Purpose
The purpose of this policy is to systematically monitor overseas students’ compliance with student visa conditions relating to attendance.

Background
The National Code 2007 requires TAFE Queensland South West to have a documented policy statement describing how it is implementing the Standard 11 – Monitoring attendance requirement. This policy fulfils that requirement and describes how TAFE Queensland South West is managing risks associated with systematically monitoring students’ compliance with student visa conditions relating to attendance, notifying and counselling students who are at risk of failing to meet attendance requirements, and reporting students under section 19 of the ESOS Act who have breached the attendance requirements.

Scope
This policy applies to the monitoring of attendance of overseas students and the faculty requirements with regard to assessing the overseas student’s attendance.

Definitions

<table>
<thead>
<tr>
<th>Term</th>
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<tbody>
<tr>
<td>Absent</td>
<td>The student is not physically present in the classroom. The student will be considered absent if they obtain a medical certificate or have approval to be absent.</td>
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<tr>
<td>Appeal</td>
<td>Formal written request by an overseas student to have a matter heard and/or reconsidered after receiving an unfavourable decision.</td>
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<tr>
<td>Attendance Requirements</td>
<td>Overseas students are required to attend a minimum of 80% of the scheduled course contact hours within a semester.</td>
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<td>DIBP</td>
<td>Department of Immigration and Border Protection</td>
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<tr>
<td>Internal Appeal</td>
<td>Formal written request by an overseas student to have a matter heard and/or reconsidered by staff and/or content experts within TAFE Queensland South West.</td>
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<tr>
<td>International Student</td>
<td>Non-student visa holders. These students may hold a tourist or business visa and are not subject to this policy or procedure.</td>
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<tr>
<td>International Unit</td>
<td>Undertakes the recruitment and management of overseas students and consists of a Senior International Officer and International Administration Officer.</td>
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<tr>
<td>Intervention Strategy</td>
<td>An individual plan to provide academic support and/or assistance to an overseas student identified as being ‘at risk’ of not achieving satisfactory academic progression and/or attendance.</td>
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<tr>
<td>Letter of Offer</td>
<td>A letter supplied by TAFE Queensland South West offering an overseas student a place in the desired course.</td>
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<tr>
<td>Non Commencement of Studies</td>
<td>Where a student has not commenced studies or made contact with TAFE Queensland South West by the scheduled commencement date he or she will be reported to DIBP via PRISMS within five (5) working days of the scheduled commencement date.</td>
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<tr>
<td>Overseas Student</td>
<td>A person (whether within or outside of Australia) who holds a student visa issued under the Migration Act 1958 (Commonwealth).</td>
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<tr>
<td>Passive Withdrawal</td>
<td>When a student has been absent for more than five (5) consecutive days with no explanation or contact with TAFE Queensland South West, TAFE Queensland South West will report the student to DIBP via PRISMS on the grounds of ‘passive withdrawal’.</td>
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<tr>
<td>PEO</td>
<td>Principal Executive Officer who must give approval prior to any student being reported to DIBP via PRISMS.</td>
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<tr>
<td>PRISMS</td>
<td>Provider Registration and International Student Management System – used to process information given to the Secretary of Department of Industry by registered providers.</td>
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Suspension When a student is not permitted to be in the classroom or on campus for disciplinary reasons. This may lead to cancellation of the student’s enrolment. Suspension will not be counted as an absence in the attendance percentage.

VSmart Electronic system used by students to register class attendance.

POLICY

Overseas students are made aware of this policy in their Letter of Offer and during orientation. Students sign a checklist at the completion of orientation to confirm they understand various policies and their rights and responsibilities as it relates to their time at TAFE Queensland South West.

All staff supporting overseas students participate in an information session which includes the contents of this policy.

This policy can be accessed on TAFE Queensland South West’s website.

TAFE Queensland South West will systematically monitor overseas student’s compliance with student visa conditions relating to attendance:

- Attendance is recorded every session by the teacher on the class roll or via VSmart (Ipswich campus only).
- The teacher advises the International Unit of any student absences each fortnight by completing the Overseas Student Attendance Tracking Sheet (FR011).
- The International Unit tracks the overseas student’s absences on the Overseas Student Attendance Tracking Sheet (FR011) each fortnight to calculate the overall attendance for each overseas student.
- Where the overseas student has been absent for five (5) consecutive scheduled study days the teacher must immediately notify the International Unit.
- Attendance is calculated as an absence percentage (e.g. the sum of absent hours per week / the total delivery hours X 100 = absence percentage).

TAFE Queensland South West will be proactive in notifying and counselling overseas students who are at risk of failing to meet attendance requirements.

Note: In the event that an overseas student’s enrolment is suspended, the period of suspension of enrolment (as entered in PRISMS) will not be calculated in the attendance monitoring calculations. (Refer to the Overseas Student Deferral, Suspension, or Cancellation Policy and Procedure PL012 and PR010 for more information)

First Notification

During the semester, if an overseas student is absent for more than five (5) consecutive scheduled study days, regardless of the overseas student’s attendance percentage, the overseas student will be issued with an Overseas Student – 1st Notification of Attendance by the Senior International Officer. The overseas student will also be required to supply a copy of any outstanding medical certificates or written explanations regarding absences. Overseas students should retain original medical certificates in case they are required by DIBP. The certificates or explanations must be dated from the first day of absence.

Note: It is the overseas student’s responsibility to contact the teacher if the overseas student needs to be absent from class or is sick.

