

Policy area	Additional registration requirements
Standards	National Code 2018 Standard 8 – Overseas student visa requirements
Relates to	CEO/PEO, Academic Manager, Student Services Manager, Student Services Officer and Trainer/Assessor
Classification	Internal Only

1. Purpose

The purpose of this procedure is to ensure that student course progress is monitored and reviewed, that AVTI takes intervention action when a student is in danger of not progressing satisfactorily or completing their course and the requirements of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students are met.

2. Definitions

The measure of advancement within a course towards the completion of that course irrespective of whether course completion is identified through academic merit or skill-based competencies.

- Study period means one term of study.
- Being “at risk” of not meeting satisfactory course progress requirements occurs when a student:
 - fails more than 50% of units in a study period; or
 - fails two or more units in a study period; or
 - fails a prerequisite unit in a study period; or
 - fails two consecutive assessments (or one if there is only two) of a prerequisite unit in a study period; or
 - during a study period falls behind the trainers expected progress and is reported by the trainer to the Chief Executive Officer
 - is unable to complete a course within the expected duration of study as recorded on the CRICOS register after having their program reviewed by the Chief Executive Officer in accordance with AVTI Completion within the expected duration procedure; or
 - is absent for 5 consecutive days or in any other way has an attendance record that is detrimentally affecting the student’s capacity to complete the assessment requirements for a unit. Prior approval or a medical certificate from a registered medical practitioner does not remove the “at risk” status as prolonged absences for any reason place a student at risk of failure and is reported to the Chief Executive Officer
- Failing a unit means being assessed as “Not Yet Competent” for a completed unit.

- Satisfactory progress means that students have **not** been identified as having failed more than 50% of units in two consecutive study periods.
- The Chief Executive Officer is responsible for the implementation and monitoring of the intervention strategy.

3. Policy and Procedure statement

Intervention strategy – general requirements

- All students identified as being “at risk” (during the study period or at the end of the study period) of not meeting satisfactory course progress requirements will be sent a warning letter requiring them to attend a course counselling interview using the appropriate student course progress warning letter (case 1).
- A copy of the warning letter and all other relevant documents will be placed in the student’s file.
- At the meeting an intervention strategy will be negotiated with the student and will be recorded at the conclusion of the meeting and signed off by the student and the Chief Executive Officer. A written copy of the intervention strategy will be provided to the student and placed in their file.
- The course counselling interview and fortnightly intervention meetings will be initiated by the Chief Executive Officer however appropriate personnel such as the Student Services Manager, or a Trainer may be called on to assist with the process or to delegate for the Student Services Manager.
- The effectiveness of the intervention strategies must be judged during this process and amended if appropriate. This information must also be recorded, and feedback provided at the appropriate staff meeting under agenda item continuous improvement.
- Academic co-ordinator will also keep a register of Continuous Improvement activities for their own department.
- Students “at risk” of not meeting course progress requirements, who fail to participate fully in the intervention strategy developed by AVTI in conjunction with the student will be subject to the student behaviour requirements which includes the possibility of deferral, suspension or cancellation of their enrolment.
- At the fortnightly intervention meetings, the following will be reviewed.
 - Programs to address academic and non-academic issues.
 - Student attendance
 - Student study timetable drawn up.
 - The fortnightly academic involvement report from each course trainer.
 - Assessment outcomes
 - Any other matters relevant to progress

- Where a student on the intervention strategy requires more time to complete their qualification the current Confirmation of Enrolment must be cancelled, and a new Confirmation of Enrolment must be completed by the Student Services Manager and lodged on PRISMS. The new Confirmation of Enrolment must indicate the revised completion date and the reasons for the revised date.
- Students failing to comply with the terms of the agreed intervention strategy will be notified of this in writing and of the possible outcomes of this non-compliance (suspension or cancellation under AVTI student behaviour requirements). The written notification will require the student to immediately contact the academic co-ordinator to arrange a meeting to ascertain and address the reasons for failing to comply with the terms of the agreed intervention strategy. The written notification will be sent to the student within 5 working days of the student failing to comply with the terms of the agreed intervention strategy being identified by the academic co-ordinator. It will be at the discretion of the Chief Executive Officer (based on information discussed and evidence provided) to decide whether to re-negotiate another intervention strategy with the student or notify the student of the Chief Executive Officer intention to implement AVTI Student behaviour procedure.

