

Enrolments - Attendance (International Foundations) Procedure

Section 1 - Summary

- (1) This Procedure establishes processes to monitor the attendance of international students studying Foundations courses at Victoria University (VU).
- (2) It allows VU as the registered provider to meet its obligations under Standard 8 of the [National Code of Practice for Providers of Education and Training to Overseas Students 2018 \(Cth\)](#), which requires registered providers to:
- Monitor students' compliance with visa conditions relating to attendance;
 - Be proactive in notifying and counselling students who are at risk of failing to meet attendance requirements; and
 - Report students (under section 19 of the Education Services for Overseas Student Act 2000 (ESOS)) who have breached attendance requirements.

Section 2 - HESF/ASQA/ESOS ALIGNMENT

- (3) [Standards for Registered Training Organisations \(RTOs\) 2015 \(Cth\)](#)
- (4) [Education Services for Overseas Students Act 2000 \(Cth\)](#)
- (5) National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth): Standard 3; 8 and 9.

Section 3 - Scope

- (6) This Procedure applies to:
- all VU international students who are on an Australian Government student visa and are enrolled in Foundation courses at VU which are registered on CRICOS; and
 - all staff with responsibilities for teaching and supporting international students enrolled in Foundations courses at VU.

Section 4 - Definitions

- (7) Attendance: actual physical attendance at all required course activities. It excludes all absences from activities, regardless of the reason for such absence.
- (8) Compassionate or Compelling Circumstances:

- a. These are circumstances beyond the control of the student and which have an impact upon the student's course engagement or wellbeing. They could include (without limitation):
- i. serious illness or injury (where a medical certificate states the student was unable engage with scheduled course requirements);
 - ii. death of a close family member;
 - iii. major political upheaval or natural disaster in the student's home country which requires emergency travel; or
 - iv. a traumatic experience (such as involvement in or witnessing a serious accident, involvement in legal proceedings).

(9) EBECAS: an internet hosted student administration software designed to monitor attendance according to ESOS requirements for International Students studying Foundation courses.

(10) Foundations Courses: refers to VU's foundation studies courses and units, which are non-award courses for students who wish to develop skills and transition into higher education at VU. They are comparable to an Australian Year 12.

(11) Notice in Writing: is considered to be discharged by an email sent to a student's VU email address. Letters may be sent as inline text within the body of an email, or as an attachment to an email.

(12) International Student: a student on a student visa who is a citizen of another country and is studying in Australia.

(13) Study Period: a discrete period of study within the Foundations Course engaged in by the International Student, such as a term, semester, trimester or a lesser duration, as defined by VU. The study period for each Foundations course or unit is stated in each student's Letter of Offer.

Section 5 - Policy/Regulation

(14) [Enrolments Policy](#)

Section 6 - Procedures

Part A - Summary of Roles and Responsibilities

| Roles | Responsibilities |
|----------------------------|--|
| Teachers | - Mark attendance register via EBECAS at each and every teaching session or mandatory activity. |
| Senior Educator | - Ensures teachers follow attendance procedures. - Meet students who have received a Second Email of Warning and record outcomes on EBECAS. |
| Foundations administration | - Monitor attendance via EBECAS. - Send the student the warning emails when the attendance monitoring system flags attendance breaches. - Contact students if they have been absent for 5 consecutive days. If contact cannot be made, contact Victoria University International and the student's nominated Emergency Contact. If contact cannot be made, notify the General Manager (VU English, Foundations and HE Diplomas). |
| Enrolments | After the conclusion of all review and appeal process, 1. Report the student's attendance to the relevant Australian Government department. 2. Withdraws all active courses in S1 and cancels all active CoEs. 3. Emails a final notification to students to advise that all appropriate actions have been taken. |

| Roles | Responsibilities |
|--|---|
| General Manager, VU English, Foundations and HE Diplomas | <ul style="list-style-type: none"> - Hear any request for review of the determination to report the student. - Decide if the determination to report will stand or may be waived due to: <ul style="list-style-type: none"> (i) compassionate or compelling circumstances, or (ii) administrative error. |
| Appeals Panel | Hear a student's appeal against the decision of the General Manager, VU English, Foundations and HE Diplomas if grounds for appeal are met (as specified in the Student Appeals Regulations 2019). |

Part B - Attendance Requirements

(15) International Students enrolled in Foundations Courses at VU must maintain a minimum attendance rate of 80% for each study period in which they are enrolled.

(16) Subject to clause (15), where an International Student does not meet the 80% attendance threshold for a Study Period, VU will notify the student in writing of its intention to report the student to the relevant Australian Government Department. The written notice will inform the student of:

- a. Their right to appeal and provide details of how to activate the appeals process under VU's [Student Appeals Regulations 2019](#). Decisions to report students for non-attendance are considered to be statutory decisions for the purposes of the [Student Appeals Regulations 2019](#); and
- b. That the student has 20 working days from the date of notification in which to register an appeal.
- c. That their enrolment will be maintained, and no action will be taken to report the student until after the appeals process (if invoked) has been completed.

