



## Monitoring Attendance

### Purpose

The purpose of this policy is to ensure the RTO systematically monitor students' compliance with student visa conditions relating to attendance. Registered providers report students, under section 19 of the ESOS Act, who have breached the attendance requirements.

The RTO will monitor, record and assess the course attendance of each student for the course in which the student is currently enrolled.

The RTO will assess each student's attendance at the end of each week to check if students are either at risk of falling below 80% or have in fact fallen below 80%.

During the orientation programme, all students are informed of the student visa condition relating to course attendance. Under the Attendance Policy, a student has breached the policy if the student has not successfully maintained an attendance above 80% over the duration of the program they are enrolled in.

### Policy

The RTO will record the attendance of each student for the scheduled course contact hours for each CRICOS registered course in which the student is enrolled. This will include any accredited vocational education and training courses.

The RTO will provide, to staff and students, a policy and procedure that specify the:

- a. requirements for achieving satisfactory attendance, which at a minimum, requires overseas students to attend at least 80 per cent of the scheduled course contact hours
- b. manner in which attendance and absences are recorded and calculated
- c. process for assessing satisfactory attendance
- d. process for determining the point at which the student has failed to meet satisfactory attendance, and
- e. procedure for notifying students that they have failed to meet satisfactory attendance requirements.

The RTO will contact and counsel students who have been absent for more than five consecutive days without approval or where the student is at risk of not attending for at least 80 per cent of the scheduled course contact hours for the course in which he or she is enrolled (i.e. before the student's attendance drops below 80 per cent).

The RTO will regularly assess the attendance of the student in accordance with the registered provider's attendance policies and procedures.

The RTO will notify the student in writing of its intention to report the student for not achieving satisfactory attendance in their course.

The RTO will inform student in writing that he or she is able to access the registered provider's complaints and appeals process as per Standard 8 (Complaints and appeals) and that the student has 20 working days in which to do so.



Where the student has chosen not to access the complaints and appeals processes within the 20 working day period, withdraws from the process, or the process is completed and results in a decision supporting the RTO, the RTO will notify the Secretary of DET through PRISMS that the student is not achieving satisfactory attendance as soon as practicable.

For the vocational education and training courses the RTO will only decide not to report the student for breaching the 80 per cent attendance requirement where:

- a. that decision is consistent with its documented attendance policies and procedures, and
- b. the student records clearly indicate that the student is maintaining satisfactory course progress, and
- c. the registered provider confirms that the student is attending at least 70 per cent of the scheduled course contact hours for the course in which he or she is enrolled.

## **Related National Code Standard 11**

### **Procedures**

All students must maintain an attendance rate of at least 80% during the course duration.

Attendance is calculated by totalling the number of available scheduled hours, and dividing them by 80%. The balance is the total time a student may be absent during their course.

*eg A student enrolls into a program that runs for 20 weeks. The contact hours for that course are 21 hours per week. The total contact hours for that program are  $20 \times 21 = 420$  hours. 80% of 420 is 336, meaning the student can miss 84 hours in that course.*

Attendance is recorded daily on a roll and any student arriving late, is recorded. Students who are absent for the full class are marked as absent for the full day.

At the end of the week, the rolls are entered into the management system and weekly reports are evaluated by the PEO, or their delegate.

Students identified at risk will be counselled, and students who drop below the 80% rate will be sent intent to report letter.

The RTO will contact and counsel students who have been absent for more than five consecutive days without approval or where the student is at risk of not attending for at least 80 per cent of the scheduled course contact hours for the course in which he or she is enrolled (i.e. before the student's attendance drops below 80 per cent).

For the vocational education and training courses the RTO may decide not to report the student for breaching the 80 per cent attendance requirement where:

- a. that decision is consistent with its documented attendance policies and procedures, and
- b. the student records clearly indicate that the student is maintaining satisfactory course progress, and
- c. the registered provider confirms that the student is attending at least 70 per cent of the scheduled course contact hours for the course in which he or she is enrolled.

### **Warning and Intention to Report Letters**



- a. Each week the PEO, or their delegate will draw a report from the Student Management System on all students' overall attendance. Students below 90% attendance are posted and/or emailed a letter outlining the student's current overall attendance.
- b. Students below 85% attendance are posted and/or emailed a Warning Letter outlining the student's current overall attendance and reminding the student of the laws in regards to maintaining an attendance over 80%
- c. Students that fall below 80% attendance are posted and emailed an Intention to Report Letter. This letter notifies the students of their current overall attendance and of the RTO's intention to report them to immigration for poor attendance. This letter also explains the appeals process both internal and external. It also very clearly states that the students have the right to an appeal as per Standard 8 of the National Code.

### **Procedure for Reporting Students for Unsatisfactory Attendance by Notifying DET/DIBP of Visa Breach**

The following process should be followed when reporting a student for breach of their visa requirements relating to unsatisfactory course progress.

Refer to the "PRISMS - Provider User Guide" to assist in the following process.