Intervention strategy – during a study period

- During a study period student course progress and attendance will be continuously monitored by trainers.
- Identification of students “at risk” will be accomplished by teachers completing the relevant section of AVTI course progress record for the course each student is enrolled in where a student is identified as being “at risk” according to any of the criteria below.
- Students will be identified as being “at risk” if during the study period they:
 - fail to meet course progress assessment requirements required and communicated in writing to the students; or
 - fail two consecutive assessments (or one if there is only two) of a prerequisite unit in a study period; or
 - are absent for 5 consecutive days or in any other way have an attendance record that is detrimentally affecting their capacity to successfully complete a unit: or
 - are identified by the trainer as not progressing satisfactorily through the course material.
- Trainers **must** monitor and record student attendance and progress during each study period.
- Trainers **must** report, in writing (via AVTI course progress record), to the Chief Executive Officer the details of any student identified as being at risk during a study period **without delay**.
- All students identified during a study period as being “at risk” of not meeting satisfactory course progress requirements will be sent a warning letter by the Chief Executive Officer requiring them to attend a course counselling interview using the appropriate student course progress warning letter (case 1).
- A copy of the warning letter and all other relevant documents will be placed in the student’s file.

- The course counselling interview and fortnightly intervention meetings will be initiated by the Chief Executive Officer however appropriate personnel such as the Student Services Manager, or a Trainer may be called on to assist with the process.
- At the course counselling interview academic and non-academic issues are to be explored, solutions sought, and the following intervention strategies will be put in place where appropriate:
 - Programs and counselling to address academic and non-academic issues.
 - Resitting assessments during the current study period
 - Training and assessment programs conducted during non-compulsory periods to “catch up” failed units.
 - Undertaking additional units in subsequent study periods to “catch up” with the training program schedule.
 - Student attendance timetable prepared.
 - Student study timetable prepared.
 - A fortnightly intervention meeting for the current study period with the Chief Executive Officer or a delegated person will be scheduled.
 - A fortnightly academic involvement report requested from each subject trainer.
- Students failing to comply with the terms of the agreed intervention strategy will be notified of this in writing and of the possible outcomes of this non-compliance (suspension or cancellation under AVTI student behaviour requirements). The written notification will require the student to immediately contact the academic co-ordinator to arrange a meeting to ascertain and address the reasons for failing to comply with the terms of the agreed intervention strategy. The written notification will be sent to the student within 5 working days of the student failing to comply with the terms of the agreed intervention strategy being identified by the academic co-ordinator. It will be at the discretion of the Chief Executive Officer (based on information discussed and evidence provided) to decide whether to re-negotiate another intervention strategy with the student or notify the student of the Chief Executive Officer intention to implement AVTI Student behaviour procedure.

Intervention strategy – after completion of a study period

- Within 10 working days of the completion of a study period the Chief Executive Officer will review the academic progress of all students in their department and identify those students who are “at risk” of not meeting satisfactory course progress requirements.
- Identification of students “at risk” will be accomplished by the Chief Executive Officer reviewing a current transcript of student progress printed from the student database (RTO Manager) and completing the relevant section of AVTI course progress record for the course each student is enrolled in.
- Being “at risk” of not meeting satisfactory course progress requirements occurs when a student:
 - fails more than 50% of units in a study period; or
 - fails two or more units in a study period; or
 - fails a prerequisite unit in a study period; or

- is unable to complete a course within the expected duration of study as recorded on the CRICOS register after having their program reviewed by the Chief Executive Officer in accordance with AVTI Completion within the expected duration procedure.
- All students identified at the end of a study period as being “at risk” of not meeting satisfactory course progress requirements will be sent a warning letter by the Chief Executive Officer requiring them to attend a course counselling interview using the appropriate student course progress warning letter (case 1).
- A copy of the warning letter and all other relevant documents will be placed in the student’s file.
- The course counselling interview and fortnightly intervention meetings will be initiated by the Chief Executive Officer however appropriate personnel such as the Student Services Manager, or a Trainer may be called on to assist with the process.
- At the course counselling interview academic and non-academic issues are to be explored, solutions sought, and the following intervention strategies will be put in place where appropriate:
 - Programs and counselling to address academic and non-academic issues.
 - Student attendance timetable prepared.
 - Student study timetable prepared.
 - A fortnightly intervention meeting for the current study period with the Chief Executive Officer or a delegated person will be scheduled.
 - A fortnightly academic involvement report requested from each subject trainer.
 - Resitting assessments
 - Undertaking additional units in subsequent study periods to “catch up” with the training program schedule.
 - Training and assessment programs conducted during non-compulsory periods to “catch up” failed units.
- Students failing to comply with the terms of the agreed intervention strategy will be notified of this in writing and of the possible outcomes of this non-compliance (suspension or cancellation under AVTI student behaviour requirements). The written notification will require the student to immediately contact the academic co-ordinator to arrange a meeting to ascertain and address the reasons for failing to comply with the terms of the agreed intervention strategy. The written notification will be sent to the student within 5 working days of the student failing to comply with the terms of the agreed intervention strategy being identified by the academic co-ordinator. It will be at the discretion of the Chief Executive Officer (based on information discussed and evidence provided) to decide whether to re-negotiate another intervention strategy with the student or notify the student of the Chief Executive Officer intention to implement AVTI Student behaviour procedure.

