

ACADEMIA INTERNATIONAL'S IMPLEMENTATION OF THE DEST-DIAC COURSE PROGRESS POLICY

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PURPOSE

This policy is designed to meet the requirements of the DEST-DIAC Course Progress Policy and Procedures for CRICOS Providers of VET Courses, included in Appendix A of this policy. This DEST-DIAC policy is applicable under standard 11.2 of the National Code of Practice 2007. The policy and related procedures detail the course progression monitoring, intervention strategies and DIAC reporting requirements as described in the DEST-DIAC Course Progress Policy and Standard 9 of the National Code of Practice 2007.

This policy is made available to all staff and students of Academia International through the Student Information Handbook and the Staff Intranet system. The policy is explained to Students and Staff through induction programs and counselling sessions applicable under this policy.

SCOPE

Academia International students have their unit/module enrolments stored in the student management system TEAMS. These units/modules define the over-all course requirements as per the accredited course or training package rules.

Academia International delivers its courses over four (4) compulsory study periods within the academic year. These periods are referred to as Terms and are of ten (10) weeks in duration. Two terms equals one Semester and the total weeks within the academic year is forty (40). Students commence their courses at the beginning of any Term, and for this purpose it is referred to as an Intake.

1.0 DEFINITION OF COURSE REQUIREMENTS

Academia International has developed outlines for each compulsory study period, referred to as Stage Outlines. The Stage Outline details the units/modules contained within the compulsory study period, the equipment and resource requirements, details of each session's content for that day, the assessment requirements and timelines/due dates for those.

The Stage Outlines will have varying numbers of units/modules from one another as the units/modules are of varying hours in duration. The Stage Outlines are set up with each stage being 200 hours in duration, delivered over the ten week Term (compulsory study period).

Example: Stage 1 may contain 5 units of 40 hours each equalling the 200 hours and Stage 2 may be made up of 2 units of 100 hours each equalling the 200 hours

The stage outlines are supplied to students at the commencement of each compulsory study period (10 week Term).

1.1 To achieve satisfactory course progress under this policy, students must successfully complete or demonstrate competency in at least 50% of the course requirements in a compulsory study period. This means that 50% of the units/modules defined in the stage outline must be completed or demonstrated.

Example: A stage of a course may contain six [6] units/modules delivered over the compulsory study period. To achieve satisfactory progress under this policy a student would need to successfully complete or demonstrate competency in at least three [3] of those units/modules.

The course durations are designed with the assumption that a student will meet the total requirements (100%) of each compulsory study period (Term). If a student successfully completes or demonstrates competency in the range of 50% to 99% of course requirements in any period they are considered to be making satisfactory progress under this policy. However, this rate of progress will see the student being unable to complete all course requirements before their enrolment end date. This situation is covered by the provisions of Standard 9 of the National Code of Practice 2007. Under Standard 9 Academia International is responsible for monitoring a student's academic progress to ensure they complete their enrolled course within the duration specified on their Confirmation of Enrolment (COE).

NOTE: For non-student visa holders and local students Academia International will monitor academic progress to ensure completion by the enrolment end date.

2.0 INTERVENTION AND MONITORING STRATEGIES

At the end of each compulsory study period Academia International will systematically monitor each student's academic progress and identify those students requiring intervention. If it is possible to identify students at risk of making unsatisfactory course progress before the end of the compulsory study period, then Academia International will initiate the intervention strategies as early as possible.

The following intervention strategies apply to monitor and identify a student requiring intervention:

2.1 Attendance is monitored as an indicator of student participation in classwork. Students identified through monitoring as either:

- at risk of not making 70% attendance
- dropped below 70% attendance

over the Ten (10) week compulsory study period will.

(a) Have a warning letter, SMS or email sent to them requiring to meet with the Director of Studies (DOS) or their Head of Department (HOD)

(b) At the meeting with the DOS or HOD, students will be reminded that low attendance/participation in their coursework provides a greater risk of the student being deemed Not Yet Competent (NYC).

2.2 Students identified as successfully achieving more than 50% and less than 100% of the course requirements in the compulsory study period will have their academic load adjusted to bring them into alignment with their COE and/or enrolment end dates.

(a) The student repeats the unsuccessful units/modules in a following compulsory study period

or

(b) The student is provided with the opportunity to demonstrate competency by undertaking reassessments as per the provisions of the reassessment policy.

