



## Monitoring and Reporting Attendance Policy & Procedure

### A. Purpose:

Sydney College safeguards the integrity of Australia's migration laws by supporting overseas students to complete their course within the required duration and fulfil their student visa requirements for satisfactory attendance.

### B. Policy Statement:

To address the requirements of Standard 8 of *National Code of Practice 2018*, Sydney College monitors overseas student's attendance for each course which the student is enrolled to ensure that the expected duration of study specified in the student's CoE does not exceed the CRICOS registered duration through effective recording, monitoring and reporting attendance processes.

Sydney College is responsible for monitoring students' attendance records. Students whose attendance falls below 80% and it is clear that the student will not be able to reach 80% by the end of a study period must be reported on PRISMS.

To ensure that students and staff understand their responsibilities in relation to these requirements and the consequences of poor attendance, the following procedures outline the steps the College will take to monitor and report attendance, and indicate the appeals process available to students whose attendance has been identified as unsatisfactory.

Sydney College has processes to identify, notify and assist an overseas student at risk of not meeting attendance requirements, where there is evidence the overseas student is not attending classes.

This policy outlines Sydney College requirements for the following:

- a) Requirements for achieving satisfactory attendance under Standard 8
- b) Informing students of attendance requirements
- c) Verbal and written notification to students of attendance requirements
- d) Attendance Recording
- e) Calculation of attendance record
- f) Leave of absence
- g) Identifying students at risk
- h) Intervention strategy to identify and offer support to those students at risk of not meeting attendance Requirements
- i) Notification to Students of Attendance Requirements
- j) Reporting unsatisfactory attendance including student right to appeal
- k) Notification of breach of attendance requirements
- l) Reporting and Appeals procedure
- m) Outcomes of the appeals procedure
- n) Complaints and external appeals
- o) Allowable extensions of course duration



### **C. Procedures:**

#### **Requirements for achieving satisfactory attendance under Standard 8**

Sydney College monitors and records the attendance of overseas students specifying:

- Students are required to achieve satisfactory attendance for a course(s) which is set at a minimum of 80% of scheduled contact hours or higher if specified in state or territory legislation or other regulatory requirements
- there are systematic methods in place for working out minimum attendance under Standard 8
- there are clearly documented processes for recording attendance
- intervention strategies are in place to identify, notify and assist overseas students who have been absent for more than five (5) consecutive days without approval, or who are at risk of not meeting attendance requirements before the overseas students' attendance drops below 80%
- processes for determining the point at which the overseas student has failed to meet satisfactory course attendance

#### **Informing students of attendance requirements**

Sydney College clearly outlines and informs overseas students before they commence details of the requirements to achieve satisfactory attendance requirements for each study period through:

- Attendance information from the website, flyers, prospectus etc
- Student Handbook
- Orientation program
- Trainer in the class in the beginning of each study period
- The Academic Manager also provides a verbal explanation of the importance of attendance and the consequences of poor attendance during the Orientation Session

#### **Attendance recording**

- The trainer will record the student attendance every class on the attendance roll.
- The trainer will record students' arrival and departure times on attendance sheet and students will sign in for their both arrival and departure times.
- If a student is absent from classes or lessons for any reason, the student will be marked absent on the roll.
- If a student is sick, the student must notify the College. A Doctor's certificate must be submitted when the student resumes the class if absent for two or more days. Absent days with doctor certificates will not be deducted from the attendance. However, assessment no-show fees can be waived if a doctor certificate covering assessment days is presented.
- At the end of each week on a Friday, each trainer submits the completed attendance roll for that week to Student Services.
- Student Services finish inputting attendance records for the previous week on SMMS on Monday next week.



- Students Service keep and store attendance rolls in designated and safe storage room.

