



Policy - Overseas student visa requirements

[Course progress, attendance & extending course duration]

Purpose

Overseas students must make satisfactory course progress as a condition of their student visa.

Under the ESOS National Code 2018 VET providers will not need to monitor attendance unless required by the ESOS agency as a condition of registration. Therefore Lawson College Australia will not monitor attendance for the overseas students.

This policy outlines how Lawson College Australia ensures that

- Course progress is monitored
- Support is provided to those at risk of not meeting course progress
- Extension to the duration of an overseas student's enrolment will only occur in certain circumstances and that student will be advised of potential impacts on their student visa
- Only deliver online learning in accordance with the online learning requirements for VET programs.

Scope

This Policy applies to:

- All overseas students currently enrolled with Lawson College
- **Each Lawson College Australia program/course registered on training.gov.au;** and
- All Staff of Lawson College involved in the process of monitoring overseas students currently enrolled with Lawson College.

Note that Lawson College Australia does not deliver online learning or have ELICOS courses on scope.

Definitions

At risk	An 'At Risk' student is a student for any reason who is considered as not, or potentially not, meeting course progression requirements
Breach in course progress	Failure to gain a Pass grade or Competency in 50% of units studied in two (2) consecutive compulsory study periods
Compliance	The term compliance describes the ability to act according to an order, set of rules or request. Compliance in context of Lawson College Australia operates at two levels. Level 1 – compliance with the external rules that are imposed upon an organisation as a whole Level 2 – compliance with internal systems of control that are imposed to achieve compliance with the externally imposed rules
CoE	Confirmation of Enrolment. A CoE is issued to the student based on the registered duration of a course (or a shorter duration if the student has already completed part of the course). A student should complete the course within the length of the CoE unless compelling or compassionate circumstances apply and evidence supplied
Compulsory study period	A <i>compulsory study period</i> is one in which the student must enrol unless granted a deferment or suspension from enrolment or leave of absence. A compulsory study period does not include periods in which the student can elect to undertake additional studies. A compulsory study period at Lawson College Australia is one term - a period of time that reflects the Victorian Government Education and Training term dates and breaks, for Schools
Course contact hours	Defined hours for each course enrolled. A minimum of 20 hours per week attendance is required for overseas students.
Department of Home Affairs DoHA]	Department of Home Affairs [replaces DIBP - Department of Immigration and Border Protection] as of 20 December 2017. The Department of Home Affairs is a central policy agency, providing coordinated strategy and policy leadership for Australia's national and transport security www.homeaffairs.gov.au



ESOS	Education Services for Overseas Students
Expected duration	Is the course duration registered on CRICOS [cricos.gov.au]. The registered duration is established through reference to the Australian Qualifications Framework (AQF) and Victorian government legislation or guidelines.
Intervention Strategy	Any documented action targeted at addressing the needs of an 'at risk' student
Monitoring period	A period of time within a course compulsory study period that attendance will be monitored and calculated
Notice of Intention to Report	Written notice [Letter of Intention to Report] forwarded to student via email and letter to the students identified address recorded on Lawson College Student Management System. Students are sent a registered letter of Notice of Intention to Report informing them of Lawson College's intention to report. This letter will advise the process for appealing against this decision via Lawson College's Complaints and Appeals process and advise they have 20 working days from when the student signs the delivery slip to appeal the decision.
Satisfactory progress	Any student who achieves competency in 50% of the units studied in the current term of a course is identified as progressing satisfactorily.
Study period	Period of study within a course in which the student must enrol unless granted a deferment or leave of absence. This period is up to but not exceeding six months as defined by the timetable or study plan.
Study plan	Suggested arrangement of study to improve study progress
Unsatisfactory course progress	At a minimum where student has failed or is not deemed competent in more than 50% in units attempted in a compulsory study period [one term]. Breach occurs when a student is deemed Not Competent in 50% or more over two consecutive compulsory study periods.
PRISMS	Provider Registration and International Student Management System [PRISMS] . Through PRISMS, certain Australian Government agencies can monitor student compliance with visa conditions and provider compliance with the <i>Education Services for Overseas Students Act 2000</i> (ESOS Act).

Policy

1 Monitoring course progress

1.1 Lawson College Australia advises students at orientation the requirements to achieve satisfactory course progress requirements.

1.2. Lawson College Australia monitors course progress by referring to the Department of Education and Training – DHA approved course progress policy and procedures to monitor, assess and record course progress of each student. Within 5 days or as soon as practicable after completion of each **compulsory study period [term]** each students' progress is examined against this policy.

1.3 Compliance, Lawson College Australia will communicate with all students who are identified as having 'unsatisfactory course progress' over one compulsory study period or two consecutive compulsory study periods.

1.4 Communication to students will be via the following methods:

- a. Email Letter - **Failure to meet course progress - One compulsory study period**. This Letter includes overview of the student situation and actions to be undertaken by the student to achieve and maintain satisfactory course progress, including meeting the Trainer to discuss unsatisfactory progress and intervention strategies, or
- b. Email Letter - **Warning - Failure to meet course progress - two consecutive compulsory study periods**. Includes timeline for actions to be completed to prevent a breach occurring.

2. Reporting overseas student visa breaches [course progress]

2.1 Students who have breached the Course Progress policy are given written notice of Lawson College Australia's intention to report, and the reason for doing so.



2.2 This written notice advises the overseas student of their right to access the registered provider's internal complaints and appeals process within 20 days.

2.3 Lawson College Australia will maintain the reported students' enrolment, and only report a breach or course progress in PRISMS if:

- a. The internal and external complaints processes have been completed and the breach has been upheld; or
- b. The overseas student has:
 - i. Chosen not to access the internal complaints and appeals process within the 20 working day period;
 - ii. Chosen not to access the external complaints and appeals process; or
 - iii. Chosen to withdraw from the internal or external appeals process by notifying Lawson College Australia in writing.

3. Extending course duration

3.1 Lawson College Australia will only extend the overseas student's enrolment if:

- a. Assessment of a situation indicates that there are compassionate or compelling circumstances and there is evidence to support this assessment. Provision of evidence determined to be 'compassionate or compelling' which could include, but are not limited to:
 - i. Serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes
 - ii. Bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
 - iii. Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies; or
 - iv. A traumatic experience, which could include:
 - Involvement in, or witnessing or a serious accident; or
 - Witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be supported by police or psychologist' reports).
 - v. Where Lawson College Australia is unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enroll; or
 - vi Inability to begin studying on the course commencement date due to delay in receiving a student visa.
- b. Intervention strategies have been implemented or is in the process of being implemented for the overseas student who is at risk of not meeting course progress requirement; or
- c. An approved deferral or suspension of the overseas student's enrolment has occurred.

4. Online learning

Lawson College Australia does not offer online or distance learning nor does it have ELICOS programs on scope.

5. Attendance As a VET Provider without conditions, Lawson College is not required to monitor attendance.



Document History and Version Control Table

Version Number	Date approved	Approved by	Type of change	Extent
V 1.0	18/01/2018	GRMC	N/A	Merged Monitoring course progress monitoring attendance and extending course duration in relation to Standard 7 ESOS 2018
V 1.1	4/04/2018	CEO	Minor	Replaced DHA with DoHA - Department of Home Affairs. Replaced 'terms' with 'compulsory study periods'. Included types of Letters relating to Monitoring Course Progress. Minor editing.
V 1.2	6/02/2019	CEO	Minor	Added 'referring to the Department of Education and Training – DHA approved course progress policy and procedures to monitor, assess and record course progress of each student'.