COURSE PROGRESS AND ATTENDANCE POLICY FOR OVERSEAS STUDENTS

1. Course Progress

a. Scotch College will monitor, record and assess the course progress of each student for the course in which the student is currently enrolled.
b. The course progress of all students will be assessed at the end of each study period (also known as a semester) of enrolment.
c. Students who have begun part way through a semester will be assessed after one full study period of attendance.
d. To demonstrate satisfactory course progress, students will need to achieve competency in at least 50 per cent of units in any study period.
e. If a student is at risk of not meeting the course progress requirements or does not achieve competency in at least 50 per cent of units studied in a study period, the Head of Year or Head of House will meet with the student to develop an intervention strategy for academic improvement. This may include:
   ◦ additional supervised study sessions
   ◦ tutorial assistance, and/or
   ◦ other intervention strategies, as deemed necessary
f. A copy of the student’s individual strategy and progress reports in achieving improvement will be forwarded to his parents.
g. The student’s individual strategy for academic improvement will be monitored over the following semester by the Head of Year or Head of House, and records of student response to the strategy will be kept.
h. If the student does not improve sufficiently academically and achieve satisfactory course progress by the end of the next study period, Scotch College will advise the student and the parents of the student in writing of its intention to report the student for breach of visa condition 8202, and that he has 20 working days in which to access the School’s internal complaints and appeals process.
i. The College will notify the Department of Education, Employment and Workplace Relations (DEEWR) via the Provider Registration and International Student Management System (PRISMS) of the student not achieving satisfactory course progress as soon as practicable, where:
   ◦ the student does not access the complaints and appeals process within 20 days, or
   ◦ the student withdraws from the complaints and appeals process, or
   ◦ the complaints and appeals process is completed and results in a decision supporting the College.

2. Completion within Expected Duration of Study (course progression)

a. As noted in 1.a., the College will monitor, record and assess the course progress of each student for the course in which the student is currently enrolled.
b. Part of the assessment of course progress at the end of each semester will include an assessment of whether the student’s progress is such that he is expected to complete his course within the expected duration of the course.
c. The College will only extend the duration of the student’s study where the student will not complete his course within the expected duration, when:
   ◦ there are compassionate or compelling circumstances
   ◦ there is student participation in an intervention strategy, as outlined in 1.e., or
   ◦ an approved deferment or suspension of study has been granted in accordance with Scotch College’s Deferment, Suspension and Cancellation Policy.
d. Where the College decides to extend the duration of the student’s study, the School will report via PRISMS and/or issue a new Certificate of Enrolment (CoE), if required.

3. Course Attendance

a. Satisfactory course attendance consists of attendance during 80 per cent of scheduled course contact hours.
b. Student attendance is:
   ◦ checked and recorded daily
   ◦ assessed regularly, and
   ◦ recorded and calculated over each semester.
c. Late arrival at School will be recorded and will be included in attendance calculations.
d. All absences from School should be accompanied by a medical certificate, an explanatory communication from the student’s carer, or evidence that leave has been approved by the Head of Year or Head of House.
e. Any absences longer than five consecutive days without approval will be investigated.
Course Attendance continued …

f. Student attendance will be monitored by the Student Contact Officer every two weeks over a semester to assess student attendance, using the following method:

- Calculating the percentage of days the student has been absent as a fraction of the total number of days in the semester. A half-day absence is counted as 0.5 days.
- Any period of exclusion from class will not be included in student attendance calculations.

g. Students who have been absent for more than 5 days without approval or are at risk of breaching Scotch College’s attendance requirements will be counselled and offered any necessary support. Such support will also be provided when they have been absent for more than 10 per cent of scheduled contact hours.

h. If the College has assessed that the student has failed to achieve satisfactory course attendance for the semester, Scotch College will advise the student and the parents of the student in writing of its intention to report the student for breach of visa condition 8202, and that he has 20 working days in which to access the College’s internal complaints and appeals process, except in the circumstances outlined in 3.j.