### Calculation of attendance record

- Student Services staff reconciles and inputs students' attendance into SMMS on a weekly basis.
- The SMMS calculates student's attendance in two different formats; current and projected attendance. While the current attendance represents the student's percentage based on his attendance from the commencement of the term to the current date, projected attendance represents the maximum percentage, which a student can reach throughout the term. For example, when a student has 200 contact hours in a study period (10 weeks) at Sydney College and is absent for 20 hours in the first week, then their projected attendance is recorded at 90%, i.e. if the student maintains full attendance until the end of the term, their projected attendance will be 90%.
- Sydney College implements intervention strategies and reports students based on their attendance over 2 study periods. Therefore, for attendance monitoring purposes, a study period means the period consisting of 2 study periods or 6 months.

### Non-commencement

- Sydney College has 4 intakes for new students. New students are required to attend the orientation session and start their course on the first day of their course.
- If a student does not show up on the first day of their enrolment, they will be notified as 'not commenced'.
- If the student does not still start the course within 5 working days, a notification of intention to report for non-commencement will be sent to the student, reminding him the attendance requirements and advising to commence the course as earliest as possible.
- CoEs of students who have not commenced their studies will be cancelled within 31 days from the first day of their enrolment.

### Identifying and Notifying Students at Risk:

- Identifying at risk students:
  - At risk students are initially identified as having failed to meet satisfactory attendance requirements if they have been absent from class for more than 5 consecutive days without approval
  - Student Services provides systematic SMMS generated weekly report to monitor students' attendance and to send notification letters accordingly.
  - Student Services Department send notification/warning letters for attendance to students who are at risk of meeting requirements weekly.
  - The process of notification/warning letters and intervention strategy is detailed below:
- **1<sup>st</sup> Warning Letter for Attendance**
  - When students' projected attendance in a study period falls below %90, '1<sup>st</sup> Warning Letter for Attendance' will be emailed to their registered email address informing them of their current level of attendance and reminding



them their visa conditions and the need to see the Academic Manager for possible intervention.

- In this letter, the student is advised to schedule a meeting the Academic Manager or Student Services Officer to discuss the situation and possible outcomes.
- The student and Academic Manager will address the reasons for non-attendance and put in place an intervention strategy to improve the student's attendance
- The Academic Manager or Student Services Officer will fill the Intervention Support Plan and note the details of the interview and negotiated intervention strategy. The student and the Academic Manager or Student Service Officer will sign the record.
- The copies of the warning letter and intervention strategy record will be maintained in student files and on SMMS.
- ***2<sup>nd</sup> Warning Letter for Attendance***
  - When projected attendance is below to 85%, '*2<sup>nd</sup> Warning Letter for Attendance*' will be emailed to students' registered email address informing them of their current level of attendance, reminding them their visa conditions and they are at risk of meeting attendance requirements of their visa.
  - In this letter, the student is advised to schedule a meeting the Academic Manager or Student Services Officer to discuss the situation and possible outcomes.
  - The student and Academic Manager will address the reasons for non-attendance and put in place an intervention strategy to improve the student's attendance
  - The Academic Manager or Student Services Officer will fill the Intervention Strategy Record and note the details of the interview and negotiated intervention strategy. The student and the Academic Manager or Student Services Officer will sign the record.
  - The copies of the warning letter and intervention strategy record will be maintained in student files and on SMMS.
- ***Consecutive Absence Warning Letter***
  - When a student is absent for more than 5 consecutive days, he/she will be sent 'Consecutive Absence Warning Letter'.
  - In this letter, students will be reminded attendance requirements and advised to attend a meeting with the Academic Manager or Student Services Officer to discuss possible reasons and actions for their absence.
  - If students do not contact the college regarding the absence, further action might be taken to contact the student.
- ***Notification of Intention to Report***
  - Students with a projected attendance rate below 80% in a study period will be sent the 'Notification of Intention to Report' for breaching their visa conditions in accordance with the procedures in this policy.



- In the 'Notification of Intention to Report', students are informed about their right to start an appeal process within 20 working days.