Reporting unsatisfactory course progress to the Department of Education and the Department of Home Affairs

- Within 10 working days of the completion of a study period the Chief Executive Officer will review the academic progress of all students and identify those students who have failed 50% or more units in two consecutive study periods.

- If a student fails, more than 50% of units in two consecutive study periods or otherwise fails to meet course progress requirements then AVTI must notify the student in writing within 5 days of its intention to report the student for not achieving satisfactory academic progress using the appropriate student course progress warning letter (case 2). The student must be informed they have 20 working days to appeal to AVTI.
- If the appeal is not upheld or the student withdraws from the appeal process, then AVTI must report the student to Department of Education and the Department of Home Affairs as soon as practical following the appropriate PRISMS process.
- If a student is reported to the Department of Education and the Department of Home Affairs for unsatisfactory progress the Department of Home Affairs will consider the circumstances of the student through PRISMS information. The Department of Home Affairs may issue a Notice of Intention to Consider Cancellation (NOICC) to student's most recent contact details notified to AVTI.
- The Department of Home Affairs may receive a response from the student visa holder. The Department of Home Affairs will consider cancellation under discretionary powers in section 116 of the Migration Act.
- The student may continue to attend class provided they agree to continue to participate in an intervention strategy, pay their fees on time and meet any other academic and participation requirements AVTI requires, unless the Department of Home Affairs decides to cancel their visa.
- Students who are not identified by this process will be deemed as having satisfactory course progress; however, they may still be identified as being "at risk" of not achieving satisfactory course progress and therefore be subject to an intervention strategy.

4. Considerations

- AVTI has implemented the Department of Education Approved Course Progress Policy and Procedures for its vocational and technical education courses.
- For vocational and technical education courses attendance is recorded and monitored as part of the course progress requirements and the student behaviour requirements.
- Students are required to always adhere to AVTI student attendance requirements applicable to their course.
- Students are required to complete their course within the expected duration of study as recorded on the CRICOS register unless the exceptional circumstances as listed in 3.4 of the completion within expected duration of study procedure apply.
- At the time of initial enrolment each student will be furnished with a training program schedule which will identify the units required to be completed in each study period to complete the qualification within the normal duration as indicated on the CRICOS register.

- Students who have unsatisfactory academic progress will be reported to Department of Education and the Department of Home Affairs. Unsatisfactory academic performance is defined as failing more than 50% of units in two consecutive study periods.
- Students who are “at risk” of not meeting satisfactory course progress requirements will be interviewed, counselled, and will be placed on a course intervention strategy.
- All causes of unsatisfactory progress or being “at risk” are to be considered including academic causes and not academic causes such as personal issues.
- The progress of each student is monitored, recorded, and assessed.
- AVTI has documented course progress policies and procedures.
- AVTI assesses each student at the end point of each study period according to its course progress policy.
- AVTI has an intervention strategy that identifies and assists students who are at risk of not making satisfactory course progress.
- Where AVTI has assessed the student as being “at risk” AVTI will inform the student and implement an intervention strategy where warranted.
- Where AVTI has assessed the student as not meeting satisfactory course progress, AVTI will inform the student in writing of its intention to report the student and that he or she is able to access AVTI complaints and appeals process within 20 working days.
- AVTI will notify the Department of Education and the Department of Home Affairs through PRISMS of the student not achieving satisfactory progress after the appeals process (if actioned) is finalised and upholds AVTI’s decision to report.
- The method section defines the procedure used for monitoring progress, taking intervention action, and reporting students who breach the requirements.

