

# Attendance - subclass 500 (schools) visa procedure

Version: 3.0 | Version effective: 08/07/2024

## **Audience**

Education Queensland International (EQI), EQI staff, school staff, overseas students, EQI homestay providers, parents/Department of Home Affairs (DHA) approved guardians of overseas students and agents.

# **Purpose**

This procedure outlines the roles and responsibilities of EQI and schools and the steps they follow to manage overseas student attendance. This includes how overseas students request a temporary suspension of enrolment and when EQI or schools can implement a temporary suspension to preserve a student's attendance, in line with subclass 500 (schools) visa requirements.

## Overview

Satisfactory attendance is a <u>student visa condition</u> for overseas students enrolled in an EQI course. There are specific attendance monitoring calculations that apply, thresholds for intervention, and consequences for breaching attendance requirements. Overseas student attendance requirements are detailed in the attendance policy of the <u>ISP standard terms and conditions</u>. It is required by law under the <u>Education Services for Overseas Students</u> (<u>ESOS</u>) <u>Act 2000</u> to report overseas students who have breached attendance requirements, which may lead to the cancellation of the overseas student's enrolment. The decision to temporarily suspend or cancel enrolment will not take effect until the internal and external appeals process is completed in accordance with the <u>Complaints and appeals procedure</u>.

Enrolment can be temporarily suspended to exclude an overseas student from attendance monitoring calculations due to extenuating circumstances (school or EQI initiated) or compassionate or compelling circumstances (student initiated). Note that for these cases, this procedure applies instead of the <a href="Exemptions from compulsory schooling">Exemptions from compulsory schooling</a> and compulsory participation procedure.

This procedure complements the following Department of Education (DoE) policies and procedures:

- Roll marking in state schools procedure, which outlines the process for recording overseas student attendance and absence on state school rolls.
- Managing student absences and enforcing enrolment and attendance at state schools procedure, which
  outlines the responsibilities and processes for same-day overseas student absence notifications.



Overseas students, parents or guardians are informed about school attendance requirements as part of the <u>Student orientation procedure</u>.

This procedure supports Standard 8 and 9.2 of the <u>National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code)</u>.

# Responsibilities

#### **School staff**

- · regularly monitor attendance and liaise with relevant teaching staff
- intervene early and assist overseas students who are at risk of not meeting school attendance requirements
- identify the need to apply for a temporary suspension of enrolment and assist overseas students to apply
- ensure the period of an approved temporary suspension of enrolment is not counted as an absence in attendance monitoring calculations as per Roll marking in state schools procedure
- liaise with parent/DHA approved guardian/homestay provider regarding attendance and overseas student absences
- escalate issues and concerns to school principal (or delegate)
- notifies EQI where extenuating circumstances relating to welfare may require a temporary suspension of enrolment
- maintain accurate and up-to-date records in OneSchool.

#### **EQI** staff

- recommend whether to temporarily suspend an overseas student's enrolment
- notify suspensions of enrolment and cancellations to the Australian Government within the timeframe required as per this procedure and the <u>Complaints and appeals procedure</u>
- maintain accurate and up-to-date records in the International Student Management System (ISMS) and Provider Registration and International Student Management System (PRISMS)
- report unsatisfactory attendance and cancellation of enrolment to Australian Government, as directed by the Director, EQI
- ensure safe and appropriate arrangements are made if the overseas student's enrolment is cancelled, in accordance with <a href="Change of welfare procedure">Change of welfare procedure</a>
- provide advice and support to school principal and school staff implementing this procedure.

#### **EQI** officer

- review and monitor overseas student attendance cases
- liaise with all relevant stakeholders regarding overseas student attendance
- issue notice letters relating to attendance
- approve temporary suspension of enrolment requests.



#### School principal (or delegate)

- follows school processes and relevant DoE procedures
- informs the overseas student and parent/DHA approved guardian or accommodation provider of the consequences for non-compliance with the <u>International Student Programs (ISP) standard terms and</u> conditions
- escalates unsatisfactory attendance to the Director, EQI.

#### Director, EQI

 decides to report an overseas student to the Australian Government for unsatisfactory attendance and/or cancellation of enrolment.