### **Intervention Strategy to identify and offer support to those students at risk of not meeting attendance requirements**

- Assisting students: Intervention meetings will be handled by Student Services staff. The student might be referred to the Academic Manager for counselling if required. The intervention strategy consists of the following:
  - Identifying the reason underlying poor attendance including but not limited to:
    - why have the students been absent and what support may be offered
    - compelling and compassionate circumstances (refer to Appendix 1 Compassionate and Compelling Circumstances Definition)
    - illness
    - issues with adjusting to Australian life
    - part time work in Australia is impacting on the student's attendance
    - any other reason including social issues
  - Possible support actions include but are not limited to:
    - developing an individual learning contract with the class teacher in order to assist the student with attendance
    - arranging individual sessions with the class teacher for the student to catch up on missed work at an additional cost to the student
    - assigning additional study for the student to undertake to study missed class work
    - identify required support services as per issues raised
- Monitoring students:
  - The attendance will be monitored in line with attendance monitoring procedure.
  - When an intervention student's attendance falls below thresholds mentioned previously, he/she will receive warning letters and/or notification of intention to report.
  - If required, Student Services might schedule regular meetings with the students.
- Recording intervention:
  - Sydney College maintains records of all contact and counselling undertaken with overseas students who have been absent for 5 consecutive days or at risk of not attending at least 80% of the course contact hours to monitor and report unsatisfactory attendance on the student file and SMMS
  - Documentation includes but is not limited to
    - Formal notifications
    - Interview notes
    - Emails

### **Reporting unsatisfactory attendance including student right to appeal**

Sydney College complies with the requirements to report unsatisfactory attendance as follows:



- Where Sydney College has assessed an overseas student as not meeting satisfactory attendance requirements, the student is provided with a written notice within 5 days which:
  - Notifies the overseas student that Sydney College intends to report the overseas student for unsatisfactory attendance
  - Informs the overseas student of the reasons for the intention to report
  - Advises the student of their right to access Sydney College's complaints and appeals process, in accordance with Standard 10 (Complaints and Appeals) within 20 working days
- Sydney College will only report unsatisfactory attendance in PRISMS in accordance with section 19(2) of the ESOS Act if:
  - The internal and external complaints processes have been completed and the decision or the recommendation supports Sydney College, or
  - The overseas student has chosen not to access the internal complaints and appeals processes within the 20 working day period, or
  - The overseas student has chosen not to access the external complaints and appeals process, or
  - The overseas student withdraws from the internal or external appeals processes by notifying Sydney College in writing
- Sydney College may decide not to report an overseas student for falling below 80% attendance where the overseas student is still attending at least 70% of the scheduled course contact hours and the student is maintaining satisfactory course progress or provides genuine evidence of compassionate and compelling circumstances as per Appendix 1 Compassionate and Compelling Circumstances Definition

### **Notification of Breach of Attendance Requirements**

- When a student's projected attendance reaches below **80% in a study period**, the student will receive written notification from Student Services of their breach of the attendance requirements and the College's intention to report the student on PRISMS for unsatisfactory attendance. This notification will be in the form of a 'Notification of Intention to Report - Unsatisfactory Attendance' letter
- The notification will include advice that the student may appeal to the decision within 20 working days as specified in the letter.
- The notification will also include advice:
  - As to whom to contact if the student wishes to discuss the implications of their breach of the attendance requirements and the appeals process, for example, the Academic Manager or Student Services Officer.
  - That if lodging an appeal, it is the student's responsibility to clearly identify at that time all the information they hold or are aware of in support of their appeal.
- A copy of Letter of Intention to Report is to be retained in the student file and sent to the Student Services Department.

### **Reporting and Appeals Procedure**



- A student has 20 working days from the date of receipt of the Notification of Intention to Report to lodge an appeal to Sydney College
- Appeals must be made in writing to the College using a *Appeals Form* available from Student Services and must include:
  - The reasons for non-attendance (supported by documentary evidence)
  - Any additional information in support of their case.
- Students who are lodging an appeal can request to appear before the Appeals Review Committee
- Students may bring a support person with them to appeals meetings
- The Appeals Review Committee might meet within 10 working days after the end of the appeal period. All reasonable measures will be taken to finalise the process as soon as practicable.
- The Committee will consider:
  - Whether the decision to report the student for unsatisfactory attendance was based on the correct procedures
  - Any mitigating circumstances advanced by or on behalf of the student; and
  - Whether the appeal should be upheld or dismissed.
- During the internal appeals process the student will remain enrolled in all courses and is required to continue to attend classes.
- Where the student has chosen not to access the appeals processes within the 20 working day period, or withdraws from the process, the Student Service Department will be notified and student's CoE will be cancelled on PRISMS.