5. Other documents to consider with this policy

Policies

- Monitoring Attendance Policy
- Completion within Expected Duration Policy

6. Forms

- Course Progress Reporting Status
- Current Course Progress Report
- Academic Progress 1st Warning Letter
- Academic Progress 2nd Warning Letter
- Unsatisfactory Course Progress - Intention to report letter
- Course Progress and Intervention Strategy form
- Academic Intervention Register

Handbooks, manuals or other documents

- Student Handbook

7. Flow chart

None.

8. Reference(s)

National Code 2018 Standard 8 – Overseas student visa requirements

Monitoring overseas student progress, attendance and course duration

8.1

The registered provider must monitor overseas students' course progress and, where applicable, attendance for each course in which the overseas student is enrolled.

8.2

The expected duration of study specified in the overseas student's CoE must not exceed the CRICOS registered duration.

8.3

The registered provider must monitor the progress of each overseas student to ensure the overseas student is in a position to complete the course within the expected duration specified on the overseas student's CoE.

8.4

The registered provider must have and implement documented policies and processes to identify, notify and assist an overseas student at risk of not meeting course progress or attendance requirements where there is evidence from the overseas student's assessment tasks, participation in tuition activities or other indicators of academic progress that the overseas student is at risk of not meeting those requirements.

8.5

The registered provider must clearly outline and inform the overseas student before they commence the course of the requirements to achieve satisfactory course progress and, where applicable, attendance in each study period. Schools, ELICOS and Foundation Programs: course progress and attendance requirements

8.6

The registered provider of a school, ELICOS or Foundation Program course must have and implement a documented policy and process for monitoring and recording attendance of the overseas student, specifying:

8.6.1

requirements for achieving satisfactory attendance for the course which at a minimum must be 80 per cent—or higher if specified under state or territory legislation or other regulatory requirements—of the scheduled contact hours

8.6.2

the method for working out minimum attendance under this standard

8.6.3

processes for recording course attendance

8.6.4

details of the registered provider's intervention strategy to identify, notify and assist overseas students who have been absent for more than five consecutive days without approval, or who are at risk of not meeting attendance requirements before the overseas student's attendance drops below 80 per cent

8.6.5

processes for determining the point at which the overseas student has failed to meet satisfactory course attendance.

8.7

The registered provider must have and implement a documented policy and process for monitoring and recording course progress for the overseas student, specifying:

8.7.1

requirements for achieving satisfactory course progress for the course

8.7.2

processes for recording and assessing course progress

8.7.3

details of the registered provider's intervention strategy to identify, notify and assist students at risk of not meeting course progress requirements in sufficient time for those students to achieve satisfactory course progress

8.7.4

processes for determining the point at which the student has failed to meet satisfactory course progress. Higher education: course progress requirements

8.8

The registered provider of a higher education course must have and implement a documented policy and process for monitoring and recording course progress for the overseas student, specifying:

8.8.1

requirements for achieving satisfactory course progress, including policies that promote and uphold the academic integrity of the registered course, and processes to address misconduct and allegations of misconduct

8.8.2

processes for recording and assessing course progress requirements

8.8.3

processes to identify overseas students at risk of unsatisfactory course progress

8.8.4

details of the registered provider's intervention strategy to assist overseas students at risk of not meeting course progress requirements in sufficient time for those overseas students to achieve satisfactory course progress

8.8.5

processes for determining the point at which the overseas student has failed to meet satisfactory course progress. Vocational education and training (VET): course progress and attendance requirements

8.9

The registered provider of a VET course as defined in the NVETR Act must have and implement a documented policy and process for assessing course progress that includes:

8.9.1

requirements for achieving satisfactory course progress, including policies that promote and uphold the academic integrity of the registered course and meet the training package or accredited course requirements where applicable, and processes to address misconduct and allegations of misconduct

8.9.2

processes for recording and assessing course progress requirements

8.9.3

processes to identify overseas students at risk of unsatisfactory course progress

8.9.4

details of the registered provider's intervention strategy to assist overseas students at risk of not meeting course progress requirements in sufficient time for those overseas students to achieve satisfactory course progress

8.9.5

processes for determining the point at which the overseas student has failed to meet satisfactory course progress.

8.10

The registered provider must have and implement a documented policy and process for monitoring the attendance of overseas students if the requirement to implement and maintain minimum attendance requirements for overseas students is set as a condition of the provider's registration by an ESOS agency.

