

ENGLISH LANGUAGE PROGRAMS ATTENDANCE POLICY

1. PURPOSE AND SCOPE

- 1.1. This Policy sets out how The College will support students to maintain satisfactory attendance and specifies the requirement to maintain satisfactory attendance, as set out in the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#), ('National Code'), including how The College will enforce attendance requirements.
- 1.2. This Policy applies to:
 - 1.2.1. all students enrolled in an English Language Programs course at The College;
 - 1.2.2. all staff with responsibility for teaching and supporting students enrolled in an English Language Programs course at The College.
- 1.3. Attendance and active participation in classroom activities are essential for student success. The College will monitor attendance and participation in an English Language Programs study period to support students, particularly those at risk of not meeting course progression due to low attendance. This approach enables The College to provide targeted strategies to help students achieve satisfactory course progress.
- 1.4. The National Code and the Education Services for Overseas Students (ESOS) Framework require students enrolled in an English Language Program who do not maintain satisfactory attendance to be reported to the Department of Home Affairs.

2. DEFINITIONS

- 2.1. For the purposes of this policy, the following definitions apply:
 - 2.1.1. Compassionate or compelling circumstances (also known as extenuating circumstances) are generally circumstances beyond the control of the overseas student and which have an impact upon the overseas student's course progress. These include, but are not limited to:
 - 2.1.1.1. serious illness or injury;
 - 2.1.1.2. bereavement of close family members such as parents or grandparents;
 - 2.1.1.3. major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies;
or
 - 2.1.1.4. a traumatic experience, which could include:
 - i. involvement in, or witnessing of a serious accident; or
 - ii. being the victim of domestic violence; or
 - iii. witnessing or being the victim of a serious crime, and this has impacted on the overseas student.

- 2.1.2. CoE – Confirmation of Enrolment – A document issued by Western Sydney University to international student to apply for a student visa.
- 2.1.3. Course – The duration of studies in the English Language Program as set out in the CoE.
- 2.1.4. Intention to Report – a written notice to a student to notify them of the intention to report to the Department of Home Affairs for failing to comply with student visa conditions.
- 2.1.5. Leave of Absence – allows a student to take a break from their studies due to compassionate or compelling circumstances.
- 2.1.6. Overseas Student – student studying at The College on a student visa.
- 2.1.7. Scheduled contact hours – contact hours as set out on the CoE.
- 2.1.8. Study Period – a structured teaching period (for example, English for Tertiary Studies EAP 5 has a study period of 10 weeks). The study period is given in the Learning Guide, in the Learning Management System.
- 2.1.9. The College – Western Sydney University Enterprises Pty Limited trading as Western Sydney University The College.

3. POLICY STATEMENT

- 3.1. The College is committed to monitoring attendance and to supporting students who are at risk of failing to meet satisfactory attendance.
- 3.2. **Attendance Expectations and Monitoring**
 - 3.2.1. Regular attendance in class is essential to make satisfactory course progress.
 - 3.2.2. Information about the scheduled course contact hours will be provided to students at the commencement of their scheduled course.
 - 3.2.3. Students are expected to attend a minimum of 80% of their scheduled course contact hours and during the course may request their attendance record to date.
 - 3.2.4. Student attendance in every class is recorded in the student attendance system. If a student arrives late or leaves early, only the time the student was present will be recorded.
 - 3.2.5. Students who experience circumstances that affect their class attendance should promptly inform The College English Language Programs teacher or the Student Success Coordinator or seek assistance from the [Student Service Hub](#) or [Welfare Officer](#). This allows for discussion and implementation of support strategies to minimise any impact on the student's course progression. If a student misses an assessment due to serious and unavoidable circumstances, they can request Special Consideration in accordance with the [Special Consideration Policy](#).

- 3.2.6. Students with pre-existing conditions or circumstances are encouraged to meet with the Student Success Coordinator or the [Welfare Officer](#) to explore available support strategies and services at the start of their course.
- 3.2.7. Students should provide documentary evidence for absences due to compassionate or compelling circumstance, including medical condition, to Support Services, The College.
- 3.2.8. If a student is **under 18**, the classroom teacher will alert the English Language Programs Coordinator if the student has not arrived within the first hour of class starting and the Student Success Coordinator or Manager, English Language Programs will alert Welfare, who will contact the guardian(s).