## **Process**

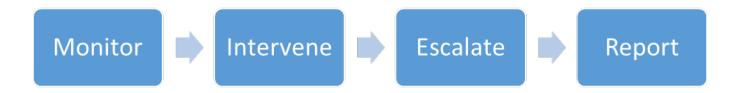


Image 1: Process - Student attendance

#### 1. Monitor

Schools enrolling international students are required to effectively monitor attendance. All information collected on attendance must be recorded in the department's data management system (OneSchool) as per the process steps outlined in the Roll marking in state schools procedure.

Overseas students must maintain attendance requirements in accordance with their enrolment and visa conditions. Schools must calculate a student's percentage of attendance per study period (semester). This is calculated by determining the sum (total number of days in the study period) minus (total number of absences in the study period to date) divided by the (total number of days in the study period) multiplied by 100 (see formula below):

$$\frac{\text{(Total number of days in a study period } - \text{ Total number of absences study period to date)}}{\text{(Total number of days in a study period)}} \times 100$$

- School staff liaise with and request attendance reports regularly from the officer responsible for monitoring attendance (for example, Student Services Officer, Attendance Officer, Year Level Coordinator) within the school about overseas student attendance and absences, in order to:
  - monitor overseas student attendance percentages and review overseas student attendance records regularly
  - identify patterns of absence, for example, regular late arrivals, early departures and/or absences from a class or absences of consecutive days.



#### 2. Intervene

#### Attendance falls to 95%-90%

#### School staff:

- o discuss with the overseas student and parent/DHA approved guardian or homestay provider the reasons for absence, referring to the <u>ISP standard terms and conditions</u> and potential consequences for non-compliance (for example, overseas student may be reported to the Australian Government and the overseas student's visa and enrolment may be cancelled).
- o review and implement intervention strategies to assist the overseas student to improve their school attendance, for example:
  - counselling for the overseas student to provide support and determine reason(s) for absences
  - engaging with the parent/DHA approved guardian or homestay provider
  - re-engagement program for the overseas student
  - support group for attendance
  - individualised attendance improvement plans
- o identify concerns of welfare in line with the Change of welfare procedure.

#### Temporary suspension of enrolment required (absence of 3 or more consecutive days)

A temporary suspension of enrolment may be granted for absences of 3 or more consecutive days due to either compassionate or compelling circumstances. For compassionate or compelling circumstances, such as illness, injury or other serious events, an overseas student may request suspension of enrolment. In extenuating circumstances, the school or EQI can initiate a temporary suspension due to concerns of welfare in line with the <a href="Change of welfare procedure">Change of welfare procedure</a>. Dates that are included in the temporary suspension are excluded from attendance calculations.

#### Initiated by school or EQI staff

#### School staff:

- identify absences of 3 or more consecutive days due to concerns of welfare in line with the <u>Change of welfare procedure</u>
- o where an immediate temporary suspension of enrolment is not required, contact the student/parent to discuss concerns and clarify details
- complete the <u>ISP temporary suspension request form</u>, contacting the student/parent obtain their signatures
- o notify EQI officer about extenuating circumstances that may require a suspension of enrolment, by sending an email to <a href="EQInternational@ged.qld.gov.au">EQInternational@ged.qld.gov.au</a> including:
  - "(student name), consideration for temporary suspension of enrolment, (school name)" in the subject line of the email
  - the completed request form with details of extenuating circumstances
  - any evidence, prior correspondence and relevant supporting documents



notifies the school principal (or delegate).

If an immediate temporary suspension of enrolment is required in an emergency (for example, if the student has to return to their home country for a family emergency), school staff or EQI staff can complete the <a href="ISP temporary suspension request form">ISP temporary suspension request form</a> and obtain a parent's signature on the overseas student's behalf.

#### Initiated by student/parent

- If the overseas student and their parent/DHA approved guardian request a temporary suspension of enrolment, school staff assist the overseas student to apply by directing them to:
  - o access and complete the ISP temporary suspension request form
  - o send the form and supporting documents (for example travel itinerary, letter from parent, medical certificate) to <a href="EQInternational@ged.qld.qov.au">EQInternational@ged.qld.qov.au</a> for approval.

