Attendance for University of Canberra College ELICOS and Foundation Programs Procedure

Section 1 - Purpose

(1) This Procedure outlines how the University of Canberra (the University) monitors and records attendance for international students enrolled in English Language Intensive Courses for Overseas Students (ELICOS) and Foundation Programs.

(2) The University is legally obliged by the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code 2018) made under the Education Services for Overseas Students Act 2000 to monitor and report attendance of international students.

(3) International students must maintain satisfactory course attendance to retain their enrolment and student visa. The ESOS Act 2000 (Cth) also requires the University to report breaches of minimum attendance requirements.

Section 2 - Scope

(4) This Procedure applies to all international students enrolled in an English Language Program or in a Foundation Program at the University of Canberra College (UCC).

(5) This Procedure:

a. establishes a framework for UCC Student and Academic Services to determine satisfactory attendance;
b. outlines the methodology to identify students who do not meet, or are at risk of not meeting, satisfactory attendance requirements; and
c. outlines intervention strategies to support international student attendance.

(6) This Procedure provides direction to staff about:

a. when an international student must be sent a Notice of Intention to Report letter;
b. when students access complaints and appeals processes; and
c. when a student must be reported in the Provider Registration and International Student Management System (PRISMS) for failing to meet minimum attendance requirements.

(7) Attendance is not required for Higher Education level courses – only ELICOS, Foundation Program and VET-related courses. If in doubt about the level at which a course is registered, please check the registered course level listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS Register).

Section 3 - Policy

(8) Refer to International Student Policy.

Section 4 - Procedure

Communicating Minimum Attendance Requirements

(9) International ELICOS and Foundation Program students must be informed about the requirements to achieve satisfactory course progress and attendance requirements (National Code 2018, Standard 8.5) during Orientation, before beginning their course.

(10) Orientation information will also note that:

a. the duration of an international student's enrolment can only be extended in certain circumstances (as outlined in the National Code 2018); and
b. changes to the duration of an international student's enrolment may impact their student visa.

Calculating Minimum Attendance

(11) The calculation used to work out attendance is: (Number of teaching hours in study period (e.g. trimester) – Number of teaching hours in study period missed)/number of teaching hours in study period x 100.

(12) Attendance is calculated each study period as projected attendance. At any given point, students are assumed to have 100% attendance for the remainder of the study period. At the start of each study period, all students will have a 100% attendance record, with each absence throughout the study period being deducted from the attendance record at the time of the absence

(13) Attendance requirements are specified in terms of scheduled classes as follows:

a. For ELICOS students, each five-week study period (module) is counted as one study period. A 'scheduled class' is each four-hour session held across the study period.
b. For Foundation Studies Program students, each 13-week study period is counted as one study period. A 'scheduled class' is each timetabled class for a unit, with each unit having between four and eight hours of timetabled classes per week.

Recording Attendance

(14) Attendance is recorded electronically by the teaching staff member at the start of each scheduled class.

(15) Students are allowed a 15-minute grace period after the scheduled start time of the class. Students who arrive within the 15-minute grace period will be marked as in attendance. Students who arrive more than 15 minutes late will be recorded as absent.

(16) Attendance records are updated daily by the teaching staff member.

(17) Attendance records are retained in accordance with the ESOS Act 2000 (Cth), the ESOS Regulations 2019 (Cth) and the University's Records and Information Management Policy.

Intervention Strategies

(18) When an international student's attendance reaches 90% or when they miss 5 consecutive days, they are sent a letter reminding them of their attendance obligations and inviting them to make an appointment with the Program Coordinator or ELICOS Coordinator if they are having issues preventing them from attending. The Program Coordinator may decide to implement an intervention strategy at this point.

(19) When an international student's attendance reaches 85%, they are sent a second letter asking them to meet with

the Program Coordinator, who will go through their attendance obligations, find out if the student has any issues preventing them from attending, and create an intervention strategy for the student.

(20) Intervention strategies may include, but are not limited to:

a. academic skills support;
b. addition English support;
c. additional tutoring/study group;
d. increased monitoring;
e. a mentor program;
f. personal counselling;
g. placement in a more apprpriate class; and
h. reduction in course load.

(21) UCC will keep records of all contact made with and counselling provided to international students who have reached 90% and 85% attendance. Records of this contact and counselling will be maintained in the CRM and Navigate systems for a minimum of two years.

