unprofessional conduct, or has not met the performance or compliance measures mentioned below, the Pro Vice-Chancellor, International (or nominee) may write to and forward the Agent Warning Letter to the agent.
В	Respond to Agent Warning Letter	Agent	 The agent must provide a written response within ten business days of the date of the letter as specified above. An extension of time to provide a response may be provided at the discretion of the Pro Vice-Chancellor, International.
С	Consider the agent's performance	Pro Vice-Chancellor, International (or nominee)	After ten business days from the date of the letter, or after the expiration of such further period as may have been granted, the Pro Vice-Chancellor, International (or



	ACTIVITY	RESPONSIBILITY	STEPS
			nominee) may consider the agent's performance in light of: • the response of the agent to the letter; • whether the agent engaged in unprofessional conduct; and • the considerations contained in any of the performance metrics outlined in this document.
D	Take the required action in light of the agent's performance	Pro Vice-Chancellor, International (or nominee)	 After considering the agent's conduct and performance, the Pro Vice-Chancellor, International (or nominee) may: require the agent to undertake further training; maintain the agent's appointment; warn the agent's appointment; maintain the agent's appointment; maintain the agent's appointment subject to certain conditions; or terminate the agent's appointment immediately. The Pro-Vice Chancellor, International must terminate the appointment of an agent if they know or reasonably suspect the agent may have been engaged in unprofessional conduct.
Е	Disclosure of decision	Pro Vice-Chancellor, International (or nominee)	1. Where the Pro Vice- Chancellor, International has made a decision as per activity D above, they may disclose that decision and the reasons for it to other people, organisations, bodies or professional associations, including the agent's employer. Any disclosure must be made in accordance

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	ACTIVITY	RESPONSIBILITY	STEPS
			with the UniversityPrivacyPolicy.
F	Advise relevant parties of the decision to terminate the appointment	Pro Vice-Chancellor, International (or nominee)	If the Pro Vice-Chancellor, International or their nominee decides to terminate an agent's appointment, they or their nominee should:
			 write to the agent to advise that their appointment has been terminated using the Agent Termination Letter;
			 remove the agent from the list of approved agents on the University's website, and other databases as required including PRISMS;
		 notify International Recruitment, International Admissions, and International Student Compliancestaff of the termination of the agent, and advise staff that no further applications are to be accepted from the agent; 	
			 advise the International Education Committee of the University of the decision, for noting in the minutes of their next meeting; and
			 Advise the Partner Provider/s that applications will no longer be accepted from the agent where a Partner Provider/s also recruits students to the University using the same agent.

Agent Performance Measures

The Agent Performance Measures below are best-practice guidelines for agents. Ultimate decisions on the quality of agent performance may also take into account local conditions in different countries, and/or other factors as determined by the Manager, International Student Recruitment.

- 1. Agents should maintain strong application-to-offer conversion rates of 40% or higher.
- 2. Agents should maintain strong offer-to-enrolment conversion rates of 30% or higher.

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- 3. The Manager, International Student Recruitment (or nominee) may choose to set specific targets for numbers of students enrolled by a particular agent, as discussed with the agent and as appropriate on a case-by-case basis.
- 4. Where there are mitigating factors that advance the University's strategic goals, such as building up a new market, building up a new course, or providing a diversity of nationalities, some discretion may be applied to the above targets.

Agent Compliance Measures

All agents, of the University's own campuses and of Partner Providers, must meet the Agent Compliance Measures below. These override any performance measures listed in this document or elsewhere.

- 1. Agents must maintain a visa refusal rate below 10%. Agents will receive a warning if it is observed that their refusal rate has risen above 5%.
- 2. Any visa refusal for reasons of fraud will be investigated thoroughly. If the University determines that the agent is encouraging, facilitating, or allowing their students to provide fraudulent documents to the University or to the Department of Home Affairs, the agent's appointment will be terminated.
- 3. Agents must maintain an Incompletion rate below 30%. Agents will receive a warning if it is observed that their Incompletion rate has risen above 20%. Incompletion rates will be calculated from PRISMS data and/or internal Federation University systems such as academic progression data.
- 4. Agents must maintain a rate of below 10% of students whose CoE is cancelled for non-payment of fees. Agents will receive a warning if it is observed that the rate has risen above 5%.
- 5. Agents must provide accurate and comprehensive information to prospective agents.
- 6. Agents must only recruit students in the territories approved in their Agent Agreement.
- 7. Where an agent's low overall student numbers mean that one-off incidents have an outsized impact in percentage terms, discretion may be applied.
- 8. Where an agent has received multiple warnings for visa refusals, Incompletions, and/or non-payment of fees, but not reached the threshold for any of these metrics, these combined warnings may still be grounds for termination of the appointment.
- 9. Where significant mitigating factors such as the COVID-19 pandemic have negatively impacted the students recruited by the agent, leading to a higher Incompletion rate and/or rate of students whose CoE has been cancelled due to non-payment of fees, discretion may be applied.
- 10. The University retains the right to veto any agent activity that ub tge University's opinion is not compliant with:
 - · The Agent Agreement; or
 - · Any relevant legislation or
 - Any information provided to the agent by the University.

Supporting Documents

- Global Partners and Community Engagement Policy
- Agent Agreement (only available from International Office)
- Student Post Arrival Appraisal of Agent (online survey)
- Agent Termination Letter

Forms.

- Agent Application Form (PDF 236.0kb)
- Agent Audit Complete Form (PDF 269.6kb)
- Agent Reference Check Form (PDF 250.1kb)

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Responsibility

- Deputy Vice-Chancellor (Global and Engagement) (as the Approval Authority) is responsible for monitoring the implementation, outcomes and scheduled review of this procedure.
- Manager, International Student Services (as the Document Owner) is responsible for maintaining the content of this procedure as delegated by the Deputy Vice-Chancellor (Global and Engagement).

Promulgation

This procedure will be communicated throughout the University community via:

- 1. A FedNews announcement and on the 'Recently Approved Documents' page on the University's Policy Central website.
- 2. Distribution of e-mails to all current agents of the University.
- 3. Notification to University staff in the International department.

Implementation

This procedure will be implemented throughout the University via:

- A FedNews announcement and on the 'Recently Approved Documents' page on the University's Policy Central website.
- 2. Staffinduction sessions.
- 3. Training sessions.

Records Management

DOCUMENT TITLE	LOCATION	RESPONSIBLE OFFICER	MINIMUM RETENTION PERIOD
Approved Agent Application Form	Agent file on SharePoint	Coordinator, International Education Agents	Seven years after contract has expired or been terminated
Agent Reference Check Form	Agent file on SharePoint	Coordinator, International Education Agents	Seven years after contract has expired or been terminated
Agent Agreement	Agent file on SharePoint	Coordinator, International Education Agents	Seven years after contract has expired or been terminated
Agent Audit Form	Agent file on SharePoint	Coordinator, International Education Agents	Seven years after contract has expired or been terminated
Agent Warning Letter	Agent file on SharePoint	Coordinator, International Education Agents	Seven years after contract has expired or been terminated

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DOCUMENT TITLE	LOCATION	RESPONSIBLE OFFICER	MINIMUM RETENTION PERIOD	
Agent Termination Letter	Agent file on SharePoint	Coordinator, International Education Agents	Seven years after contract has expired or been terminated	
Investigation communications to and from agents addressing compliance concerns	Agent file on SharePoint	Coordinator, International Education Agents	Seven years after contract has expired or been terminated	

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