

## Statutory and regulatory compliance

- National Code of Practice for Providers of Education and Training to Overseas Students 2018 Standards 6, 8, 8.6, 8.15, 9
- Section 19(2) of the ESOS Act 2000
- ELICOS Standards 2018 P1, P2, P4, P6.1, P6.9

## Related Policies

- Student Welfare
- Complaints and Appeals
- Information Provided to Applicants Prior to Enrolment
- Deferment, Suspension or Cancellation of Enrolment
- Completion within Expected Duration
- Refunds – Terms and Conditions

## Related Documents

- Students at risk report
- Monitoring Attendance Procedure
- Weekly Attendance Email
- Warning Letter 1 – under 90% - Weekly attendance letter to all student body
- Warning Letter 2 – under 85% - Formal written warning outlining requirement to sign a probationary agreement with the Centre Director.
- Notice of intention to report Letter 3 – Under 80% - Notice of Intention to Report. Student's have 20 days (+3 days for postage) to supply evidence and appeal their case to the Centre Director.
- Complaint or appeal lodgement form
- Request for case review accepted
- Final letter to report (outcome of internal review)
- Embassy English Terms and Conditions 2018

## Policy

The Embassy English attendance policy is in support of the Embassy English monitoring course progress policy. Teachers will discuss assessments in almost every class. Assessment activities will take place during many classes and weekly. Because of this, it is essential that students attend and participate in the activities of every class. Accurate records will be kept of each student's attendance of scheduled classes. Embassy English will monitor attendance for all students irrespective of course. The expected duration of study specified in the students CoE will not exceed the CRICOS registered duration of courses. Embassy English will ensure that students adhere to class timetables and action intervention strategies where a student's attendance is at risk of falling below the desired 80 percent.

In certain cases, Embassy English will decide not to report an overseas student for breaching attendance requirements, if the overseas student is still attending at least 70 percent of the scheduled course contact hours. Or there are exceptional compassionate or compelling circumstances wherein the student has provided evidence for his dropping attendance.

## Procedure

### Attendance calculations

#### Overall Attendance

For the purposes of this policy, Embassy English calculates students' attendance as a percentage of the period of their eCoE. This is referred to in the policy as 'overall attendance'.

#### Current Attendance

Where a campus decides to use its own discretion in issuing verbal warning(s) and/ or warning letters which are additional to the requirements of this policy those additional warnings may be calculated as a percentage of a student's attendance to date. The outcome of this calculation will be referred to as 'current attendance' and must be specified as such in any communications with students.

### Student acceptance of attendance as a condition of enrolment

When students sign the Embassy English Enrolment Offer and Acceptance Agreement, they confirm that they understand the terms and conditions that apply to their ongoing enrolment.

### Orientation

At the time of orientation, students are advised of this requirement as part of their written agreement with Embassy English. They are also advised of the consequences of poor attendance. Information on attendance is included in the My Embassy English portal. It includes:

- The 80% minimum overall attendance requirement
- Satisfactory overall attendance defined as being more than 80%
- The consequences of not maintaining satisfactory attendance
- The requirement to notify Embassy English if sick
- The information that a student may be marked absent if more than 15 minutes late to a class

## Attendance rolls

Attendance details will be checked and recorded during each class by use of an attendance roll. Attendance rolls are Available for each teacher / class on Study Global.

## Teacher responsibilities for checking and recording attendance

Teachers are responsible for ensuring that they:

- Have access to the attendance roll on Study Global for each class they teach
- Accurately record and save attendance details on the attendance roll

## Procedure for checking and recording attendance

Teachers must check and record attendance using the Study Global attendance roll within fifteen minutes of the start of each class. A student must be in attendance on all of the occasions that the attendance was checked for a class in order to be recorded as having being in attendance for the class.

## Notifying Embassy English of absences

Students who cannot attend a class are required to notify Embassy English in advance by telephone. Students who are absent from class due to illness must provide a valid medical certificate from a recognised medical practitioner which encompasses the date of the class which was not attended due to illness. Medical Certificates do not excuse or reduce the percentage of absences

## Keeping Embassy English informed of address and contact details

Students must keep Embassy English informed of their address and contact details at all times. If a student changes address and contact details at any time during their period of enrolment at Embassy English, they must advise Embassy English within 7 days as required by DHA's condition 8533 of the student visa.