Once the overall attendance is calculated and an overseas student is identified as having attendance at or below 90% (absence percentage at or above 10%) the Senior International Officer will issue an Overseas Student – 1st Notification of Attendance. The notification will advise the overseas student of attendance concerns and outline the 80% attendance requirement.

Second Notification

Within one (1) week of receiving the overseas student’s attendance record and calculating 85% (absence percentage at or above 15%), the Senior International Officer will issue an Overseas Student – 2nd Notification of Attendance and ask the overseas student to schedule a meeting with the Senior International Officer to discuss possible compassionate or compelling circumstances that may be affecting the overseas student’s attendance. A copy of this notification will also be sent to the Associate Director. The Associate Director will schedule a meeting with the teacher, overseas student and Senior International Officer.

During this meeting an intervention strategy is to be negotiated Senior International Officer to improve the overseas student’s attendance. The intervention strategy must be signed by all participants. The original copy is given to the overseas student and a copy is kept on the student’s file in the International Unit.

Intervention Strategy

The intervention strategy is for overseas students who are not meeting or are at risk of not meeting the attendance requirements of 80%. It is to be initiated by the teacher who will forward the overseas student’s attendance to the Associate Director. He or she will liaise with the teacher and Senior International Officer to determine the
intervention strategy to assist the overseas student to meet the attendance requirements. Overseas students may be accompanied by a support person at this face-to-face meeting. The intervention strategy may include:

- attending tutorial or study groups,
- receiving individual case management,
- counselling or support meetings with the Senior International Officer,
- receiving assistance with personal issues which are influencing progress or attendance,
- receiving mentoring, and/or
- being placed in a suitable alternative subject within a course or a suitable alternative course.

The intervention strategy must be explained and the overseas student must indicate whether or not they agree to abide by the terms. All participants, including the overseas student must sign the intervention strategy. A copy of the document should be placed in the overseas student’s file in the International Unit. At the time that the intervention strategy is agreed to; the overseas student is to be made aware that unsatisfactory attendance will lead to the overseas student being reported to DIBP which may lead to the cancellation of his or her visa, depending on the outcomes of any appeals. A record of all intervention measures implemented and all relevant documentation will be kept in the overseas student’s file in the International Unit.

Faculty staff will continue to monitor the attendance of the overseas student following an intervention strategy and advise the Associate Director and International Unit of any concerns.

**Reporting the Student**

At the point where it is determined the overseas student will not be able to meet the 80% attendance requirements for the semester, written notification of TAFE Queensland South West’s intention to report the student to DIBP will be issued via the Letter of Intention to Report by the Senior International Officer.

*Note: The reporting process will only be initiated for an overseas student after the overseas student has received both notification letters and the Intervention Strategy has been implemented and the overseas student has been allowed time for the intervention to run its course.*

Letter of Intention to Report must advise the overseas student that he or she has twenty (20) business days to access (but not complete) the appeals process.

Immediately following the 20 business days where the overseas student has not submitted a request to appeal or after the appeals process is completed and the original decision stands, the Senior International Officer will report the overseas student to DIBP via PRISMS with the approval of the PEO.

The Senior International Officer will report the overseas student within five (5) business days of finalising the decision to report.

With the approval of the PEO, TAFE Queensland South West reserves the right to report the overseas student to DIBP via PRISMS on the grounds of ‘passive withdrawal’, if the overseas student has not commenced studies or has been absent for 10 consecutive days and has not made any contact with TAFE Queensland South West.

**Appeals**

An overseas student may appeal TAFE Queensland South West’s decision to report on the following grounds:

- TAFE Queensland South West’s failure to record or calculate an overseas student’s attendance accurately;
- compassionate or compelling circumstances; or
- an intervention strategy was not implemented according to this policy and procedure document.

If the appeal shows that there was an error in calculation, and the overseas student actually made satisfactory attendance, the overseas student will not be reported, and there is no requirement for intervention.

If the appeals process shows that the overseas student has not maintained satisfactory attendance, but there are compassionate or compelling reasons for the lack of attendance, on-going support must be provided to the overseas student through the intervention strategy, and TAFE Queensland South West will not report the overseas student to DIBP unless the overseas student reached an unsatisfactory attendance level of 70% or below (absence percentage of 30% or above).

**Compassionate or Compelling Circumstances**

Compassionate or compelling circumstances are generally those beyond the control of the overseas student and they have an impact on the overseas student’s capability and/or ability to progress through a course. These could include:

- serious illness or injury, where a medical certificate states that the overseas student was unable to attend class;
• bereavement of close family members such as parents, siblings, 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 their studies;
• a traumatic experience which could include but is not limited to:
  o involvement in or witnessing of a serious accident;
  o a serious crime committed against the overseas student; or
  o the overseas student has been a witness to a serious crime;
  o student misconduct.

These cases may be supported by police, Senior International Officer or psychologists’ reports and copies of these documents should be kept in the overseas student’s file. The PEO may consult the Senior International Officer when considering compassionate or compelling circumstances.

COMPLIANCE REFERENCES

• National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (the National Code 2007)

POLICY APPROVAL

<table>
<thead>
<tr>
<th>Owned By:</th>
<th>Caroline Lewis</th>
<th>Date: 16/10/2013</th>
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<tbody>
<tr>
<td>Position:</td>
<td>Senior International Business Officer</td>
<td></td>
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<tr>
<td>Authorised by:</td>
<td>Trevor Schwenke</td>
<td>Date: 18/10/2013</td>
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<tr>
<td>Position</td>
<td>General Manager</td>
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