

# Macquarie University College Attendance Policy - Standard Foundation Program

## Section 1 - Purpose

(1) This Policy establishes the attendance expectations for students in the Standard Foundation Program, and specifies the requirement for international students in the Standard Foundation Program to maintain satisfactory attendance, as set out in the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#), Standard 8 ('National Code').

(2) Attendance expectations and requirements for students enrolled in ELICOS courses are specified in the [Macquarie University College Attendance Policy - ELICOS Students](#).

### Background

(3) Attendance and active participation in classroom activities is critical to the learning and success of students. The College will monitor students in the Standard Foundation Program for their attendance and participation during each term in order to provide support, for example to identify those who may be at risk of not meeting satisfactory course progression as a result of low attendance. This will enable The College to assist those students with strategies to achieve satisfactory course progression.

(4) Additionally, international students enrolled in the Standard Foundation Program who do not maintain satisfactory attendance are reported to the Department of Home Affairs, in accordance with the National Code and the ESOS Framework. It is a formal requirement of student visa holders in these programs that they maintain satisfactory attendance.

### Scope

(5) This Policy applies to all students enrolled at Macquarie University College in the Standard Foundation Program.

## Section 2 - Policy

### Part A - Attendance Expectations and Monitoring

(6) Information about the scheduled contact hours for a unit is provided in Unit Guides, which are linked to the online learning management page for the unit on [iLearn](#).

(7) Students are expected to attend 100% of scheduled contact hours for each unit in which they are enrolled.

(8) Students will register themselves into class times before the commencement of a study period. Students are not permitted to attend a class other than the one in which they are registered unless they have an authorisation form from a Macquarie University College Student Advisor. If a student's name does not appear on the class attendance list, and they do not have an authorisation form to attend an alternative class, the teacher will not mark them present and will immediately refer them to the Student Administration team.

(9) Teaching staff are responsible for recording student attendance in every class using the University's online learning management system, iLearn. If a student is late or leaves early, the teacher will only record the time the student was present

(10) Students can view their actual and potential attendance record for the units in their current term through iLearn. Students may also request an official Certificate of Attendance by contacting a Macquarie University College Student Advisor.

### **Circumstances impacting attendance**

(11) Students who experience circumstances that impact their ability to attend class should seek assistance from a Macquarie University College Student Advisor, or from Student Wellbeing, at the time that the circumstances arise. This will allow support strategies to be discussed and put in place to reduce any impact on the student's progression. Students who have missed an assessment due to serious and unavoidable circumstances can request Special Consideration as specified in the [Special Consideration Policy](#).

(12) If a student has a pre-existing condition or circumstance, it is recommended that they meet a Macquarie University College Student Advisor at the beginning of their studies to discuss the support strategies and services that may be available to them.

## **Part B - Attendance Requirements - International Students**

(13) International students who have, or would ordinarily require, a student visa and who are enrolled in the Standard Foundation Program must maintain Satisfactory Attendance in accordance with the National Code, Standard 8.

(14) Satisfactory attendance is defined as attending 80% or more of the total scheduled contact hours while enrolled in the Standard Foundation Program.

(15) The Governance Team will monitor the attendance of international students in each term. Potential attendance is calculated on an ongoing basis against the total possible scheduled contact hours of the course. Potential 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.

(16) The Student Administration team will identify international students who have missed more than three (3) consecutive days of class. These students can be asked to discuss any circumstances impacting their study with a Student Advisor. Based on the discussion, strategies and support will be suggested, or a student may be referred to other specialist learning, wellbeing and/or support services where required.

(17) In addition, if an international student has been absent for five (5) consecutive days without notice, and attempts by Macquarie University College to contact them have been unsuccessful, it will be considered a critical incident and the matter will be escalated to Student Wellbeing.

### **Attendance calculation for compliance monitoring**

(18) Potential 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.

(19) This will be expressed as a percentage. That is:  $(a+b)/c*100$ .

## **Attendance Warnings**

(20) When a student's potential attendance has dropped below 90% of the scheduled contact hours of their course, the Governance team will send a First Warning to remind the student of their attendance requirement.

(21) When a student's potential attendance has dropped below 85% of the scheduled contact hours of their course, the Governance Team will send a Second and Final Warning.

(22) Warnings will be sent to the student's University email address. If the student is under the age of 18, the University will send copies of the warnings to the student's parents or legal guardian. Students who receive a warning are highly encouraged to attend a meeting with a Student Advisor to discuss their attendance.

(23) If a student's potential attendance falls below 80%, they will receive no further warnings. The student will then be issued with a Notice of Intention to Report for Low Attendance informing them of the University's intention to report them to the Department of Home Affairs for low attendance (see Part C).