Managing requests for temporary suspension of enrolment

After a request for temporary suspension of enrolment is lodged, requests are managed as follows:

- EQI staff assess the <u>ISP temporary suspension request form</u> and supporting documents ensuring that there
  is evidence of compassionate or compelling or extenuating circumstances and make a recommendation to
  EQI officer about whether or not to approve the request.
- EQI officer assesses the application and decides to approve or not approve a temporary suspension of
  enrolment based on the compassionate or compelling circumstances provided by or on behalf of the
  overseas student, and notifies EQI staff to communicate the outcome.
- EQI staff:
  - if the request is approved, notifies school staff, the overseas student, their parent/DHA approved guardian and agent (where applicable) by sending the completed <u>ISP temporary suspension request</u> form
  - o if the request is not approved, notifies the school, the overseas student, their parent/DHA approved guardian and agent (where applicable) by sending the non-approved <u>ISP temporary suspension request form</u>. The overseas student should be advised of their right to appeal as per the <u>Complaints and appeals procedure</u>.

In situations where the temporary suspension request is approved:

- EQI staff suspend the overseas student's enrolment by:
  - notifying the Australian Government via PRISMS that the overseas student's enrolment is temporarily suspended promptly and within 31 days of approval
  - suspending the overseas student's enrolment record/s in the ISMS
  - identifying when the overseas student is eligible for a refund and requesting the overseas student and parent/DHA approved guardian complete the <u>ISP refund request form</u>
  - o reviewing and assessing the refund request in line with the ISP standard terms and conditions
  - o giving notice of any refund to the Australian Government within 7 days of the repayment



- informing the overseas student of the need to seek advice from DHA on the potential impact on their student visa
- o determining if the temporary suspension will affect the end date of the overseas student's Confirmation of Enrolment (CoE); refer to <u>Student management procedure</u>.
- School staff ensures the overseas student is appropriately supervised and accommodated during the period of suspension.
- School staff monitor the overseas student and ensure safe and appropriate supervision arrangements are in place if the overseas student is residing with a homestay provider:
  - o refer to the <u>DEi student homestay placement procedure</u> if a temporary or permanent change of homestay is required due to the temporary suspension of enrolment
  - o refer to the <u>Change of welfare procedure</u> if the overseas student is returning home or changing welfare arrangements.
- School staff ensure that the period of the temporary suspension will not be included in attendance
  monitoring calculations as per the Roll marking in state schools procedure by recording explained absences
  under Code B in accordance with Table 2 Absence reason codes for reasonable and unreasonable
  excuses.
- School staff monitor the overseas student's return to school to ensure they are in attendance on the nominated return date.

#### Attendance falls to 90%-85%

- School staff escalate to the school principal (or delegate) when attendance falls between 90% and 85%.
- School principal (or delegate) issues <u>Attendance at risk notification letter</u> to overseas student and parent/DHA approved guardian/ accommodation provider, within 2 working days of attendance falling to 85%.
- School staff arrange meeting with student, and (if possible) parent/DHA approved guardian/accommodation provider.
- School principal (or delegate) meets with the overseas student, to discuss their attendance, and to reinforce
  the <u>ISP standard terms and conditions</u> and consequences for non-compliance (if the overseas student's
  parent/DHA approved guardian or homestay provider is unable to attend the meeting, meet with the
  overseas student and liaise with the other parties after meeting).
- School principal (or delegate):
  - reviews intervention strategies that are in place to ensure that they are still appropriate and adjust if required
  - informs EQI by email:
    - that the overseas student has been issued an <u>Attendance at risk notification letter</u>
    - advise if compassionate or compelling circumstances have been identified or not.
  - where compassionate or compelling circumstances have been identified, directs school staff to follow
    the steps to assist the overseas student to complete the <u>ISP temporary suspension request form</u> and
    submit to EQI within 3 working days



lodges a record of contact in OneSchool.