## Attendance monitoring and reporting processes

### First Warning

All students receive an email update each week outlining their attendance regardless of their attendance percentage. This email also details how both current and overall attendance is calculated as well as advising the student of the procedure and repercussions of their attendance falling below the desired 80% mark. For students under the age of 18 years, parents of these students are notified about their attendance percentages as well as Student Services will advise the admissions team to contact the student's agent.

### Formal Written Warning

If overall attendance falls to 85%, students will be sent a Formal Written Warning, reminding the student of the condition that of attendance of at least 80% of all scheduled contact hours for the duration of the course and asking him/her to meet with a nominated staff member. For students under 18 years of age, a copy of the letter is sent to the student's parents.

The student will be required to sign a Probationary Agreement, which sets out the conditions in relation to attendance for a specified period. One of the conditions will be that the student maintains at least overall 80% attendance.

### Notice of Intention to Report

If the conditions of the Probationary Agreement are not met, the College will notify the student in writing of its intention to report the student for not maintaining satisfactory attendance. The written notice of the College's decision will inform the student that he/she is able to lodge an appeal through the College's Complaints and Appeals process, and has 20 working days from the nominated date in which to do so.

For students under 18 years of age, a copy of the Notice of Intention to Report is sent to the student's parents as Student Services will advise the admissions team to contact the student's agent.

Students who have been sent a Notice of Intention to Report are recorded on the attendance register spreadsheet

### **Reporting of International Students**

If an international student who has not met the mandatory attendance condition, and accesses the Embassy English Complaints and Appeals Process within the required 20 working days (from nominal date of receipt of letter + 3 days), and the process results in a decision that supports Embassy, it will report to the Department of Home Affairs (DHA; [www.homeaffairs.gov.au](http://www.homeaffairs.gov.au)) as soon as possible that the student is not achieving satisfactory attendance

Where an international student who has not met the mandatory attendance condition chooses not to access the Complaints and Appeals Process within the required time (20 working days from nominal date of receipt of letter + 3 days), Embassy will report to DHA as soon as possible that the student is not achieving satisfactory attendance.

### **Special consideration**

Embassy appreciates that from time to time, a student may not be able to attend classes due to circumstances beyond his/her control. Where this occurs, special consideration will be given if the circumstances are compassionate or compelling, and sufficient valid evidence is provided by the student to justify this consideration. In such cases, Centre Director in consultation with relevant staff may agree to continue the enrolment of a student whose overall attendance has fallen below 80 percent if:

- there is documentary evidence demonstrating that compassionate or compelling circumstances apply;
- the student is maintaining satisfactory course progress; previously maintaining
- the student attended at least 70 percent of the scheduled course contact hours.

### **Absence due to illness**

It is advisable for a student who is ill to obtain a medical certificate. This certificate is to be produced for the College to record in diary notes and in the student's file, and then retained by the student. A medical certificate does not cancel an absence; it only provides an explanation.

A student who is too ill to immediately continue his/her studies may apply to have his/her enrolment temporarily suspended on the grounds of compassionate or compelling circumstances, according to the Colleges Deferring, suspending or cancelling a students' enrolment policy and procedure.

### **Compassionate or Compelling Circumstances**

Compassionate or compelling circumstances are generally those beyond the control of the student and which have an impact upon the student's course progress or wellbeing. In relation to attendance, these could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the student was unable to attend classes;
- bereavement of a close family member such as a parent or grandparent (where possible a death certificate should be provided);
- major political upheaval or natural disaster in the student's region of origin requiring emergency travel and this has impacted on the student's studies; or
- a traumatic experience which could include direct or indirect involvement in or witnessing a serious accident or crime and this has impacted on the student (these cases should be supported by police or psychologists' reports).

The Centre Director will use his/her professional judgement in consultation with the Academic Manager to assess each case on its individual merits.

### Appeal by the means of engaging an External Review – Overseas Student Ombudsman

In the event of the complainant remaining dissatisfied with the result or conduct of Embassy's internal procedures for handling of the complaint, the complainant has the right to access an external appeals process. The College recommends the student contact the International Ombudsman who provides an External Students Appeals Service. This service is free of charge. The form is available from the website: <http://www.oso.gov.au/making-a-complaint/>

Embassy will not report the student to the DHA until the external case review process is complete and the findings have supported Embassy's decision.

Policy Version Details	
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#### Document History

Commencing Date	Summary of Changes	Next Review Date
December 2017	v5.0 Review, minor amendment and approval	December 2022
06 April 2018	v5.1 Review and amendment to maintain currency with business and regulatory changes	December 2022
31 August 2018	v5.2 Administrative amendments	December 2022