

## *Attendance, course progress & issuing of certificates policy*

### **Purpose**

This policy establishes the attendance expectations for students enrolled in English Language Intensive Courses for Overseas Students (ELICOS) at ELC and specifies the requirement to maintain satisfactory attendance and progress, as set out in the National Code of Practice for Providers of Education and Training to Overseas Students 2018, Standard 8 ('National Code').

### **Scope**

This policy applies to all students who are enrolled in an ELICOS course at ELC and who hold a student visa.

### **Background**

International students who have a student visa and who are enrolled in any ELICOS Course, must maintain satisfactory attendance and academic progress in accordance with the National Code, Standard 8. Satisfactory attendance is defined as attending 80% or more of the total scheduled contact hours while enrolled in an ELICOS Course.

Students who do not maintain satisfactory attendance or progress are reported to the Department of Home Affairs, in compliance with the National Code and the ESOS Framework.

### **Policy**

#### **1. Attendance expectations and monitoring**

- a. Information about the scheduled contact hours for a course and attendance requirements is provided to students:
  - during their orientation (pre-arrival video and in person on day one)
  - in the student handbook
  - in the form of a poster on the noticeboards of classrooms
  - in multiple languages on the school app
- b. Teachers are responsible for recording student attendance for every class by marking the class registers for each lesson and including a deduction in minutes for late arrivals, early departures or other absences from class (e.g. sitting in student room instead of attending class).
- c. Student attendance for each lesson is recorded in the student database.
- d. Students can request their attendance percentage at reception or by completing a form available on the school app.
- e. Late students and early leavers are reminded by their teachers of their visa requirements and the information on the app is pointed out to them.

- f. Students who experience circumstances that impact their ability to attend class should make an appointment to talk to the senior academic or welfare staff at the time that the circumstances arise. Appointments can be made via the school app. Based on the discussion, strategies and support will be suggested, or a student may be referred to welfare and/or support services where required.
- g. Teachers record students who have missed more than 3 consecutive days of class on an Absentees spreadsheet which is monitored daily by the Student Services Team who contact the student to explain their absence and check they are OK.
- h. If a student has been absent for 3 consecutive days and attempts by ELC to contact them have been unsuccessful, it will be considered a critical incident and the matter will be escalated to the Student Services Manager.
- i. If a student was absent for more than 5 consecutive days, upon return to school, they are required to attend an academic counselling meeting, reminded of their attendance obligations and may be referred to student welfare as relevant.

## **2. Attendance calculation for compliance monitoring**

Overall attendance is calculated on an ongoing basis against the total possible scheduled contact hours of the course. Overall attendance for the course (expressed as a percentage) is used to determine how a student is tracking against the minimum satisfactory attendance threshold as required by the ESOS National Code.

Overall attendance is calculated using:

- a. the total scheduled contact hours of the course that a student has attended and completed to date;
- b. the maximum number of scheduled contact hours for the course still remaining;
- c. the total number of scheduled contact hours for the student's course.

Current attendance is calculated as the scheduled contact hours of the course that a student has attended up until this point in time.

## **3. Attendance Warnings**

- a. When the student's current attendance drops to below 90% of the scheduled contact hours, they are emailed a friendly reminder of the requirement to attend class and to remind them how they can access academic and welfare support as required. A second reminder is sent if current attendance drops below 85%.

- b. When the student's overall attendance drops below 90% of the scheduled contact hours of their course, they are sent a First Warning email to remind the student of attendance requirements.
- c. When the student's overall attendance drops below 85% of the scheduled contact hours of their program, they are sent a Second Warning email and advised to meet with the senior academic team to discuss their attendance and progress. At this meeting the student is provided with a copy of the attendance requirements.
- d. If a student's overall attendance continues to fall below 80%, they are issued with a Notice of Intention to Report for Unsatisfactory Attendance informing them of the school's intention to report them to the Department of Home Affairs for low attendance.

#### **4. Notice of Intention to Report for Unsatisfactory Attendance (Attendance <80%)**

- a. Students who fall below the required 80% of scheduled contact hours will be issued with a Notice of Intention to Report the student to the Department of Home Affairs for Low Attendance as required by the National Code. If reported, this may result in the cancellation of the student's visa by the Department of Home Affairs.
- b. Being reported also affects a student's ability to enrol. Should they be reported to the Department of Home Affairs for unsatisfactory attendance, students will have their CoE cancelled and will be prevented from further study under that CoE.
- c. The Notice of Intention to Report for Unsatisfactory Attendance will provide details of the student's right to appeal the decision to report and the procedure to follow.