#### 3. Escalate

#### Attendance falls to 85%-80%

- School principal (or delegate) notifies EQI officer within 2 working days of attendance falling to 80% by sending an email to <u>EQInternational@qed.qld.gov.au</u>, including:
  - o "(student name), unsatisfactory attendance, (school name)" in subject line of email
  - a list of all relevant evidence, in chronological order, in the body of email (for example, school attendance records, OneSchool records of contact, meeting notes, proof of compassionate or compelling circumstances, appropriate intervention strategies)
  - o confirmation of attendance percentage as at the date email is sent
  - evidence school has complied with this procedure.
- School staff keep the DHA approved guardian/homestay provider informed regarding overseas student attendance and interventions and closely monitors overseas student's attendance.
- EQI officer:
  - o reviews the overseas student's attendance case and confirms there is evidence that the correct process has been followed
  - confirms if compassionate or compelling circumstances have been identified and either:
    - directs school staff to follow the steps to assist the overseas student to complete the <u>ISP temporary</u> suspension request form (if applicable and required)
    - notifies Director, EQI that compassionate or compelling circumstances:
      - have been identified and school staff are assisting overseas student to complete the ISP temporary request form; or
      - have been identified, but a temporary suspension is not possible or have not been identified, and prepares the Intention to report for unsatisfactory attendance letter (CM 24/342206 - DoE employees only).
  - escalates the overseas student attendance case and findings to the Director, EQI for consideration, decision and action.

#### 4. Report

#### **Unsatisfactory attendance (80% attendance)**

Reporting for unsatisfactory attendance is required when an overseas student's attendance has fallen to 80%, unless there is evidence of compassionate or compelling circumstances, and attendance remains above 70%. Where attendance has fallen to 70%, the overseas student must be reported to the Australian Government, regardless of evidence of compassionate or compelling circumstances.

The Director, EQI can decide to cancel or maintain an overseas student's enrolment as part of the reporting for unsatisfactory attendance process.



The Australian Government may decide to cancel an overseas student's visa as a result of the reporting for unsatisfactory attendance process. A cancellation of visa will result in a cancellation of the overseas student's enrolment.

- Director, EQI:
  - where there is evidence of compassionate or compelling circumstances
    - confirms that attendance has fallen to 80%, but remains above 70%
    - considers the evidence available, including school interventions.
  - o where there is no evidence of compassionate or compelling circumstances
    - confirms that attendance has fallen to 80%
    - notes the requirement to report the overseas student to the Australian Government.
  - o decide and notify, within 5 working days of the principal's email, whether the overseas student:
    - should be reported to the Australian Government; and
    - should have their enrolment cancelled (if required).

#### Reporting not required

When an overseas student's attendance has fallen to 80% but remains above 70% and there is evidence of compassionate or compelling circumstances:

- EQI officer prepares Decision not to report for unsatisfactory attendance letter (CM 24/342213 DoE employees only).
- Director, EQI signs the Decision not to report for unsatisfactory attendance letter.
- EQI officer:
  - o issues *Decision not to report for unsatisfactory attendance letter* overseas student and parent, notifying the DHA approved guardian and agent (where applicable)
  - makes it clear that EQI will issue an Intention to report for unsatisfactory attendance letter if the overseas student's attendance falls to 70% for the semester
  - o informs the school principal.
- School staff must continue to monitor attendance and notify EQI immediately where attendance falls to 70%.

#### Reporting required

When an overseas student's attendance has fallen to 80% but remains above 70% and there is no evidence of compassionate or compelling circumstances, or when attendance has fallen below 70%:

- Director, EQI:
  - o confirms the student's attendance
  - o decide and notify, within 5 working days of the principal's email, whether the overseas student should have their enrolment cancelled (if required).