2.3 Students identified as successfully completing or demonstrating competency in less than 50% of the course requirements in a compulsory study period. The following applies:

(a) If the student is identified for the first time or subsequent times without a preceding period of identification, the student will:

- Receive a written letter from Academia International advising of not achieving satisfactory course progress under the provisions of the Course Progress Policy item 2.2. The letter will specify an appointment time with the Director of Studies

- Receive an email and/or SMS alerting to the fact the Unsatisfactory Course Progress letter has been sent to the student's last known residential address.

(b) At the appointment with the Director of Studies, the following will be discussed to determine the best intervention strategy/strategies necessary to assist the student to achieve satisfactory course progress:

- Discussion of course suitability for which the student is enrolled into. EG, is the student completing a course suited to them?
- Opportunities to demonstrate competency by undertaking reassessments as per the provisions of the reassessment policy. This procedure allows re-assessment or demonstration of competency in units/modules failed or deemed Not Yet Competent (NYC)
- The LLN procedure to provide the student with advice and support services in the provision of language, literacy and numeracy (LLN) assessment services
- The Client Counselling, Support and Welfare procedure to identify and assist a student where there may be compassionate or compelling circumstances impacting the student's capacity and/or ability to progress through their course
- The student will be advised that under this policy unsatisfactory course progress in two consecutive study periods (as described at item 2.3) could lead to the student being reported to DIAC and cancellation of their student visa, depending on the outcome of any appeals process

2.4 If the student is identified as successfully completing or demonstrating competency in less than 50% of the course requirements in a compulsory study period for a second consecutive time.

The following applies:

- (a) The intervention strategies at 2.2(b) of this policy will be reviewed further with the student
- (b) The procedure described under item 3.0 of this policy will be initiated by Academia International

Definition of consecutive periods under this policy is two compulsory study periods that the student was enrolled in and studying, whether or not separated by holiday or deferment periods. Under this policy a compulsory study period is a ten (10) week term.

3.0 INTENTION TO REPORT STUDENTS TO DIAC FOR UNSATISFACTORY COURSE PROGRESS

A student that is identified as successfully completing or demonstrating competency in less than 50% of the course requirements in a second consecutive compulsory study period the following applies:

3.1 Academia International will write to the student of its intention to report to DIAC for unsatisfactory progress. A sample letter has been provided in Appendix B. Academia International will also email and/or SMS the student alerting to the fact that the letter has been sent out to their last known residential address.

The student has twenty [20] working days to instigate the Client Complaints and Appeals process. A student may appeal on the following grounds:

(a) Academia International has failed to record or calculate the student's marks accurately

(b) The student has compassionate or compelling circumstances that impact on the student's capacity and/or ability to progress through the enrolled course

or

(c) Academia International has not implemented the intervention strategies documented in this policy at 2.2(b) or referred to in other existing policies provided or made available to the student

3.2 Where a student's appeal is successful Academia international will do the following depending on the findings of the appeals process:

(a) If an error was made in calculations and the student did make satisfactory course progress, Academia International will not report the student to DIAC. Further support may be provided as per 2.2(b) if necessary

(b) If Academia International has failed to record a student's marks, the college will correct this omission and the student will not be reported to DIAC. Further support may be provided as per 2.2(b) if necessary

(c) If the appeals process shows that satisfactory academic progress was not made due to compassionate or compelling circumstances, the student will not be reported to DIAC. Further support will be provided as per 2.2(b)

4.0 REPORTING STUDENTS TO DIAC FOR UNSATISFACTORY COURSE PROGRESS

4.1 Where a student has been identified as not meeting course requirements in two consecutive study periods and the following conditions apply:

- (a) The student has chosen not to access the Client Complaints and Appeals process within the 20 working day period from Academia International's notification of intention to report
- (b) The student has withdrawn from the Client Complaints and Appeals process
- (c) The Client Complaints and Appeals process is completed and the student's appeal was unsuccessful

4.2 Academia International will then notify the Secretary of the Department of Education, Science and Training (DEST) through the Provider Registration and International Student Management System (PRISMS). The report to DEST will result in the student being issued with a Section 20 notice outlining the breach of visa conditions. This report will require the student to present to DIAC within 28 working days from the issue date.

APPENDIX A: DEST-DIAC COURSE PROGRESS POLICY AND PROCEDURE FOR CRICOS PROVIDERS OF VET COURSES



This policy must be read in conjunction with the adjoining explanatory notes

1. The National Code 2007

1.1 Under Standard 11.2 of the National Code 2007, a provider who implements the DEST-DIAC Course Progress Policy and Procedures for its vocational education and training (VET) courses is not required for ESOS purposes to monitor attendance for those courses.