## **Part C - Notice of Intention to Report for Low Attendance (Attendance <80%)**

(24) International students in the Standard Foundation Program who fall below the required 80% of scheduled contact hours for their course (i.e. do not maintain Satisfactory Attendance) 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. This may result in the cancellation of the student's visa by the Department of Home Affairs.

(25) Being reported also means that the student will have their CoE cancelled, and they will not be permitted to enrol in further units in their course for one (1) year from the date of reporting.

(26) The Notice of Intention to Report for Low Attendance will provide details of the student's right to appeal the decision to report.

### **Appealing a Notice of Intention to Report for Low Attendance**

(27) A student who receives a Notice of Intention to Report for Low Attendance may appeal this decision. A report for low attendance will not be made until the appeal process has been completed, and/or the deadline to appeal or escalate an appeal has passed.

(28) If an appeal is successful, a report for low attendance will not be made.

(29) An appeal may be submitted to the Associate Director, Macquarie University College. It must be submitted within twenty (20) days of the Notice of Intention to Report being issued.

(30) An unsuccessful appeal to the Associate Director may be submitted to the College Director for review. This must be requested within five (5) working days of the date of the outcome of the appeal being issued.

(31) If a student's appeal and subsequent review (if requested) are not successful, the student's enrolment in the Standard Foundation Program will be blocked for one (1) year.

### **Appeal to the Associate Director, Macquarie University College**

(32) Students may appeal their Notice of Intention to Report for Low Attendance by submitting a personal statement. An appeal must be submitted within twenty (20) working days of the Notice being issued.

(33) The personal statement must specify the reasons for the appeal, based on the appeal grounds below. It must also include any supporting documentation relevant to their statement. Personal statements and all documentation must

be readable, and in English or translated to English by a NAATI accredited translator.

(34) 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.

(35) Should a student submit an appeal, the Associate Director will assess the appeal and supporting documentation.

(36) The student will be advised in writing of the outcome of the appeal within ten (10) working days of their appeal being received. This will be sent to the student's University email address.

### **Review by the College Director**

(37) If the appeal to the Associate Director, Macquarie University College is not successful, the student may request that the decision be referred to the College Director for review under the following grounds:

- a. the student is able to provide additional relevant evidence to support their case, that was not included in their initial appeal; and/or;
- b. that the student can demonstrate that the procedure for dealing with the matter was not followed correctly.

(38) The request to review must be made within five (5) working days of the date of the outcome of the appeal being issued. A request to review must address how the request meets the grounds listed above – requests that do not address at least one of the two grounds will not be accepted.

(39) If the student has submitted an appeal, and it meets at least one of the required grounds, the College Director will review the appeal outcome in light of the originally submitted written appeal and supporting documentation, and any additional evidence provided.

(40) The student will be advised in writing of the outcome of the review within ten (10) working days of the request for review being received. This will be sent to the student's University email address.

### **External Complaint to the NSW Ombudsman**

(41) 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 twenty (20) working days of the outcome of the Director Review being issued. Additionally, where a student has lodged a complaint with the NSW Ombudsman, the student must notify the University of this within this twenty (20) working day period.

(42) After twenty (20) working days have passed:

- a. if the student has not notified The College 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 College 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. However, the student's enrolment will remain blocked, pending a recommendation from the Ombudsman.

### **Reporting to the Department of Home Affairs for Low Attendance**

(43) 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 University of their intent to lodge a case with the NSW Ombudsman, the University will report the student through PRISMS for not

meeting attendance requirements.

(44) 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.

### **Action Taken if an Appeal is Upheld**

(45) If a student is successful in their appeal or review against a Notice of Intention to Report for Low Attendance, their CoE will not be cancelled. The student's potential attendance percentage will not reset and will continue to be calculated including their past attendance. If potential attendance falls below 70% the student will be issued with a separate Notice of Intention to Report for Failure to Meet Attendance Requirements.

## **Part D - Notice of Intention to Report for Failure to Meet Attendance Requirements (Attendance <70%)**

(46) International students in the Standard Foundation Program who fall below 70% of scheduled contact hours for their course will be issued with a Notice of Intention to Report the student to the Department of Home Affairs for Failure to Meet Attendance Requirements as required by the National Code. This may result in the cancellation of the student's visa by the Department of Home Affairs.

(47) Being reported also means that the student will have their CoE cancelled and will not be permitted to enrol in further units in their course for one (1) year from the date of reporting.

(48) The Notice of Intention to Report for Failure to Meet Attendance Requirements will provide details of the student's right to appeal the decision to report.