i. The College will report through PRISMS that the student has not achieved satisfactory course attendance as soon as practicable, where:

- the student does not access the complaints and appeals process within 20 days, or
- withdraws from the complaints and appeals process, or
- the complaints and appeals process is completed and results in a decision supporting the College.

j. The College may decide not to report a student for failing to meet the 80 per cent threshold, where:

- the student produces documentary evidence clearly demonstrating compassionate or compelling circumstances; e.g., medical illness supported by a medical certificate
- he has not fallen below 70 per cent attendance for the semester; and
- this is consistent with the College’s documented attendance policies and procedures.

k. The method for calculating 70 per cent attendance is the same as that outlined in 3.f.

l. If a student is assessed as having nearly reached the threshold for 70 per cent attendance, the Principal or his delegate will assess whether a suspension of studies is in the interests of the student, under Scotch College’s Deferment, Suspension and Cancellation Policy.

m. If the student does not obtain a suspension of studies under the Scotch College Deferment, Suspension and Cancellation Policy, and falls below the 70 per cent threshold for attendance, the process for reporting the student for unsatisfactory attendance (breach of visa condition 8202) will occur as outlined in 3.h. – 3.i.

4. Definitions

a. Compassionate or compelling circumstances – circumstances beyond the control of the student which are having an impact on the student’s progress through a course. These could include:

- serious illness, where a medical certificate states that the student was unable to attend classes
- bereavement of close family members such as parents or grandparents
- major political upheaval or natural disaster in the student’s home country, requiring emergency travel which has impacted on studies
- a traumatic experience which has impacted on the student. (Where possible, these cases should be supported by police or psychologists’ reports.)
- where the College was unable to offer a pre-requisite unit, or
- inability to begin studying on the course commencement date, due to a delay in receiving a student visa.

For other circumstances to be considered as compassionate or compelling, evidence would need to be provided to show that these circumstances were having an impact on the student’s progress through a course.

b. Expected duration – the length of time it takes to complete the course, studying full-time. This is the same as the registered course duration on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).

c. School day – any day for which the College has scheduled course contact hours.
COMPLAINTS AND APPEALS POLICY FOR OVERSEAS STUDENTS

1. Purpose
   a. The purpose of Scotch College’s Complaints and Appeals Policy is to provide an Overseas Student with the opportunity to access procedures to facilitate the resolution of disputes or complaints.
   b. The internal complaints and appeals processes are conciliatory and non-legal.

2. Complaints against other students
   Grievances brought by a student against another student will be dealt with as described in the Guide to Scotch College handbook.

3. Informal complaints resolution
   a. In the first instance, Scotch College requests that there is an attempt to resolve the issue informally through mediation or other means of informal resolution of the complaint.
   b. Students should contact the Head of Year, Head of House or Head of Middle/Upper School in the first instance to attempt mediation/informal resolution of the complaint.
   c. If the matter cannot be resolved through mediation, it will be referred to the Principal or Vice Principal, and Scotch College’s internal formal complaints and appeals handling procedure will be followed. Depending on the nature of the complaint, other staff may also be involved; e.g., boarding issues may involve the Head of Boarding House or Dean of Boarding, and specific issues relating to an academic subject may involve the Head of Department.

