Macquarie University College Attendance Policy - ELICOS Students

Section 1 - Purpose

(1) This policy establishes the attendance expectations for students enrolled in English Language Intensive Courses for Overseas Students (ELICOS) at Macquarie University College, and specifies the requirement 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 the Standard Foundation Programs are specified in the Macquarie University College Attendance Policy - Standard Foundation Program.

Background

(3) Attendance and active participation in classroom activities is critical to the learning and success of students. For ELICOS students, The College will monitor student attendance and participation during each study period for reasons of support, such as to identify those who may be at risk of not meeting course progression resulting from low attendance. This enables The College to assist students with strategies to achieve satisfactory course progress.

(4) Additionally, ELICOS students who do not maintain satisfactory attendance are reported to the Department of Home Affairs, in compliance 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 students enrolled at Macquarie University College in ELICOS Courses.

Section 2 - Policy

Part A - Attendance Expectations and Monitoring

(6) Information about the scheduled contact hours for a course is provided to students at the commencement of an ELICOS Course.

(7) All students are expected to attend 100% of scheduled contact hours in a study period.

(8) 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 administering ELICOS Courses are responsible for recording student attendance in every class using the online student management system, RTO. If a student is late or leaves early, the teacher will only record the time the student was present.

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(10) Students can request their attendance percentage and record, along with an official Certificate of Attendance, at any time 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 the impact on the student's course progression. Students who have missed an assessment due to serious and unavoidable circumstances can request Special Consideration as per 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

(13) International students who have, or would ordinarily require, a student visa and who are enrolled in any ELICOS Course, 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 an ELICOS Course.

(15) The Governance Team will monitor the attendance of students in each study period. 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 the student's potential attendance has dropped below 90% of the scheduled contact hours of their course, they will be sent a First Warning to remind the student of their attendance requirement.

(21) When the student's potential attendance has dropped below 85% of the scheduled contact hours of their

program, they will be sent 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 continues to fall 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) Students enrolled in ELICOS Courses at The College who fall below the required 80% of scheduled contact hours (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. If reported, this may result in the cancellation of the student's visa by the Department of Home Affairs.

(25) Being reported also effects 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.

(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 Education Manager, Macquarie University College. It must be submitted within twenty (20) days of the Notice of Intention to Report for Low Attendance being issued.

(30) An unsuccessful appeal to the Education Manager 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 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.

Appeal to the Education Manager, 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 Education Manager 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 Education Manager, 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.

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 Should an Appeal be Upheld

(45) If a student is successful in their appeal against a Notice of Intention to Report for Low Attendance, they will not be reported and their CoE will not be cancelled. Additionally, their attendance percentage will revert to 100%. Should their attendance fall again, they will receive further warnings and Notices at the same percentages as previously stated in this policy, which will be issued and/or assessed independently of any previous decisions.

Section 3 - Procedures

(46) This Policy is supported by the ELICOS Attendance Lifecycle Procedure Flowchart and the ELICOS Attendance Appeals Procedure Flowchart.

Section 4 - Guidelines

(47) Nil.

Section 5 - Definitions

(48) The following definitions apply for the purpose of this Policy.

a. Block: a five-week period of study, applicable only to students in ELICOS or English language courses. Also known as a 'Study Period'.
b. 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)
c. Course: an unofficial term for 'Program of Study'.
d. Course Progress: the measure of a student's academic performance within a course, prior to completion.
e. The Department of Home Affairs: The Commonwealth Government department responsible for issuing international students with visas.
f. eCoE: Electronic Confirmation of Enrolment: A document, provided electronically, which is issued by Macquarie University 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 Macquarie University.
g. 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 University College is considered to be an ELICOS student.
h. 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).

i. International Student: a student who holds a student visa and is permitted to study in Australia.
j. 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.
k. 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.
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 and any other mandatory learning sessions. Also known as Class Hours.
o. 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.

Status and Details

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