### **Outcomes of the Appeals Procedures**

- The student will be notified of the outcome of the internal appeals process within 10 working days of hearing the appeal.
- If the Appeals Review Committee determines that processes have not been appropriately followed, or that circumstances (e.g. extended illness) have prevented the student from attending, and if attendance has not fallen below the discretionary minimum allowed under Standard 8 of the National Code and the ESOS Act, it may uphold the appeal and not report the student's non-attendance on PRISMS. The student will be notified in writing that the appeal has been upheld.
- If the Appeals Review Committee determines that due process has been followed and that there are no mitigating circumstances, it will dismiss the appeal and advise the Student Services Department to issue the student with 'Unsuccessful Appeal' letter.
- This final letter will outline the options to access the College's Complaints & Appeals procedures and the External Student Appeals agent, the Commonwealth Ombudsman, to lodge an external appeal.

### **Complaints and External Appeals**

- If the student is dissatisfied with the outcome of the Appeals Review Committee, the student has the right to refer his/her complaint and access external complaints processes such as the **Commonwealth Ombudsman** within 10 working days from the



date advised in the 'Unsuccessful Appeal Letter' letter and must advise the Student Services Department in writing that the student has lodged an appeal.

- The use of the **Commonwealth Ombudsman is a free service for overseas students.**
- Students may choose their own external Student Appeals agent if they wish. Students should inquire about current fees when they contact the agent.
- After 10 working days, if the student has not lodged an external appeal or if the Student Services Department has not been notified of an external appeal, the student will then be reported through PRISMS.
- If the external complaint handling and/or appeal process results in a decision that supports the student, Sydney College will immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome in writing.

### **Allowable extensions of course duration**

Sydney College will not extend the duration of the overseas student's enrolment if the overseas student is unable to complete the course within expected duration, unless:

- There are compassionate or compelling circumstances, as assessed by Sydney College on the basis of demonstrable evidence (refer to Appendix 1), or
- Sydney College 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 attendance requirements, or
- An approved deferral or suspension of the overseas student enrolment has occurred under Standard 9 (deferring, suspending or cancelling a student's enrolment)

If Sydney College extends the duration of the student's enrolment, Sydney College advises the student to contact immigration to seek advice on any potential impacts to their visa, including the need to obtain a new visa.

### **Pro-forma and supporting documents**

- Attendance Warning Letter – 5 consecutive days
- The 1<sup>st</sup> Warning Letter for Attendance
- The 2<sup>nd</sup> Warning Letter for Attendance
- Notification of Intention to report for Attendance on PRISMS
- Unsuccessful Appeal Letter
- Intervention Support Plan for Attendance





## Appendix 1 Compassionate and Compelling Circumstances Definition

‘Compassionate or compelling’ circumstances are generally those beyond the control of the overseas student and which have an impact upon the overseas student’s course progress or wellbeing. These could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the overseas 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 emergency travel and this has impacted on the overseas student’s studies; or
- a traumatic experience, which could include:
  - involvement in, or witnessing of 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 psychologists’ reports)
- where the registered provider was 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 enrol; or
- inability to begin studying on the course commencement date due to delay in receiving a student visa

These are only some examples of what may be considered compassionate or compelling circumstances.

Registered providers should outline what is considered compassionate or compelling circumstances in their own policies and use their professional judgement to assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, registered providers should consider documentary evidence provided to support the claim, and should keep copies of these documents in the overseas student’s file.

*(Excerpt from Standard 8 Overseas Student Visa Requirements Guidance Note p.4)*