4. Formal complaints handling procedure
   a. The process of this grievance procedure is confidential, and any complaints or appeals are a matter between the parties concerned and those directly involved in the complaints handling process.
   b. The student must notify the College in writing of the nature and details of the complaint or appeal.
   c. Written complaints or appeals are to be lodged with the Principal.
   d. Where the internal complaints and appeals process is being accessed because the student has received notice from the College that it intends to report him for unsatisfactory course attendance, unsatisfactory course progress or suspension or cancellation of enrolment, the student has 20 days from the date of notification in which to lodge a written appeal.
   e. Internal complaints and appeals processes are available to students at no cost.
   f. Each complainant has the opportunity to present his/her case to the Principal or Vice Principal.
   g. Students may be accompanied and assisted by a support person at all relevant meetings.
   h. The formal grievance process will commence within 10 working days during term time of the lodgment of the complaint or appeal with the Principal.
   i. Once the Principal/Vice Principal has come to a decision regarding the complaint or appeal, the student will be informed in writing of the outcome and the reasons for the outcome.
   j. If the grievance procedure finds in favour of the student, Scotch College will immediately implement the decision and any corrective and preventative action required.
   k. Scotch College undertakes to finalise all grievance procedures within 14 working days.
   l. For the duration of the appeals process, the student is required to maintain enrolment and attendance at all classes as normal, unless directed otherwise by the Principal/Vice Principal.
   m. Students who have had an application for deferment or suspension refused are not permitted to access the College’s complaints and appeals process.
COMPLAINTS AND APPEALS POLICY FOR OVERSEAS STUDENTS
continued ...

5. External appeals process
   a. If the complaints procedure does not find in favour of the student, or the student is dissatisfied with the result of the complaints procedure, he will be informed of the external complaints and appeals process available to him at minimal or no cost.

   b. A student wishing to lodge an external appeal or complaint about a decision can contact the Overseas Students Ombudsman. The Ombudsman offers a free and independent service for Overseas Students who have a complaint, or want to lodge an external appeal about a decision made by their private education or training provider. More information is available on the Overseas Students Ombudsman website: www.oso.gov.au, or by phoning 1300 362 072.

6. Definitions
   a. Working day – any day other than a Saturday, Sunday or public holiday during term time.

   b. Student – a student enrolled at Scotch College, or the parent(s)/legal guardians of a student where that student is under 18 years of age.

   c. Support person – a friend/teacher/relative not involved in the grievance. Legal practitioners and/or education agents are not acceptable support persons at this stage of the complaints handling process.

   d. Overseas Student – a person (whether within or outside Australia) who holds a student visa as defined by the Education Services for Overseas Students (ESOS) Act, but not including students of a kind prescribed in the ESOS regulations. Where the student is under 18 years of age and the student is required to exercise rights or enter obligations as a legal person, this term may refer to the student’s parent(s) or legal guardians.
OVERSEAS STUDENT TRANSFER REQUEST ASSESSMENT POLICY

1. Overseas Students are restricted from transferring from their principal course of study prior to completing a period of six months of their principal course of study. This restriction also applies to any course(s) packaged with their principal course of study.

2. Students can apply for a letter of release to enable them to transfer to another education provider within the six month period providing the conditions in this Policy are met.

3. Scotch College will only provide a letter of release to students in the first six months of their principal course in the following circumstances:
   - the student has changed welfare and accommodation arrangements, and is no longer living within a reasonable travelling time of the School, or
   - the College has agreed that the student would be better placed in a course that is not available at Scotch College, or
   - for any other reason stated in Scotch College’s policies.

4. Scotch College will not provide a letter of release to students in the first six months of their principal course in the following circumstances:
   - Scotch College considers that the student’s progress is likely to be academically disadvantaged; or
   - Scotch College is concerned that the student’s application to transfer is a consequence of the adverse influence of another party; or
   - the College otherwise considers that the transfer would be detrimental to the wellbeing of the student.

5. In order to apply for a letter of release, students must have a letter from the receiving provider that a valid offer of enrolment has been made.

6. Students under 18 years of age must also have:
   - Written evidence that the student’s parent(s)/legal guardians support the transfer.
   - Written confirmation that the new provider will accept responsibility for approving the student’s accommodation, support and general welfare arrangements, where the student is not living with parent(s)/legal guardians or a suitable nominated relative.

7. All applications for transfer will be considered within 14 working days in term time and the applicant notified of the decision.