#### **5. Appealing a Notice of Intention to Report for Unsatisfactory Attendance**

- a. A student who receives a Notice of Intention to Report for Unsatisfactory Attendance may appeal this decision. A report for unsatisfactory attendance will not be made until the appeal process has been completed, and/or the deadline to appeal or escalate an appeal has passed. If an appeal is successful, a report for unsatisfactory attendance will not be made.
- b. An appeal may be submitted as an internal appeal form. It must be submitted within twenty (20) days of the Notice of Intention to Report for Unsatisfactory Attendance being issued. It must include supporting evidence as relevant.
- c. If a student's appeal is not successful, the student will be reported to the Department of Home Affairs for not meeting their attendance requirements. Should a student be reported to the Department of Home Affairs for unsatisfactory attendance, they will have their CoE cancelled and will be prevented from further study under that CoE.

#### **6. Internal appeal procedures**

Students may appeal their Notice of Intention to Report for Unsatisfactory Attendance by submitting an internal appeal application. An appeal must be submitted within twenty (20) working days of the Notice being issued.

The appeal must specify the reasons for the appeal, based on the appeal grounds below. It must also include any supporting documentation as relevant. The appeal application and all documentation must be readable, and in English or translated to English by a NAATI accredited translator.

An appeal can only be made on the grounds that:

- a. compassionate or compelling circumstances impacted the student and/or their progress; or
- b. the procedure for dealing with the matter was not correctly followed.

Should a student submit an appeal, the Director of Studies and/or the Student Services Manager will assess the appeal and supporting documentation and may invite the student to attend a meeting. They will consider whether the student has produced documentary evidence clearly demonstrating that compelling and compassionate circumstances apply and whether the school has followed attendance policy correctly.

The Director of Studies and/or the Student Services Manager may invite the student to a meeting during which they will:

- Advise the student of why ELC intends to report them.
- Explain the internal and external appeals process.
- Instruct the student to continue attending their course as normal during the appeal period and ensure the student understands that their attendance will continue to be monitored as per the ELC's attendance monitoring policy and procedure
- Ask the student to explain and present information (original) in regards to their grounds for their appeal

The student will be advised in writing of the outcome of the appeal within five working days of their appeal being received. This will be sent to the student by email.

- If the appeal is successful the student will be advised of any corrective action which must be taken and the importance of maintaining satisfactory attendance and progress.
- If the appeal is unsuccessful the student will be advised of their right to an external appeal within 5 working days through the Overseas Student Ombudsman.

## **7. External appeal to the Overseas Students Ombudsman**

If a student's internal appeal and subsequent review are not successful, they may make a complaint to the NSW Ombudsman. A complaint to the NSW Ombudsman must be made within five working days of the outcome of the internal appeal being issued. Additionally, where a student has lodged a

complaint with the NSW Ombudsman, the student must notify the school of this within this five working day period.

After 5 working days have passed:

- a. if the student has not notified the school of their lodgement of an Ombudsman complaint, they will be reported to the Department of Home Affairs for unsatisfactory attendance, and have their CoE cancelled; or
- b. if the student has notified the school of their lodgement of an Ombudsman complaint, the student will not be reported to the Department of Home Affairs or have their CoE cancelled for unsatisfactory attendance until such a time as the Ombudsman case has been resolved.

### **8. Reporting to the Department of Home Affairs for Unsatisfactory Attendance**

- a. Where a student does not appeal, or a student's appeal and/or review are not successful and the student has exhausted all avenues of appeal including an external Ombudsman complaint OR has not notified the school of their intent to lodge a case with the NSW Ombudsman, the school will report the student through PRISMS for not meeting attendance requirements.
- b. This will result in the cancellation of the student's CoE, and may result in the cancellation of the student's visa by the Department of Home Affairs. The student should contact the Department of Home Affairs to discuss their situation.
- c. If a student is successful in their appeal against a Notice of Intention to Report for Unsatisfactory Attendance, they will not be reported and their CoE will not be cancelled. However, any successful appeal may have conditions attached to it relating to further attendance with which the student must comply. If these conditions are not met and their attendance falls again, a second and final Intention to Report for Unsatisfactory Attendance will be issued.
- d. If a student's attendance falls below 70% they will be reported to the Department of Home Affairs for unsatisfactory attendance, and have their CoE cancelled

### **8. Holders of other visas**

Although formal attendance requirements only apply to student visa holders, ELC monitors the attendance of all students in order to ensure that any academic or welfare matters that may be adversely affecting a student are addressed.