(17) VU may decide not to report an International Student for breaching the 80% attendance rate if:

- a. There is documentary evidence demonstrating that Compassionate or Compelling Circumstances apply, and such documentary evidence is maintained in that student's file; and
- b. The student is attending at least 70% of the Foundations Course contact hours for which they are enrolled; and
- c. The student's performance remains satisfactory and the student remains on track to complete within the expected course duration.

(18) If an International Student undertakes further study after completing the Foundations course designated in their offer of admission, the calculation of attendance will recommence if the subsequent course has attendance requirements.

(19) VU will inform International Students undertaking Foundations Courses of the importance of meeting the minimum attendance requirements contained in clause (15) and outline the consequences of failing to meet these attendance requirements.

Part C - Attendance Monitoring

(20) An attendance register via EBECAS must be maintained for each class within Foundations Courses. The register must indicate the:

- a. Date;
- b. Time of the class;
- c. Name of the class;
- d. Name of the teacher; and

e. Names of International Students required to attend.

(21) At each and every Foundations Course class, each teacher must mark the attendance register according to clause (20).

(22) International Students will be deemed absent if they are not in class and/or not attending another VU activity that has been approved in writing.

(23) At the end of each week, an attendance percentage will be auto-calculated by the attendance monitoring system for each International Student undertaking Foundations Courses. This percentage is cumulative for the current study period.

(24) Where a student is absent for 5 consecutive days without prior notice or approval and cannot be contacted via their Emergency Contact or their International Agent, the General Manager, VU English, Foundations and HE Diplomas must be notified and will proceed as per the [Critical Incident, Emergency Planning and Business Continuity Policy](#).

(25) Attendance data must be stored securely and may be stored electronically, according to VU's [Records Management Policy](#) and [Records Management procedures](#).

Part D - Attendance Reporting

(26) If attendance falls below a 90% threshold for a study period, VU will send the student an email of warning through their official VU email address, informing the student that they are at risk of not meeting their attendance requirements and the potential consequences. This email will outline options for counselling and support at VU.

(27) If attendance falls below 85% for a study period, a second email of warning will be issued through the student's official VU email address. An appointment will be made with a Foundation Senior Educator to discuss attendance requirements, potential consequences of continued unsatisfactory attendance and support required to achieve satisfactory attendance.

(28) If attendance falls below 80% for a study period, a third and final email will be sent through the student's official VU email address informing the student of VU's intention to report their non-attendance.

(29) The third and final email must refer to the student by name, and inform them:

- a. They have failed to meet the minimum attendance requirements established under this Procedure;
- b. This is a breach of their visa condition in relation to attendance requirements under Standard 11 of the [National Code of Practice for Providers of Education and Training to Overseas Students 2018 \(Cth\)](#);
- c. That it is VU's intention to report their non-attendance to the relevant Australian Government Department;
- d. That the student has a right to appeal VU's decision to report their non-attendance, and they have 20 working days from the date of notification (which should be stated) in which to lodge any appeal;
- e. That if an appeal is lodged, it is the student's responsibility to provide all information relevant to the appeal at the time of the appeal;
- f. Who they may contact if they wish to discuss the implications of the letter; and
- g. That they may also appeal to the Commonwealth Ombudsman if they feel there has been a breach of process by VU.

(30) Documentation of all warnings (first, second and third) must be kept on the student's file.

(31) If a student appeals VU's decision to report them to the relevant Australian Government department, there will be a review of the matter in the first instance by the General Manager, VU English, Foundations and HE Diplomas.

(32) The matter will then proceed according to VU's appeals process outlined in the [Student Appeals Regulations 2019](#) and [Student Appeals Procedure](#). Decisions to report students for non-attendance are considered to be statutory decisions for the purposes of the [Student Appeals Regulations 2019](#).

(33) The student's enrolment must be maintained for the duration of the appeal.

Part E - Support for Students

(34) In the warning emails, students are to be advised of the VU support services available to them, such as access to VU's Student Services who are available to provide academic support, information, counselling, referral to health services and explanation of International Student obligations as visa holders.

Part F - Government Reporting

(35) If the student's appeal of VU's decision to report them to the relevant Australian Government Department is dismissed by VU, on the basis that the student has not met the attendance requirements established in this Procedure and not provided reasonable evidence of compassionate or compelling excuse, VU will report the matter to the relevant Australian Government Department through the Provider Registration and International Student Management System (PRISMS).

(36) Where a student is reported, VU will advise the student of the notification and keep a record of this notification on the student's file.

Status and Details

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| Status | Current |
| Effective Date | 15th August 2024 |
| Review Date | 15th August 2027 |
| Approval Authority | Academic Board |
| Approval Date | 7th August 2024 |
| Expiry Date | Not Applicable |
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