2. Indicating the decision to implement the DEST-DIAC Course Progress Policy and Procedures

2.1 A provider who chooses to implement the DEST-DIAC Course Progress Policy and Procedures must implement the policy and procedures for all of its CRICOS registered VET courses. The provider registers this choice through PRISMS.

3. Policy

3.1 The provider must monitor, record and assess the course progress of each student for the course in which the student is currently enrolled.

3.2 The provider must assess each student's progress at the end of each compulsory study period. While the length of a study period is determined by the provider, study periods are usually terms or semesters. Ten weeks is usually considered the minimum length of time in which it is reasonable for the provider to make an assessment of a student's course progress. For the purposes of this policy, the maximum length for a study period is six months. Where a provider does not divide courses into study periods, course progress must be monitored at least every six months.

3.3 Unsatisfactory progress is defined as not successfully completing or demonstrating competency in at least 50% of the course requirements in that study period. The provider must define course requirements for each study period and be able to identify when a student has not passed or demonstrated competency in 50% or more of the course requirements. The course requirements for each study period must also be made clear to the student at the start of the course, or if variable, each study period.

3.4 The provider must have an intervention strategy for any student who is not making satisfactory course progress. It must be made available to staff and students and must specify:

- i. procedures for contacting and counselling students;
- ii. strategies to assist identified students to achieve satisfactory course progress; and
- iii. the process by which the intervention strategy is activated.

3.5 The intervention strategy must include provisions for:

- i. where appropriate, advising students on the suitability of the course in which they are enrolled;
- ii. assisting students by advising of opportunities for the students to be reassessed for tasks in units or subjects they had previously failed, or demonstrate the necessary competency in areas in which they had not been previously able to demonstrate competency; and
- iii. advising students that unsatisfactory course progress in two consecutive study periods for a course could lead to the student being reported to DIAC and cancellation of his or her visa, depending on the outcome of any appeals process.

3.6 At the end of each compulsory study period, students must be assessed against the course progress policy. If a student is identified for the first time as not making satisfactory course progress, the intervention strategy as outlined in 3.4 is implemented. The intervention strategy must be activated within the first four weeks of the following study period. However, if a provider identifies that a student is at risk of making unsatisfactory course progress before the end of the study period, the provider is encouraged to implement its intervention strategy as early as practicable.

3.7 If a student is identified as not making satisfactory course progress in a second consecutive compulsory study period in a course, the provider must notify the student of its intention to report the student to DIAC for unsatisfactory progress. The provider does this through the written notice described in 3.8.

3.8 The written notice (of intention to report the student for unsatisfactory progress) must inform the

student that he or she is able to access the registered provider's complaints and appeals process under Standard 8 and that the student has 20 working days in which to do so. A student may appeal on the following grounds:

- i. provider's failure to record or calculate a student's marks accurately,
- ii. compassionate or compelling circumstances, or
- iii. provider has not implemented its intervention strategy and other policies according to its documented policies and procedures that have been made available to the student.

3.9 Where the student's appeal is successful, the outcomes may vary according to the findings of the appeals process.

- i. If the appeal shows that there was an error in calculation, and the student actually made satisfactory course progress (successfully completed more than 50% of the course requirements for that study period), the provider does not report the student, and there is no requirement for intervention.
- ii. If the appeals process shows that the student has not made satisfactory progress, but there are compassionate or compelling reasons for the lack of progress, ongoing support must be provided to the student through the provider's intervention strategy, and the provider does not report the student. [See adjoining explanatory notes]

3.10 Where:

- i. the student has chosen not to access the complaints and appeals processes within the 20 working day period,
 - ii. the student withdraws from the process, or
 - iii. the process is completed and results in a decision supporting the registered provider (ie. the student's appeal was unsuccessful)
- the registered provider must notify the Secretary of DEST through PRISMS as soon as practicable of the student not achieving satisfactory course progress.

4. Procedures

The administrative arrangements and student management systems will vary between providers, as will providers' approaches to the procedures for implementing the DEST-DIAC Course Progress Policy. Consequently, each provider who chooses to implement the DEST-DIAC Course Progress Policy must write a procedure which demonstrates how the policy will be implemented. This document must be made available to staff and students (in paper or electronic form) together with a copy of this policy. When creating the procedures document, providers are advised to incorporate their answers to the following questions:

WHO is responsible for each of the steps?

For example, who is responsible for defining the workload for the study period, checking progress, deciding that the student is at risk, implementing the intervention strategy, informing the student of the provider's intention to report, hearing an appeal, and reporting the student through PRISMS? Will different staff be required to take responsibility for the different steps? Will all staff involved be responsible for maintaining records of their part in the process, or will this be managed centrally?