8.11

If an ESOS agency requires a VET provider to monitor overseas student attendance as a condition of registration, the minimum requirement for attendance is 80 per cent of the scheduled contact hours for the course.

8.12

If an ESOS agency requires a VET provider to monitor overseas student attendance, the registered provider must have and implement a documented policy and process for monitoring and recording attendance of the overseas student, specifying:

8.12.1

the method for working out minimum attendance under this standard

8.12.2

processes for recording course attendance

8.12.3

details of the registered provider's intervention strategy to identify, notify and assist overseas students who have been absent for more than five consecutive days without approval, or who are at risk of not meeting attendance requirements before the overseas student's attendance drops below 80 per cent

8.12.4

processes for determining the point at which the overseas student has failed to meet satisfactory course attendance. Reporting unsatisfactory course progress or unsatisfactory course attendance

8.13

Where the registered provider has assessed the overseas student as not meeting course progress or attendance requirements, the registered provider must give the overseas student a written notice as soon as practicable which:

8.13.1

notifies the overseas student that the registered provider intends to report the overseas student for unsatisfactory course progress or unsatisfactory course attendance

8.13.2

informs the overseas student of the reasons for the intention to report

8.13.3

advises the overseas student of their right to access the registered provider's complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.

8.14

The registered provider must only report unsatisfactory course progress or unsatisfactory course attendance in PRISMS in accordance with section 19(2) of the ESOS Act if:

8.14.1

the internal and external complaints processes have been completed, and the decision or recommendation supports the registered provider, or

8.14.2

the overseas student has chosen not to access the internal complaints and appeals process within the 20-working day period, or

8.14.3

the overseas student has chosen not to access the external complaints and appeals process, or

8.14.4

the overseas student withdraws from the internal or external appeals processes by notifying the registered provider in writing.

8.15

The registered provider may decide not to report the overseas student for breaching the attendance requirements if the overseas student is still attending at least 70 per cent of the scheduled course contact hours and:

8.15.1

for school, ELICOS and Foundation Program courses, the overseas student provides genuine evidence demonstrating that compassionate or compelling circumstances apply; or

8.15.2

for VET courses, the student is maintaining satisfactory course progress. Allowable extensions of course duration

8.16

The registered provider must not extend the duration of the overseas student's enrolment if the overseas student is unable to complete the course within the expected duration, unless:

8.16.1

there are compassionate or compelling circumstances, as assessed by the registered provider on the basis of demonstrable evidence, or

8.16.2

the registered provider has implemented, or is in the process of implementing, an intervention strategy for the overseas student because the overseas student is at risk of not meeting course progress requirements, or

8.16.3

an approved deferral or suspension of the overseas student's enrolment has occurred under Standard 9 (Deferring, suspending or cancelling the overseas student's enrolment).

8.17

If the registered provider extends the duration of the student's enrolment, the provider must advise the student to contact Immigration to seek advice on any potential impacts on their visa, including the need to obtain a new visa.

Modes of delivery

Note: Online learning is study where the teacher and overseas student primarily communicate through digital media, technology-based tools and IT networks and does not require the overseas student to attend scheduled classes or maintain contact hours. For the purposes of the ESOS framework, online learning does not include the provision of online lectures, tuition or other resources that supplement scheduled classes or contact hours. Distance learning is any learning that an overseas student undertakes off campus and does not require an overseas student on a student visa to physically attend regular tuition for the course on campus at the provider's registered location.

8.18

A registered provider must not deliver a course exclusively by online or distance learning to an overseas student.

8.19

A registered provider must not deliver more than one-third of the units (or equivalent) of a higher education or VET course by online or distance learning to an overseas student.

8.20

A registered provider must ensure that in each compulsory study period for a course, the overseas student is studying at least one unit that is not by distance or online learning, unless the student is completing the last unit of their course.

8.21

For school, ELICOS or foundation programs, any online or distance learning must be in addition to minimum face-to-face teaching requirements approved by the relevant designated State authority or ESOS agency as part of the registration of the course, if applicable.

8.22

The registered provider must take all reasonable steps to support overseas students who may be disadvantaged by:

8.22.1

additional costs or other requirements, including for overseas students with special needs, from undertaking online or distance learning

8.22.2

inability to access the resources and community offered by the education institution, or opportunities for engaging with other overseas students while undertaking online or distance learning.