Failure to Meet Satisfactory Course Attendance

(22) Where an international student's projected attendance falls below 80% in a study period (based on the student's course/offer – for example, five- to ten- week sessions for ELICOS and a term for International Foundation Studies), a Student and Academic Services team member will give the student, as soon as practicable, a written 'Notice of Intention to Report'.

Choosing Not to Report Above 70%

(23) UCC may decide not to report an international student for falling below 80% attendance where the international student:

a. is still attending at least 70% of the scheduled course contact hours; and
b. provides genuine evidence of compassionate or compelling circumstances.

(24) See section on 'Compassionate and Compelling Circumstances' for further information.

Notice of Intention to Report

(25) The Notice of Intention to Report letter must:

a. notify the international student that the University intends to report the international student for unsatisfactory course attendance;
b. inform the student of the reasons for the Notice of Intention to Report;
c. state what the attendance requirements are;
d. state that the student has not met the attendance requirements;
e. state what records UCC has which demonstrates that the student has not met the attendance requirements; and
f. advise the international student of their right to lodge a formal grievance (using the Student Grievance Resolution Policy) with the University, via the Director, Student Life, within 20 working days of the date of the Notice of Intention to Report letter. The notice must include information about how to lodge a grievance and include the 20-working-day expiration date (which excludes weekends and public holidays).

Grievances

(26) A formal grievance against a Notice of Intention to Report will be managed in accordance with the Student Grievance Resolution Policy.

(27) Formal grievances must be submitted in accordance with the requirements set out in the Student Grievance Resolution Policy, and may include information about:

a. compassionate or compelling circumstances that impacted the student and their attendance (see section on compassionate and compelling circumstances for further information) and;
b. any inaccurate calculation of attendance; or
c. concerns relating to the procedure that was followed for dealing with the matter.

(28) UCC must maintain the student's enrolment until the grievance process and any external complaints process is completed or the student has withdrawn from the process.

Action Taken if an Appeal is Upheld

(29) These instructions should be read in conjunction with the University's Student Grievance Resolution Policy.

(30) If any grievance handling process results in a decision or recommendation in favour of the international student, UCC must immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision, and advise the international student of that action.

(31) If an international student is successful in their appeal against a Notice of Intention to Report for failure to maintain satisfactory attendance, they will not be reported to the Department of Home Affairs.

(32) If the appeal was successful due to administrative error relating to the student's attendance calculation, the international student's attendance record will be corrected to account for the errors demonstrated by the student.

(33) If compassionate and compelling circumstances existed and the student's attendance is above 70%, these circumstances will be recorded on the student's record.

(34) Should the student's attendance subsequently fall below 70%, a new Notice of Intention to Report will be issued to the student.

Reporting Unsatisfactory Attendance to the Commonwealth Department Responsible for Immigration

(35) The University will report unsatisfactory course progress or unsatisfactory course attendance in PRISMS in accordance with section 19(2) of the ESOS Act 2000 (Cth) in the event of any of the following:

a. the internal and external complaints processes have been completed and the decision or recommendation supports the University; or
b. the international student has chosen not to access the internal complaints and appeals process within the 20-working-day period; or
c. the international student has chosen not to access the external complaints and appeals process; or
d. the international student withdraws from the internal or external appeals processes by notifying the University in writing.

(36) Upon being advised by the Integrity & Resolution of any of the above outcomes, UCC will inform Student Wellbeing & International Support (SWIS) to report the student to the Department of Home Affairs via the PRISMS

system. To do this, UCC must send an email to SWIS at InternationalStudent@canberra.edu.au and include the template outlined below:

Template for Notifying SWIS of Unsatisfactory Attendance

Student ID:	
Reason for cancellation:	
Last day of study:	
Date of discontinuation:	
Has written Notice of Intention to Report been sent to student:	Yes/No
Has student accessed grievance / appeals process:	Yes/No
Have appeals (internal and external) been completed:	Yes/No/N/A
Has 20 working day period lapsed:	Yes/No/N/A

Compassionate and Compelling Circumstances

(37) Compassionate and compelling circumstances must be:

a. beyond the student's control; and
b. make it impracticable for the student to complete the requirements for the unit during the period in which the student undertook, or was to undertake, the unit.