WHEN will each step take place?

Will the intervention strategy be implemented earlier than the end of the study period or is the entire study period required in order to assess the student's progress? The student must be allowed 20 working days in which to initiate a complaint or appeal – has this requirement been considered when drafting the procedures document?

HOW will each step take place?

Will the student management system automatically alert staff to students at risk of making unsatisfactory progress, or will progress need to be checked manually? How will students be informed of the provider's concern for the student's progress or intention to report the student? Are there pro forma letters which can be modified manually or generated by the system? How and where will records of interventions, appeals processes and reporting be maintained?

ESOS ACT 2000

DEST- DIAC Course Progress Policy and Procedures for CRICOS Providers of VET Courses

Explanatory Notes

Indicating the decision to implement the DEST-DIAC Course Progress Policy and Procedures

• To indicate the decision to implement the DEST-DIAC Course Progress Policy and Procedures, the provider must do so through PRISMS. The provider does this by clicking the 'Yes' button for the field 'DEST-DIAC Course Progress Policy & Procedure implemented?'

The provider's level of access to PRISMS will determine where this field will appear.

- Providers with CoE Create or CoE Agent access will find the field on the 'Provider Information' tab of the 'Organisation Details' screen.
- Providers with CoE Administrator access will find the field on the 'Summary' tab of the 'View/EditProvider' screen.
- If a provider is considering returning to monitoring attendance rather than implementing the DEST/DIAC Course Progress Policy and Procedures, the provider needs to bear in mind the following:
 - How will students be informed of the change to the course progress policy? and
 - How will the change impact on the organisation and delivery of courses that are currently being delivered under the DEST-DIAC Course Progress Policy?
- If a provider changes its mind and no longer wishes to follow the DEST-DIAC Course Progress Policy, it registers the change in PRISMS by changing the answer to the relevant field to 'No'. A record is kept in PRISMS if the provider has chosen to use the DEST-DIAC Approved Course Progress Policy and if it changes its mind after indicating it would use the policy.
- Good practice is that providers do not commence a new course progress policy until the beginning of a study period and only after students have been informed of the intended change.

The intervention strategy

- Providers must assist students who are at risk of not making satisfactory course progress in accordance with the provider's documented intervention strategy. Providers need to ensure that they follow their intervention strategy as failure to do so may provide a student with grounds for a successful appeal. Failure to implement the intervention strategy may also constitute a breach of the National Code 2007.
- Providers must make students aware of opportunities and services to assist them if they are identified as at risk of not making satisfactory course progress.
- Providers are advised to keep records of the advice and assistance they give students who have been assisted under the provider's intervention strategy.

The written notice of intention to report a student for unsatisfactory progress

- Each provider must create its own written notice to report a student for unsatisfactory progress. Providers may wish to refer to a sample notice prepared by DEST, available on the ESOS website: www.aei.dest.gov.au/ESOS

Reporting students for unsatisfactory progress

- Reporting a student for unsatisfactory course progress occurs only when the student has been identified as not making satisfactory course progress in two consecutive compulsory study periods, and the student has not made a successful appeal against this assessment.
- Course progress in a non-compulsory study period is to be disregarded when considering whether there has been unsatisfactory progress in two consecutive compulsory study periods.
- If a student is identified for a second, but not consecutive, study period as not making satisfactory course progress, the provider does not report the student for unsatisfactory course progress.
- When a student is reported for unsatisfactory course progress, DIAC will, in all but exceptional circumstances, cancel the student's visa. DIAC will rely on the provider's report of unsatisfactory course progress, as the report can not be made until the provider has completed the complaints and appeals process. If a student is dissatisfied with the provision of a complaints and appeals process, the student may lodge a complaint with DEST.
- Section 19(2) of the ESOS Act 2000 requires providers to report the student for unsatisfactory course progress 'as soon as practicable' after the breach occurs. Good practice would be to report the student through PRISMS within 5 days of finalising the decision to report (ie. within 5 days of 3.9 i., ii., or iii. occurring).

Compassionate or compelling circumstances

- Compassionate or compelling circumstances are generally those beyond the control of the student and they have an impact on the student's capacity and/or ability to progress through a course. These could include:
 - serious illness or injury, where a medical certificate states that the student was unable to attend classes
 - bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
 - major political upheaval or natural disaster in the home country requiring their emergency travel and this has impacted on their studies
 - a traumatic experience which could include but is not limited to:
 - involvement in or witnessing of an accident or
 - a crime committed against the student or
 - the student has been a witness to a crime
 - and this has impacted on the student (these cases should be supported by police or psychologists' reports).