1. If appeal lodged, wait until appeal is heard and finalised before progressing. Once finalised and the intent to report is to proceed continue.
2. If no appeal lodged or it is finalised, Administrative Officer advises the PEO of intent to advise breach on PRISMS.
3. PEO checks all the facts and documentation related to the case and if everything is in order, authorises the report to be entered into PRISMS.
4. Follow the PRISMS - Provider User Guide on page 39 for Reporting Requirements

#### **Note:**

- *Section 19(2) of the ESOS Act 2000 requires providers to report the student for unsatisfactory course progress 'as soon as practicable' after the breach occurs. Good practice would be to report the student through PRISMS within 5 days of finalising the decision to report (ie. within 5 days of 3.9 i., ii., or iii. occurring).*



## **Further Information**

Advice on the ESOS Act 2000 and the National Code 2007 contact the ESOS Helpline on: 02 6240 5069 or by email at: [esosmailbox@DET.gov.au](mailto:esosmailbox@DET.gov.au).

Comprehensive information on the ESOS Act 2000 and the National Code 2007 is at: [aei.DET.gov.au/ESOS](http://aei.DET.gov.au/ESOS).

Advice on visa matters at the DIBP website: [www.immi.gov.au](http://www.immi.gov.au) or contact DIBP on 131 881 for the cost of a local call anywhere in Australia.

Advice on PRISMS contact the PRISMS helpline at DET on: 02 6240 7647 or by email at: [prisms@DET.gov.au](mailto:prisms@DET.gov.au)



## Definitions / Explanatory Notes

### Compassionate or compelling circumstances

Compassionate or compelling circumstances are generally those beyond the control of the student and they have an impact on the student's capacity and/or ability to progress through a course. These could include:

- serious illness or injury, where a medical certificate states that the student was unable to attend classes
- bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
- major political upheaval or natural disaster in the home country requiring their emergency travel and this has impacted on their studies
- a traumatic experience which could include but is not limited to:
  - o involvement in or witnessing of an accident or
  - o a crime committed against the student or
  - o the student has been a witness to a crime

and this has impacted on the student (these cases should be supported by police or psychologists' reports).

Please note that the above are only some of examples of what may be considered compassionate or compelling circumstances. **Providers are asked to use their professional judgment and to assess each case on its individual merits.** When determining whether compassionate or compelling circumstances exist, providers should consider documentary evidence provided to support the claim. Providers should keep copies of these documents, together with a record of why the decision was made, in the student's file.





## Overview of Standard 11

**Registered providers systematically monitor students' compliance with student visa conditions relating to attendance. Registered providers are proactive in notifying and counselling students who are at risk of failing to meet attendance requirements. Registered providers report students, under section 19 of the ESOS Act, who have breached the attendance requirements.**

- 11.1 The registered provider must record the attendance of each student for the scheduled course contact hours for each CRICOS registered course in which the student is enrolled which is:
- an accredited vocational education and training course (unless Standard 11.2 applies)
  - an accredited school course
  - an accredited or non-award ELICOS course, or
  - another non-award course<sup>1</sup>.
- 11.2 Where the registered provider implements the DET and DIBP approved course progress policy and procedures for its vocational education and training courses, Standard 11 does not apply.
- 11.3 For the courses identified in 11.1, the registered provider must have and implement appropriate documented attendance policies and procedures for each course which must be provided to staff and students that specify the:
- requirements for achieving satisfactory attendance, which at a minimum, requires overseas students to attend at least 80 per cent of the scheduled course contact hours
  - manner in which attendance and absences are recorded and calculated
  - process for assessing satisfactory attendance
  - process for determining the point at which the student has failed to meet satisfactory attendance, and
  - procedure for notifying students that they have failed to meet satisfactory attendance requirements.
- 11.4 For the courses identified in 11.1, the registered provider's attendance policies and procedures must identify the process for contacting and counselling students who have been absent for more than five consecutive days without approval or where the student is at risk of not attending for at least 80 per cent of the scheduled course contact hours for the course in which he or she is enrolled (i.e. before the student's attendance drops below 80 per cent).
- 11.5 For the courses identified in 11.1, the registered provider must regularly assess the attendance of the student in accordance with the registered provider's attendance policies and procedures.

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<sup>1</sup> For the purposes of the National Code, non-award courses do not include higher education courses or units, including Study Abroad courses.



- 11.6 Where the registered provider has assessed the student as not achieving satisfactory attendance for the courses identified in 11.1, the registered provider must notify the student in writing of its intention to report the student for not achieving satisfactory attendance. The written notice must inform the student that he or she is able to access the registered provider's complaints and appeals process as per Standard 8 (Complaints and appeals) and that the student has 20 working days in which to do so.
- 11.7 Where the student has chosen not to access the complaints and appeals processes within the 20 working day period, withdraws from the process, or the process is completed and results in a decision supporting the registered provider, the registered provider must notify the Secretary of DET through PRISMS that the student is not achieving satisfactory attendance as soon as practicable.
- 11.8 For the vocational education and training and non-award courses identified in 11.1.a and 11.1.d, the registered provider may only decide not to report the student for breaching the 80 per cent attendance requirement where:
- d. that decision is consistent with its documented attendance policies and procedures, and
  - e. the student records clearly indicate that the student is maintaining satisfactory course progress, and
  - f. the registered provider confirms that the student is attending at least 70 per cent of the scheduled course contact hours for the course in which he or she is enrolled.
- 11.9 For the ELICOS and school courses identified in 11.1, the registered provider may only decide not to report a student for breaching the 80 per cent attendance requirement where:
- a. the student produces documentary evidence clearly demonstrating that compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student is unable to attend classes) apply, and
  - b. that decision is consistent with its documented attendance policies and procedures, and
  - c. the registered provider confirms that the student is attending at least 70 per cent of the scheduled course contact hours for the course in which he or she is enrolled.