(38) The following table sets out the requirements for compassionate and compelling circumstances, including evidentiary requirements:

APPROVED CIRCUMSTANCES:	EXAMPLES & SUPPORTING EVIDENCE:
1. Medical conditions – a new or changed medical condition or diagnosis that impacts the student's ability to engage in their study as per their study plan.	Example: A new medical condition occurs after the student has commenced study, and continues for several weeks, affecting the student's ability to engage in their study as per their study plan. OR A pre-existing medical condition flares up or is exacerbated after the student has commenced study, preventing them from continuing their study as per their study plan. Supporting evidence includes: • Medical certificate with dates of condition/exacerbation, from doctor/counsellor; or • hospital paperwork, including any future treatment plans; or • letter from social worker.
2. Family conditions – member(s) of the student's family died or were impacted by a serious medical or personal condition and it is unreasonable to expect the student to have completed the requirements of study, as per their study plan.	Example: After commencing study, a close relative is impacted by a serious medical condition or passes away and the student is unable to continue study. Supporting evidence includes: • death Certificate; or • statutory Declaration with date of death and relationship to the student; or • letter of support from University SWIS.

APPROVED CIRCUMSTANCES:	EXAMPLES & SUPPORTING EVIDENCE:
3. Unit Changes – Unit changes made by the University disadvantaged the student, or the student's study plan has changed due to failing a unit previously and having the fail grade waived.	Example: The student is unable to find a placement or a placement is cancelled. OR The student has previously failed a unit but has had this removed in accordance with the enrolment amendment process. Supporting evidence includes: • updated Study plan, including comments from faculty staff confirming reasons for the reduced load/intermission, and • emails with dates of changes; or • letter of support from Unit Convener; or • evidence of enrolment amendment approval.
4. Unexpected, or unpredicted changes in personal situation – factors beyond the student's control have impacted their ability to continue to study with the original study plan.	Example – The student has been impacted by unexpected incidents, including but not limited to, natural disasters, conflict, political changes, family changes, or displacement. Supporting evidence includes: • documents with dates of changes – evidence of media articles, correspondence from family – and a signed statutory declaration; or • medical certificate from doctor/counsellor; and/or • letter of support from SWIS.
5. A traumatic experience.	Examples – Involvement in, or witnessing of a serious accident, or witnessing or being the victim of a serious crime, and this has impacted on the international student. Supporting evidence includes police or psychologists' reports outlining the timeframes and an impact on the student to the extent where they could not attend classes.
6. Financial difficulties experienced by the student, or a member of the student's family, are such that it is unreasonable to expect the student to attend class.	Examples – The student's family has experienced unexpected trauma, such as a natural disaster or war where they are unable to meet their financial obligations. Supporting evidence includes: • statutory declaration with an explanation of how the financial difficulties have manifested. • letter of support from University SWIS.
7. Additional personal factors – this may include military service in student's home country, or parental leave (for the birth and primary care of a child).	Examples – Parental leave: One Semester (or applicable 6-month teaching period), where the due date falls in or around the start date or end date of a teaching period – (additional time will only be considered where there are complications or associated medical condition(s) making the student unfit to study). Caring for a newborn or children is not considered grounds for additional leave. Necessary arrangements will need to be made. OR Military service in the student's home country. Supporting evidence includes: Parental Leave • medical certificate from doctor/counsellor; or • letter of support from University SWIS. Military Service • Military service notice from home country

Section 5 - Roles and Responsibilities

Who	Responsibilities
University of Canberra College (UCC)	• Communicate with students about attendance requirements prior to commencement. • University of Canberra College English Language Centre and Foundation Program classroom teachers to monitor class attendance and report any breaches to the Program Coordinator and undertake any amendments for incorrect records.
UCC Student and Academic Services Staff	• Undertake initial communication with students. • Distribution of official notice of intent to report. • Notify University staff (SWIS) of outcome of appeal and recommend University reporting in PRISMS (if required).
Integrity & Resolution	• Coordinate appeal process. • Notify UCC of the outcome of any appeals or grievances in relation to a Notice of Intention to Report • Distribute outcome to initial appeal.
Student Wellbeing & International Support (SWIS)	• Upon recommendation from the University of Canberra College, reports student via PRISMS for failure to meet attendance requirements.

Section 6 - Definitions

Terms	Definitions
Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS)	Official Australian Government website that lists all Australian education providers and registered courses for overseas students.
International Student	International student has the same meaning as overseas student in Section 5 of the ESOS Act. That is: a person (whether within or outside Australia) who holds a student visa, but does not include students of a kind prescribed in the ESOS Regulations.
Provider Registration and International Student Management System (PRISMS)	The system used to process information given to the Secretary of the Commonwealth Department responsible for Education.

Status and Details

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