- EQI officer prepares Intention to report for unsatisfactory attendance letter (CM 24/342206 DoE employees only).
- Director, EQI signs the Intention to report for unsatisfactory attendance letter (CM 24/342206 DoE employees only) and indicates if the enrolment will be cancelled or not.
- EQI officer:
  - o issues Intention to report for unsatisfactory attendance letter to the overseas student and parent, notifying the DHA approved guardian, school, and agent (where applicable)
  - informs the overseas student and parent/DHA approved guardian of their rights under the <u>Complaints</u> and appeals <u>procedure</u> and notifying that the opportunity to request an appeal is available for 20 working days from this written notice.
- EQI staff, school staff, overseas student and parent/DHA approved guardian follow <u>Complaints and appeals</u> <u>procedure</u> for internal and external appeal, if an appeal is lodged.
- School staff maintain the overseas student's enrolment and EQI welfare arrangement (if applicable) while
  the appeal process is underway as per the Complaints and appeals procedure.
- Director, EQI instructs EQI staff to report unsatisfactory attendance and/or cancellation of enrolment to the Australian Government, in the PRISMS where:
  - o no appeal is made within 20 working days
  - o an appeal is withdrawn (in writing)
  - o the internal appeal (20 working days) and external appeal (10 working days) are unsuccessful.

#### Decision is not to cancel the enrolment before DHA decision is made

- · EQI staff:
  - report the overseas student to the Australian Government in PRISMS, as soon as practicable and within
     14 days from being instructed by Director, EQI
  - create a new COE in PRISMS to replace the one that was cancelled as a result of reporting the overseas student for unsatisfactory attendance, this will maintain the enrolment in line with the Director, EQI decision
  - o advise the overseas student to seek advice from DHA on the potential impact on their student visa
  - advise school staff to continue to maintain the overseas student's enrolment and EQI welfare arrangement in line with the monitor steps of this procedure and relevant DoE procedures.
  - o monitor visa status in PRISMS until a decision is made by DHA (that the student has a valid visa)
  - o if DHA cancel the overseas student visa, initiate the cancel enrolment process below (if applicable).
- School staff maintain the overseas student's enrolment and EQI welfare arrangement (if applicable).

#### Decision is to cancel the enrolment before DHA decision is made

- EQI staff:
  - report the overseas student to the Australian Government in PRISMS, as soon as practicable and within
     14 days from being instructed by Director, EQI



- o cancel the overseas student's enrolment record/s in the ISMS and notify the school once completed
- advise the overseas student to seek advice from DHA on the potential impact on their student visa
- o request the overseas student/parent completes the ISP refund request form, if eligible for a refund and:
  - review and ensure refunds requests are paid in accordance with the Refund policy, as outlined in ISP standard terms and conditions
  - give notice of any refund to the overseas student/parent/DHA approved guardian within 7 days of the repayment.

#### School staff:

- o if the overseas student is in a homestay arrangement, refer to the <u>Change of welfare procedure</u> to ensure that safe and appropriate arrangements are in place for the overseas student's departure
- o finalise and issue any outstanding school reports to the overseas student
- o cancel the overseas student's enrolment in OneSchool.

## **Definitions**

Term	Definition
Absence	All non-attendance 'counted as an absence' must be recorded in accordance with Table 2 – Absence reason codes for reasonable and unreasonable excuses within the Roll marking in state schools procedure.
Agent	Education agent is a person or organisation (in or outside Australia) who EQI has entered into a written agreement with to formally represent EQI for the purpose of recruiting overseas students to participate in EQI programs.
Compassionate or compelling circumstances	Compassionate circumstances are circumstances which have had a negative impact on the overseas students and EQI have assessed:
	are not in the student's control; and
	<ul> <li>adversely impact on the student's welfare or course progress (for example, illness, bereavement or traumatic events may qualify).</li> </ul>
	Compelling circumstances are circumstances which the student would like EQI to consider will be for their benefit.
	Circumstances which, are neither compassionate nor compelling under this agreement include:
	those that are created by the student's own actions or are within their control;
	non-payment of fees;
	exclusion from the student's school due to disciplinary consequences; and
	situations where the student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