3.3. **Attendance Requirements**

- 3.3.1. Students holding a student visa and enrolled in the English Language Program must maintain a minimum of 80% attendance, as per Standard 8 of the National Code.
- 3.3.2. Student attendance is tracked and calculated from the student's proposed COE start date as outlined in subclause 3.3.3.
- 3.3.3. Where a COE is extended or a new COE is issued, the student's attendance is calculated from the start date of the new or extended COE.
- 3.3.4. Attendance calculation as a percentage is $(a+b)/c*100$:
 - 3.3.4.1. 'a' is the total scheduled contact hours of the course that a student has attended and completed to date;
 - 3.3.4.2. 'b' is the total scheduled contact hours for the course still remaining; and
 - 3.3.4.3. 'c' is the total number of scheduled contact hours for the student's course.

3.4. **Attendance Requirements Monitoring**

- 3.4.1. When a student is absent for two (2) or more days in week 1 of the Study Period, a notification will be issued to the student via their Western Sydney student email account, reminding them of their attendance requirement. These students will be required to meet and discuss any circumstance impacting their studies with the Student Success Coordinator.
- 3.4.2. Students who are absent for three (3) consecutive days of class without notice will be contacted via phone and email and be advised to discuss any circumstances impacting their study with the Student Success Coordinator.
- 3.4.3. When a student is absent from classes for more than five (5) consecutive days without notice, The College will attempt to contact the student and will issue the student with a notification to their student email. If contact has not been established with the student after five business days, on the sixth business day, The College will escalate the matter to Student Welfare.

The Department of Home Affairs (DHA) will be notified in Provider Registration and International Student Management System (PRISMS), if the student has not returned to class, two (2) weeks after the notification to the student has been sent and there is no adequate reason given for the absence. Student's attendance will be monitored during this time and attempts made to contact the student.

- 3.4.4. If a student's attendance falls below 90% of the scheduled course contact hours, the student will be sent a First Warning notification to remind them of their attendance requirement and to encourage them to meet with the Student Success Coordinator to discuss strategies and support available. Based on the discussion, strategies and support will be suggested.
- 3.4.5. If the student's attendance drops below 85% of the scheduled contact hours, the student will be sent a Second and Final Warning and will be required to meet with the Student Success Coordinator.
- 3.4.6. When more than one attendance reminder and/or warning letter is due at the same time, The College may choose to send only one reminder or letter.
- 3.4.7. Warnings will be sent to the student's Western Sydney student email address. If the student is under the age of 18, copies will be sent to the student's parents or legal guardian. Students who receive a warning are strongly encouraged to meet and discuss their attendance with the Student Success Coordinator.

3.5. **Notice of Intention to Report (Attendance below 80%)**

- 3.5.1. Students enrolled in English Language Programs, who fall below the required 80% of scheduled course contact hours will be issued with a Notice of Intention to Report the student to the Department of Home Affairs for their low attendance as required by the National Code. If reported, the Department of Home Affairs may cancel the student's visa.
- 3.5.2. The Notice of Intention to Report will outline the student's right to appeal the decision to report to Department of Home Affairs.

3.6. **Appealing a Notice of Intention to Report**

- 3.6.1. A student who has received a Notice of Intention to Report for low attendance may appeal the decision. No report will be submitted to the Department of Home Affairs for low attendance until the appeal process is completed, and/or the appeal deadline has passed.
- 3.6.2. If the appeal is successful, no report to the Department of Home Affairs will be made for low attendance.
- 3.6.3. A written appeal must be submitted to the Director, English Language Centre (Director) within twenty (20) working days of the Notice of Intention to Report for low attendance was issued.
- 3.6.4. Students must clearly state the reasons for their appeal, based on the grounds in 3.6.5 below. The appeal must include any relevant supporting documentation.

Personal statements and all documentation must be readable, and in English or translated to English by a National Accreditation Authority for Translators and Interpreters (NAATI) accredited translator.