8. Students whose request for transfer has been refused may appeal the decision in accordance with Scotch College’s Complaints and Appeals Policy. The Complaints and Appeals Policy is available from the College’s Admissions Office.
DEFERMENT, SUSPENSION AND CANCELLATION POLICY FOR OVERSEAS STUDENTS

1. Deferment of commencement of study requested by student

   a. Scotch College will only grant a deferment of commencement of studies on grounds of compassionate and compelling circumstances. These include, but are not limited to:
      - illness, 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 student’s home country, requiring emergency travel that has impacted on studies
      - a traumatic experience which has impacted on the student. (Where possible, these cases should be supported by police or psychologists’ reports.)

   b. The final decision for assessing and granting a deferment of commencement of studies lies with the Principal.

   c. Deferment will be recorded on the Australian Government’s PRISMS system, depending on the student’s Certificate of Enrolment status.

2. Suspension of study requested by student

   a. Once a student has commenced a course, Scotch College will only grant a suspension of study on grounds of compassionate and compelling circumstances. These include, but are not limited to:
      - illness, 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 student’s home country, requiring emergency travel that has impacted on studies
      - a traumatic experience which has impacted on the student. (Where possible, these cases should be supported by police or psychologists’ reports.)

   b. Suspensions will be recorded on PRISMS.

   c. The period of suspension will not be included in attendance calculations.

   d. The final decision for assessing and granting a suspension of studies lies with the Principal.

   e. Students who have had an application for deferment or suspension refused are not permitted to access the College’s complaints and appeals process.

3. Assessing requests for deferment or suspension of studies

   a. Applications will be assessed on merit by the Principal or his delegate.

   b. All applications for deferment or suspension will be considered within 14 working days during a school term.

4. Exclusion from class (one to 28 days)

   a. Scotch College may exclude a student from class studies on the grounds of misbehaviour by the student. Exclusion may occur as the result of any behaviour identified as resulting in exclusion, as described in the rules, expectations and policies set out in the Guide to Scotch College handbook.

   b. Excluded students must abide by the conditions of their exclusion from studies, which will depend on the welfare and accommodation arrangements in place for each student, to be determined by the Principal or his delegate.

   c. Where the student is provided with homework or other studies for the period of the exclusion, the student must continue to meet the academic requirements of the course.

   d. Periods of ‘exclusion from classes will not be recorded on PRISMS.

   e. Periods of ‘exclusion from classes will not be included in attendance calculations, as per Scotch College’s Course Progress and Attendance Policy.
5. **School-initiated suspension of studies (more than 28 days)**
   a. Scotch College may initiate a suspension of studies for a student on the grounds of misbehaviour by the student. Suspension will occur as the result of any behaviour identified as resulting in suspension in the *Guide to Scotch College* handbook.
   b. Suspended students must abide by the conditions of their suspension from studies, which will depend on the welfare and accommodation arrangements in place for each student, to be determined by the Principal or his delegate.
   c. Students who have been suspended for more than 28 days are required to return to their home country by the Department of Immigration and Citizenship (DIAC) unless special circumstances exist (e.g., the student is medically unfit to travel).
   d. If special circumstances exist, the student must abide by the conditions of his or her suspension, which will depend on the welfare and accommodation arrangements in place for each student, to be determined by the Principal or his delegate.
   e. Suspensions will be recorded on PRISMS.
   f. The period of suspension will not be included in attendance calculations.

6. **Cancellation of enrolment**
   a. Scotch College may cancel the enrolment of a student under the following conditions:
      - failure to pay course fees
      - failure to maintain approved welfare and accommodation arrangements (visa condition 8532), or
      - any behaviour identified as resulting in cancellation, as described in the *Guide to Scotch College* handbook.
   b. Scotch College is required to report failure to maintain satisfactory course progress and failure to maintain satisfactory attendance to the DIAC, which will result in automatic cancellation.