Term	Definition
Course	A program of study registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) offered by Department of Education trading as EQI.
Delegate	Principal delegates are a classified officer (for example head of department or deputy principal) nominated by the school principal who is authorised to make specified International Student Program decisions on the principal's behalf.
Department of Home Affairs (DHA)	Australian Government department responsible for immigration.
DHA approved guardian	A parent, legal custodian or a relative over 21 years old approved by the Department of Home Affairs (DHA) to be responsible for the accommodation and welfare of overseas students under the age of 18 years.
EQI	The trading name of the Queensland Department of Education used by commercial business units within Department of Education International (DEi).
EQI staff	Department of Education (DoE) employees working in Department of Education International (DEi), trading as Education Queensland International (EQI). Employees from the following units include but are not limited to:
	International Student Programs (ISP)
	Corporate Services
	Officer of the Executive Director.
EQI Officer	A Department of Education (DoE) employee working in Department of Education International (DEi), trading as Education Queensland International (EQI) that makes a decision on escalated actions. The EQI officer must be:
	independent from the EQI staff who escalated the original action; and
	<ul> <li>in a position equal to, or higher than, the EQI staff who escalated the original action and authorised to make decisions, including recommendations, or be nominated by someone with this authority.</li> </ul>
	delegated by the Director, EQI.
Homestay provider	Homestay provider is a person registered to deliver accommodation services and have been approved to provide supported and supervised in-home accommodation where food and shelter and a safe, caring and supportive home environment is provided to an overseas student. Homestay is arranged by schools, ISP and the DEi staff.
	For International Student Programs: when overseas student accommodation has been arranged for student visa 500 holders; EQI is responsible for the welfare of the overseas student at all times, including outside school hours.



Term	Definition
International Student Programs (ISP)	A study pathway that offers overseas students the opportunity to study within a Queensland state school with dedicated support services to meet individual student needs. International Student Programs include a variety of different study options.
OneSchool	The Queensland Government Department of Education's comprehensive software suite that Queensland state schools use to run safe, secure, sustainable and consistent reporting and administrative processes. Its features cover a wide range of school operations (DoE employees only).
Overseas student	A person (whether within or outside Australia) who holds a student visa subclass 500 (schools sector) enrolled in an EQI course.
Parent	<ul> <li>A parent, of a child, is any of the following persons:</li> <li>the child's mother;</li> <li>the child's father;</li> <li>a person who exercises parental responsibility for the child.</li> </ul>
School	For this procedure, a Queensland state school accredited by DEi to deliver ISP.
School staff	Employees of EQI schools with responsibilities to support overseas students. For example – international student coordinator, homestay coordinator, guidance officer, specialist staff, EALD support staff, head of department, line manager, deputy principal, accredited officer (study tours).

# Legislation

- Education Services for Overseas Students Act 2000 (Cth)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth)

# **Delegations/Authorisations**

Nil

# Policies and procedures in this group

- International Student Programs subclass 500 (schools) visa policy
- Change of welfare subclass 500 (schools) visa procedure
- Complaints and appeals subclass 500 (schools) visa procedure
- Course progress subclass 500 (schools) visa procedure
- DEi homestay provider management procedure
- DEi incident management procedure



- DEi recruit and on-board homestay providers procedure
- DEi student homestay placement procedure
- <u>Distance education subclass 500 (schools) visa procedure</u>
- Enrolment subclass 500 (schools) visa procedure
- Student management subclass 500 (schools) visa procedure
- Student orientation subclass 500 (schools) visa procedure
- Transfer subclass 500 (schools) visa procedure
- Travel and activities for students under EQI welfare subclass 500 (schools) visa procedure

# Supporting information for this procedure

- Attendance at risk notification letter
- ISP Temporary suspension request form

## Other resources

- Every day counts
- Exemptions from compulsory schooling and compulsory participation procedure
- Managing student absences and enforcing enrolment and attendance at state schools procedure
- ISP EQI guidelines for delivering VET to overseas students
- ISP refund request form
- ISP standard terms and conditions
- PRISMS User Guide
- Roll marking in state schools procedure
- Request to temporarily suspend enrolment form
- Student visa conditions

#### Contact

International Student Programs

Department of Education International

Phone: 1800 316 540 (inside Australia) +61 7 3513 5301 (outside Australia)

Email: EQInternational@ged.gld.gov.au

### Review date

8/07/2027



# Superseded versions

Previous seven years shown. Minor version updates not included.

2.0 Attendance - subclass 500 (schools) visa procedure

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