Please note that the above are only some of examples of what may be considered compassionate or

compelling circumstances. Providers are asked to use their professional judgment and to assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, providers should consider documentary evidence provided to support the claim. Providers should keep copies of these documents, together with a record of why the decision was made, in the student's file.

Erratic course progress as a potential indication of non-bona fide students

- If the provider suspects that a student is not a bona fide student, the provider may cancel the student's enrolment, as allowed under Standard 13. However, providers must ensure that prior to enrolment students were made aware of the grounds on which cancellation of enrolment may occur, as required under Standard 2.1f. For example, if a provider takes erratic course progress into account in identifying non-bona fide students, erratic progress must be clearly defined and stated prior to enrolment as one of the grounds for cancellation of enrolment. Similarly, if a provider identifies bona fide students on the basis of participation, failure to participate must be clearly stated prior to enrolment as grounds for cancellation of enrolment.

Monitoring course progress for reporting purposes and for completion within the duration

- Standard 9.1 requires the registered provider to have and implement documented policies and procedures for monitoring the course progress of each student to ensure that at all times the student is in a position to complete the course within the expected duration as specified on the student's CoE. While monitoring progress against the course duration is a separate requirement to monitoring course progress for reporting purposes, there may be some overlap in procedures. For example, a provider's course progress procedure may require that at the end of each study period, each student's results are checked to determine course progress for that study period. In order to avoid duplication of effort, at the same time the provider may also check each student's progress towards completion of the course within the specified duration.

Further Information

Advice on the ESOS Act 2000 and the National Code 2007 contact the ESOS Helpline on: 02 6240 5069 or by email at: esosmailbox@dest.gov.au.

Comprehensive information on the ESOS Act 2000 and the National Code 2007 is at: aei.dest.gov.au/ESOS.

Advice on visa matters at the DIAC website: www.immi.gov.au or contact DIAC on 131 881 for the cost of a local call anywhere in Australia.

Advice on PRISMS contact the PRISMS helpline at DEST on: 02 6240 7647 or by email at: prisms@dest.gov.au

APPENDIX B: ACADEMIA INTERNATIONAL'S LETTER STATING INTENTION TO REPORT FOR UNSATISFACTORY COURSE PROGRESS

[Date]

[Student name]
[Address line 1]
[Address line 2]
[Address line 3]

Re: Warning of Academia International's intention to report for unsatisfactory progress

Dear [Student's name]

Your enrolment in [course] at Academia International began on [course commencement date]. During the induction and orientation program, you were informed of the student visa condition relating to course progress. You were also informed that Academia International uses the DEST-DIAC Course Progress Policy and Procedures for CRICOS Providers of VET Courses.

Under the DEST-DIAC Course Progress Policy, a student has made unsatisfactory progress if the student has not successfully completed or demonstrated competency in at least 50% of the course requirements in a compulsory study period.

You were first identified as [making unsatisfactory progress/ at risk of making unsatisfactory progress] on [date of identification] and Academia International implemented the intervention strategy [on date/ shortly thereafter]. At this point [person/position] advised you that unsatisfactory course progress in two consecutive study periods for a course could lead to you being reported to the Department of Immigration and Citizenship (DIAC) and could result in the cancellation of your student visa.

To assist you to meet course progress requirements, [provider/contact person] also [list actions undertaken as part of intervention strategy – see paragraph 3.5 of the DEST-DIAC Course Progress Policy].

You have now been assessed as making unsatisfactory progress in a second consecutive compulsory study period. In accordance with the DEST-DIAC Course Progress Policy, I must now inform you of Academia International's intention to report you to DIAC for unsatisfactory progress in two consecutive study periods.

If you think there are reasons why you should not be reported, you may appeal against the provider's decision. According to the DEST-DIAC Course Progress Policy (paragraph 3.8), you may appeal if you believe one or more of the following have happened:

- Academia International has not recorded or calculated your marks correctly
- There are compassionate or compelling reasons which have contributed to your unsatisfactory progress
- Academia International has not implemented our intervention strategy in accordance with our documented policies and procedures
- Academia International has not implemented intervention strategies as outlined in the Course Progress Policy
- Academia International has not made the Course Progress Policy available to you

The procedure for making an appeal is included in the Student Information Handbook or on our website at www.academia21.com. You have 20 working days from the date of this letter to make your appeal. During this time (and if you choose to make an appeal, while your appeal is being considered) you must continue to attend classes and work towards completing course requirements.

If you wish to discuss this matter further, please make an appointment with [contact person]. You can bring a support person with you if you wish.

Yours sincerely

TITLE