7. **Complaints and appeals**
   a. Student-requested deferment and suspension are not subject to Scotch College’s Complaints and Appeals Policy.
   b. Exclusion from class is subject to Scotch College’s Complaints and Appeals Policy.
   c. School-initiated suspension, where the suspension is to be recorded in PRISMS, and cancellation are subject to Scotch College’s Complaints and Appeals Policy.
   d. For the duration of the appeals process, the student is required to maintain his enrolment and attendance at all classes as normal, unless directed otherwise by the Principal. The Principal or his delegate will determine if participation in studies will be in class or under a supervised arrangement outside of class.
   e. If students access Scotch College’s complaints and appeals process regarding a School-initiated suspension or cancellation where the suspension or cancellation is recorded in PRISMS, the suspension or cancellation will not be reported in PRISMS until the complaints and appeals process is finalised, unless extenuating circumstances relating to the welfare of the student apply.
   f. Extenuating circumstances include:
      - the student refusing to maintain approved welfare and accommodation arrangements
      - the student is missing
      - the student has medical concerns, severe depression or psychological issues, which lead the College to fear for the student’s wellbeing
      - the student has engaged or threatened to engage in behaviour that is reasonably believed to endanger the student or others
      - the student is at risk of committing a criminal offence, or
      - the student is the subject of investigation relating to criminal matters.
   g. The use of extenuating circumstances by Scotch College to suspend or cancel a student’s enrolment prior to the completion of any complaints and appeals process will be supported by appropriate evidence.
   h. The final decision for evaluating extenuating circumstances lies with the Principal.

8. **Student advice**
   Deferment, suspension and cancellation of enrolment can have an effect on a student’s visa as a result of changes to enrolment status. Students will be instructed to contact the Department of Immigration and Citizenship for advice.

9. **Definition**
   Day – any day including weekends and public holidays in or out of term time.
REFUND POLICY FOR OVERSEAS STUDENTS’ FEES

1. All course monies, including tuition fees and boarding fees, must be paid directly to the School and not to education agents. This refund policy applies to tuition fees and boarding fees paid to the College.

2. Fees for services paid to education agents by students (or parent(s)/legal guardians if the student is under 18) are not covered by this refund policy.

3. The application fee and holding fee are non-refundable.

4. Payment of course fees and refunds
   - Fees are payable in three instalments per year and charged an instalment in advance. Accounts are sent in September of the year prior to entry, then in February, May and September each year. Accounts for boarding fees are sent in February, May and September each year. When a student is in his final year at School, no account for a tuition instalment will be rendered in September of that year. A student in the first study period (semester) of his course is not required to pay the February and May instalments until two weeks before the start of the second study period.
   - All fees must be paid in Australian dollars to the Bursar within 14 days of the rendering of an account, with the exception of fees for a student in the first study period of his course, in which case the February and May instalments are not required to be paid until two weeks before the start of the second study period. The Bursar is authorised by the Scotch College Council to take steps he may deem necessary by civil process in his own name, or otherwise, to recover unpaid fees or accounts from either parents or guardians.
   - Where any instalment is not paid in full within 14 days of the rendering of an account, the parents or guardians are liable to pay the College liquidated damages calculated at the rate of 12 per cent per annum on the amount outstanding, from the first date on which the instalment became overdue, for breach of contract.
   - No boy will be permitted to enter on a new term at the College while any part of the fees for a previous instalment period are unpaid, unless the Scotch College Council, or an appointed committee of the Council, or a delegated person, expressly relaxes this condition in his particular case.
   - Boys entering for the first time after the beginning of a year will be charged pro rata tuition fees.
   - If the student changes visa status (e.g., he becomes a temporary or permanent resident) the College must be notified immediately in writing, and he will continue to pay full Overseas Students’ fees until the next instalment is charged.
   - Refunds will be reimbursed in Australian dollars and the payment sent to the applicant’s home country unless otherwise requested in writing.
   - Refunds will be paid to the parents specified in the Written Agreement.
   - Refer to the College’s Business Notice on the reverse of the Application Form for further details in relation to fees.