- 3.6.5. Appeals can only be made based on the following grounds:
 - 3.6.5.1. compassionate or compelling circumstances that were not previously provided by the student, which impacted the student; or
 - 3.6.5.2. procedure for dealing with attendance was not correctly followed, including failure to record and calculate attendance correctly.
- 3.6.6. Should a student submit an appeal, the Director, English Language Centre, will assess the appeal, including the supporting documentation, and notify the student of the appeal outcome in writing within ten (10) working days of the appeal being received. The outcome will be sent to the student's Western Sydney University email address.
- 3.6.7. Should an unsuccessful outcome to the appeal be determined by the Director, students may submit an appeal to the Deputy Chief Executive Officer for consideration. Applications to the Deputy Chief Executive Officer may only be made on one or more of the following grounds, which must be addressed and evidenced in the application:
 - 3.6.7.1. where there has been a breach of procedural fairness; or
 - 3.6.7.2. where substantial and relevant new or fresh evidence is available that was not available for the student to provide when the original decision about the student's case was made.
- 3.6.8. This must be requested within five (5) working days of the date of the outcome of the appeal being issued. The student will be notified of the outcome in writing within 10 working days to the students Western Sydney University student email.
- 3.6.9. If the student's appeal and subsequent appeal (if requested) are unsuccessful, and the student does not access the external Complaint, the student will be reported to the Department of Home Affairs for not meeting their attendance requirements. Should a student be reported to the Department of Home Affairs for unsatisfactory attendance, they will have their CoE cancelled and will be prevented from further study under that CoE.

3.7. **External Complaint to the NSW Ombudsman**

- 3.7.1. If a student's internal appeal and review (if requested) are unsuccessful, they may make a complaint with the NSW Ombudsman. The complaint must be submitted to the NSW Ombudsman within twenty (20) working days of the outcome of the Director's Review being issued. The student must also notify The College of a complaint made with the NSW Ombudsman, within this twenty (20) working day period.
- 3.7.2. Once the twenty (20) working days have passed:

- 3.7.2.1. should the student fail to notify The College about their complaint being lodged with the NSW Ombudsman, they will be reported to the Department of Home Affairs for unsatisfactory attendance, and have their CoE cancelled; or
- 3.7.2.2. should the student have notified The College of their complaint being lodged with the NSW Ombudsman, the student will not be reported to the Department of Home Affairs or have their CoE cancelled for low attendance until the NSW Ombudsman has resolved the case.

3.8. Reporting to the Department of Home Affairs for Low Attendance

- 3.8.1. If a student does not appeal, or if a student's appeal and/or review are unsuccessful and the student has exhausted all avenues of appeal including the external NSW Ombudsman complaint or has not notified The College of their intent to lodge a complaint with the NSW Ombudsman, The College will report the student to the Department of Home Affairs through PRISMS for not meeting attendance requirements. This will lead to the student's CoE being cancelled and may result in the cancellation of their visa by the Department of Home Affairs. The student should contact the Department of Home Affairs to discuss their circumstance.
- 3.8.2. If a student successfully appeals a Notice of Intention to Report, their CoE will not be cancelled, and they will not be reported to the Department of Home Affairs. However, if their attendance falls again, they will receive further warnings and notices based on the number of days absent and calculation stated in this policy, independent of any prior decisions.

4. ATTENDANCE PROCEDURE

- 4.1. The College is committed to pro-active attendance monitoring and contacting, warning and supporting students at risk of not maintaining satisfactory attendance. This policy is supported by the **Attendance Procedure**.

5. GUIDELINES AND REFERENCES

- 5.1. Education Services for Overseas Students (ESOS) Act 2000
- 5.2. National Code of Practice for Providers of Education and Training to Overseas Students 2018
- 5.3. English Language Programs Course Progress Policy
- 5.4. English Language Programs Student Complaint Handling Resolution

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STATUS AND DETAILS

Status	Current			
Version	7			
Effective Date	21 March 2025			
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Unit Responsible	English Language Centre			
Enquiries Contact	Director, English Language Centre E: j.park@westernsydney.edu.au			
Available On	SharePoint	☐	Website	☒

Summary of Changes from Previous Version

Update references and terms, simplify language to enable it to be easily understood, provide additional clarity to clauses.