### **Appealing a Notice of Intention to Report for Failure to Meet Attendance Requirements**

(49) The National Code requires the University to report a student whose attendance falls below 70%. An appeal against the decision to Report a Student for Failure to Meet Attendance Requirements can therefore only be made on the grounds that:

- a. there were procedural or administrative errors in the calculation of the student's attendance that, if resolved, would cause the student's attendance percentage to rise to 70% or above; or
- b. the procedure for dealing with the matter was not correctly followed.

(50) Students may appeal their Notice of Intention to Report for Failure to Meet Attendance Requirements by submitting a personal statement. An appeal must be submitted within twenty (20) working days of the Notice being issued.

(51) The personal statement must specify the reason for the appeal, including documenting any errors in the attendance calculation that may have occurred. It must also include any supporting documentation relevant to their statement. Personal statements and all documentation must be readable, and in English or translated to English by a NAATI accredited translator.

(52) The appeal and supporting documentation will be assessed by the College Director.

(53) The student will be advised in writing of the outcome of the appeal within 10 working days of their appeal being received. This will be sent to the student's University email address.

(54) The student will be reported to the Department of Home Affairs, have their CoE cancelled and will be blocked from enrolment for one (1) year with no further opportunity to appeal in the event that:

- a. a student's appeal to the Director is not upheld; and
- b. the student does not submit a complaint to the New South Wales Ombudsman and notify the University as such within four (4) weeks of the date of the outcome of their appeal.

### **External Complaint to the NSW Ombudsman**

(55) If a student's appeal is not successful, they may make a complaint to the NSW Ombudsman. A complaint to the NSW Ombudsman must be made within twenty (20) working days of the outcome of the appeal being issued. Additionally, where a student has lodged a complaint with the NSW Ombudsman, the student must notify the University of this within this twenty (20) working day period.

(56) After twenty (20) working days have passed:

- a. if the student has not notified The College 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 College 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. However, the student's enrolment will remain blocked, pending a recommendation from the Ombudsman.

### **Reporting to the Department of Home Affairs for Failure to Meet Attendance Requirements**

(57) Where a student does not appeal, or a student's appeal is not successful and the student has exhausted all avenues of appeal including an external Ombudsman complaint OR has not notified the University of their intent to lodge a case with the NSW Ombudsman, the University will report the student through PRISMS for not meeting attendance requirements.

(58) 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.

### **Action Taken if an Appeal is Upheld**

(59) If a student is successful in their appeal against a Notice of Intention to Report for Failure to Meet Attendance Requirements, their CoE will not be cancelled. The student's potential attendance percentage will be corrected to account for the errors demonstrated by the student.

(60) If potential attendance falls below 70% in the future, the student will be issued with a further Notice of Intention to Report for Failure to Meet Attendance Requirements.

## **Section 3 - Procedures**

(61) This Policy is supported by the [Standard Foundation Program Attendance Lifecycle Procedure Flowchart](#) and the [Standard Foundation Program Attendance Appeals Procedure Flowchart](#).

## **Section 4 - Guidelines**

(62) N/A

## Section 5 - Definitions

(63) 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; or
  - iv. 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:** another word for 'Program of Study'. For this document, a 'Course' can refer to any of the programs of study run by Macquarie University College.
- 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 Macquarie University to international students confirming the international student's eligibility to enrol in the particular course at Macquarie University. It must accompany their application to the Department of Home Affairs for a student visa.
- f. **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).
- g. **International Student:** a student who holds a student visa and is permitted to study in Australia.
- h. **Notice of Intention to Report:** the written communication sent to a student notifying them of the University's intention to report them to the Department of Home Affairs when required under the ESOS Framework.
- i. **Potential 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.
- j. **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.
- k. **Satisfactory Attendance:** attendance of at least 80% of the scheduled contact hours (also known as class hours) in a course.
- l. **Scheduled Contact Hours:** the hours in a course in which students are scheduled to attend classes and any other mandatory learning sessions. Also known as Class Hours.
- m. **Study Period:** a general term to refer to a specific period of time where a unit or subject is taught over a series of weeks and lessons. Depending on the Course a student is enrolled in, Macquarie University College runs Blocks and Terms.
- n. **Term:** a seven-week period of study at The College, including six weeks of classes and an examinations period,

in which an entire unit is delivered. Also known as a 'Study Period'.

- o. Unit: a discrete component of study within a program of study, each worth a fixed number of credit points. A unit is sometimes known as a subject.



## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	25th July 2022
<b>Review Date</b>	25th July 2025
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<b>Approval Date</b>	20th July 2022
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<b>Responsible Executive</b>	Rorden Wilkinson Deputy Vice-Chancellor (Academic)
<b>Responsible Officer</b>	Pamela Humphreys Director, Macquarie University College +61 2 9850 6114
<b>Enquiries Contact</b>	Andrew Jackson Governance and Quality Coordinator, Macquarie University College andrew.jackson@mq.edu.au