

# International Full Fee-Paying Students - Monitoring Course Progress Policy

## Section 1 - Purpose

(1) This Policy sets out how Charles Sturt University (the University) will monitor, record and assess the progress of each international on-shore student for the course in which the student is currently enrolled.

### Scope

(2) This Policy applies to:

- a. international students studying in Australia i.e. on-shore;
- b. Division of Student Administration;
- c. Student Services Office;
- d. Course Directors and Faculty administration staff; and
- e. the University's partner institutions.

## Section 2 - Glossary

(3) For the purpose of this Policy, the following definitions apply:

- a. compulsory study periods - means study sessions at the University.
- b. DIBP - means the Department of Immigration and Border Protection.
- c. international student - means a student who doesn't have Australian or New Zealand citizenship, Australian Permanent Residency or a Permanent Humanitarian Visa and is studying at the University within Australia or Overseas.
- d. intervention strategy - means a strategy to assist in raising the performance of any student who is not making satisfactory course progress (refer clause 9).
- e. NOICC - means a notice of intention to consider cancellation, sent to an international student by DIBP advising of the intention to cancel the students study visa.
- f. partner institution - means another provider who has an agreement with the University to offer a University course of study, e.g. Study Group Australia, Northern Sydney Institute of TAFE, Holmesglen Institute of TAFE, etc.
- g. PRISMS - means the Provider Registration and International Students Management System administered by the Commonwealth Department of Education and Training.
- h. study session - is defined in the [Academic Calendar Policy](#).
- i. unsatisfactory progress - means not successfully completing or demonstrating competency in more than 50% of the course requirements in a compulsory study period. The provider must define course requirements for each compulsory study period and be able to identify when a student has not passed or demonstrated competency in more than 50% of the course requirements.

## Section 3 - Policy

(4) The [Education Service for Overseas Students \(ESOS\) Act](#), requires providers of education and training courses to international student studying in Australia to be registered, and sets out other requirements with which the University and its staff must comply. These include obligations under the [National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas students \(National Code\)](#) which is made under, and forms part of, the [ESOS Act. Standard 10, Part D](#) of the National Code, specifically addresses monitoring course progress requirements by registered providers.

### Intervention Strategy

(5) The University must have an intervention strategy to assist in raising the performance of any student who is not making satisfactory course progress. It must specify:

- a. procedures for contacting and counselling students;
- b. strategies to assist identified students to achieve satisfactory course progress; and
- c. the process by which the intervention strategy is activated.

### Course Progress

(6) At the end of each compulsory study period, students must be assessed against the [Academic Progress Policy](#) noting that clauses 15 and 25 of that policy do not apply.

(7) If a student is identified for the first time as not making satisfactory course progress, the University must implement the intervention strategy within the first four weeks of the compulsory study period.

(8) However, if the University identifies that a student is at risk of making unsatisfactory course progress before the end of the compulsory study period, staff are encouraged to implement the intervention strategy as early as practicable.

(9) The intervention strategy must include provisions for:

- a. where appropriate, advising students on the suitability of the course in which they are enrolled;
- b. assisting students by advising of opportunities for reassessment of tasks in units or subjects they had previously failed, or demonstrate the necessary competency in areas in which they had not previously been able to demonstrate competency; and
- c. advising students that unsatisfactory course progress in two consecutive compulsory study periods for a course could lead to the student being reported to DIBP and cancellation of his or her visa, depending on the outcome of any appeals process.

### Intention to Report a Student to DIBP

(10) If a student is identified as not making satisfactory course progress in a second consecutive compulsory study period in a course, the Director, Student Administration or nominee must consider the student's situation and generally after taking advice from relevant staff and unless unusual circumstances occur, notify the student of its intention to report the student to DIBP for unsatisfactory progress. This is by written notice.

## Section 4 - Procedures

## Assessing Course Progress

(11) In assessing course progress the University will:

- a. assess each student's record in terms of course requirements in exactly the same manner as domestic students;
- b. categorise each student as:
  - i. satisfactorily meeting academic course progression - no action required;
  - ii. at risk of making unsatisfactory course progress - requiring intervention strategy; or
  - iii. failing to satisfy academic course progression - intention to report to DIBP.
- c. maintain appropriate records;
- d. receive and consider appeals following advice to the student of intention to report to DIBP; and
- e. report the student to DIBP for failing to satisfactory academic course progression.

## Notice of Intention to Report the Student to DIBP and Appeal Provisions

(12) A student categorised as failing to satisfy academic course progression will be given written notice of intention to report the student to DIBP.

(13) The notice must inform the student that he or she is able to access the University's complaints and appeals process under Standard 8 of the [National Code, Part D](#) and that the student has 20 working days in which to do so. (This does not mean that the complaints/appeals process must be finalised within 20 working days).

(14) An appeal must be lodged as outlined in the 'Intention to Report' notice - there is no prescribed form.

(15) The student has a right of appeal on the following grounds:

- a. a provider's failure to record or calculate a students' marks accurately;
- b. the study session completed was not compulsory for progress in meeting student visa requirements;
- c. compassionate or compelling circumstances; or
- d. the provider has not implemented its intervention strategy; and
- e. other policies according to its documented policies and procedures made available to the student.

## Appeal and Ongoing Support

(16) Where the student successfully appeals a notice of intention to report to DIBP, the outcomes may vary according to the findings of the appeals process.

- a. if the appeal shows that there was an error in calculation, and the student actually made satisfactory course progress (successfully completed more than 50% of the course requirements for that study period), the provider does not report the student and there is no requirement for intervention; or
- b. if the appeals process shows that the student has not made satisfactory progress, but there are compassionate or compelling reasons for the lack of progress, ongoing support must be provided to the student through the providers intervention strategy, and the provider does not report the student.

## Report to DIBP through PRISMS

(17) Where:

- a. the student has chosen not to access the appeals process within the 20 working day period;
- b. the student withdraws from the appeals process; or

- c. the appeals process is completed and results in an appeals decision supporting the University (i.e. the student's appeal was unsuccessful),

the registered provider must notify the Secretary of the Department of Education and Training through PRISMS as soon as practicable of the student not achieving satisfactory course progress.

(18) A report of this nature to DIBP will result in the exclusion of the student from further study at the University for a period of up to 3 years.

### **DIBP Action**

(19) DIBP will consider all the information available and if they decide to consider cancellation, DIBP will send a NOICC prior to a decision being made to cancel the student's visa. Students will be given an opportunity to respond to the NOICC and explain their situation. The student does not need to attend a DIBP office.

### **Records to be maintained**

(20) The student's file must hold:

- a. documented evidence of the intervention measures implemented (i.e. how the intervention strategy was used);
- b. evidence of written notice informing the student that the provider intends to report the student for not making satisfactory progress and advising the student that he or she may access the provider's complaints and appeals process within 20 working days;
- c. evidence of an appeal in accordance with [Standard 8](#), if a student appeals; and
- d. evidence in the student's file of final reporting to the Department of Education and Training via PRISMS.

## **Section 5 - Guidelines**

(21) The following references assist in providing background and support to this policy:

- a. [Academic Progress Policy](#);
- b. International Student Service Officer;
- c. [ESOS Act](#) - Standards; [Complaints and Appeals \(8\)](#), [Monitoring Course Progress \(10\)](#); and
- d. the University's at risk notices.

## Status and Details

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