If a tourist or working holiday visa holder's attendance drops below 90% the student will be invited to make an appointment with the academic team to discuss their attendance and course progress.

## 9. Satisfactory course progress

Student visa holders are required to maintain satisfactory course progress. Students can expect to make satisfactory progress with their English if they maintain satisfactory attendance, participate regularly during classes and complete homework and progress tests.

If a student is not making satisfactory progress in English, it is usually because of low attendance. A student who is attending classes but not making progress in pace with their current class can be moved to a more suitable level class.

## 10. Monitoring course progress.

If a student is identified as not making satisfactory course progress, the following procedure is applied:

**Step 1:** Unsatisfactory progress is identified through 4 weekly test results at less than 50% and/or a mid-course test result at level 1 or end of course test result at level 1 or 2. The teacher conducts a tutorial with the student and identifies intervention strategies or suggests a class level change. An appointment may be made for academic counselling if a class change is recommended.

**Step 2:** Unsatisfactory progress after a further 4 weeks. A course progress warning is issued to the student reminding them of the requirement to maintain satisfactory course progress and an academic counselling meeting is arranged.

**Step 3:** Unsatisfactory progress after a further 4 weeks. The student is given written notice of intention to report for unsatisfactory course progress and notified of their right to internal and external appeal. Refer to sections 5-8 above.

## 11. Completion certificates

Students will receive a certificate upon completion of their course which indicates course studied, dates, number of weeks studied, attendance and course level upon completion. A level description is provided on the reverse of the certificate. Students who complete multiple courses receive separate certificates for each.

This policy should be read in conjunction with:

- Assessment policy
- Complaints and appeals policy

## Definitions

The following definitions apply for the purpose of this Policy.

- a. Compassionate or Compelling Circumstances: compassionate or compelling circumstances are generally those beyond the control of the student which have an impact upon the student's wellbeing or progress in a course. These include, but are not limited to:
  - i. serious illness or injury, where a medical certificate states that the student was unable to attend classes;
  - ii. bereavement of close family members such as parents or grandparents (supported by documentation);
  - iii. major political upheaval or natural disaster in the home country requiring emergency travel when this has impacted on the student's studies;
  - iv. or a traumatic experience which could include:
    - involvement in, or witnessing of a serious accident OR
    - witnessing or being the victim of a serious crime AND
    - which has impacted on the student (these cases should be supported by police or psychologists' reports)
- b. Course: an unofficial term for 'Program of Study'.
- c. Course Progress: the measure of a student's academic performance within a course, prior to completion.
- d. The Department of Home Affairs: The Commonwealth Government department responsible for issuing international students with visas.
- e. eCoE: Electronic Confirmation of Enrolment: A document, provided electronically, which is issued by ELC to intending international students and which must accompany their application for a student visa. It confirms the international student's eligibility to enrol in the particular course at ELC.
- f. ELICOS: an acronym for 'English Language Intensive Courses for Overseas Students'. An international student, possessing an active student visa, and studying a formal English language course at Macquarie School College is considered to be an ELICOS student.
- g. ESOS Framework: the legislative framework which regulates the delivery of education services to international students. It is comprised of the Education Services for Overseas Students Act 2000 (ESOS Act), the Education Services for Overseas Students Regulations 2001 (ESOS Regulations) and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code).
- h. International Student: a student who holds a student visa and is permitted to study in Australia.

- i. Notice of Intention to Report: the written communication sent to a student notifying them of the School's intention to report them to the Department of Home Affairs when required under the ESOS Framework.
- j. Overall Attendance: the maximum attendance a student can attain by the end of the course in which they are enrolled, taking into account their attendance so far and assuming they attend all of the remaining scheduled contact hours.
- k. Current Attendance: the percentage of the student's scheduled contact hours that they have attended up until now
- l. PRISMS: the Provider Registration and International Student Management Systems (PRISMS) database that the Commonwealth Government maintains to support education providers with legislative requirements relating to overseas students.
- m. Satisfactory Attendance: attendance of at least 80% of the scheduled contact hours (also known as class hours) in a course.
- n. Scheduled Contact Hours: the hours in a course in which students are scheduled to attend classes.