5. Refund of course fees
   - Scotch College’s refund policy applies to all tuition fees and boarding fees paid to the School.
   - The application fee, which is paid with each application for a place for a student at the College, and the enrolment fee and holding fee, which are paid to confirm an offer of a place, are not refundable.

6. Unsuccessful enrolment/visa rejection
   The College will refund within 28 days all tuition fees paid where the student’s application for enrolment is refused by the School, or the student produces evidence that the application made by the student for a student visa has been rejected by the Australian immigration authorities.
7. Student default

a. All notification of withdrawal from a course, or applications for refunds, must be made in writing and submitted to the Principal.

b. A term’s notice in writing by the parent(s)/legal guardians to the Principal is required before the removal of a boy, from either the day school or boarding school, failing which the fees for half an instalment period, both for tuition and boarding are payable.

c. The College will refund within 28 days of the receipt of written notification of withdrawal by the parent(s)/legal guardians, tuition fees paid by or on behalf of the student less the amounts to be retained as agreed and described in this policy.

d. In cases where a student’s enrolment is cancelled for any of the following reasons:
   - failure to maintain satisfactory course progress (visa condition 8202)
   - failure to maintain satisfactory attendance (visa condition 8202)
   - failure to maintain approved welfare and accommodation arrangements, if applicable (visa condition 8532)
   - failure to pay tuition fees, overseas student charges or boarding fees, or
   - any behaviour identified as resulting in enrolment cancellation in the Guide to Scotch College handbook

then all fees would be payable up to the date when the enrolment was cancelled. Fees paid in advance for educational services beyond this date would be refunded.

8. School default

In the unlikely event that Scotch College is unable to deliver a course in full, and if the student cannot be placed in an alternative course, the School will refund any unspent tuition fees (calculated in accordance with legal requirements). The refund will be paid within 14 days of the day on which the course ceased being provided.

9. This agreement, and the availability of complaints and appeals processes, does not remove the right of the student to take action under Australia’s consumer protection laws.

10. Refer to the College’s Business Notice on the reverse of the Application Form and Enrolment Form, for further details in relation to refund of fees.
THE ESOS FRAMEWORK – PROVIDING QUALITY EDUCATION AND PROTECTING RIGHTS

The Australian Government wants overseas students in Australia to have a safe, enjoyable and rewarding place to study. Australia’s laws promote quality education and consumer protection for overseas students. These laws are known as the ESOS framework, and include the Education Services for Overseas (ESOS) Act 2000 and the National Code.

PROTECTION FOR OVERSEAS STUDENTS

Overseas students on student visas must study with an education provider and in a course that can be found on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) at http://cricos.dest.gov.au. CRICOS registration guarantees that course and education providers meet the high standards necessary for overseas students. Students should check carefully that the details of a course – including its location – match the information on CRICOS.

STUDENTS’ RIGHTS

The ESOS framework protects students’ rights, including:

- Their right to receive, before enrolling, current and accurate information about the courses, fees, modes of study and other information from the provider and provider’s agent. If students are under 18, to ensure their safety they will be granted a visa only if there are arrangements in place for their accommodation, support and welfare.
- Their right to sign a written agreement with the provider before or as fees are paid, setting out the services to be provided, fees payable and information about refunds of course money. Students should keep a copy of the Written Agreement.
- Their right to receive the education they paid for. The ESOS framework includes consumer protection that will allow them to receive a refund or to be placed in another course if the provider is unable to teach their course.
- The students’ right to know:
  - how to use the provider’s student support services
  - who the contact officer or officers are for overseas students
  - if students can apply for course credit when enrolment can be deferred, suspended or cancelled
  - what the provider’s requirements are for satisfactory progress in the courses students study
  - if attendance will be monitored for those courses
  - at will happen if the student wishes to change providers; and
  - how to use the provider’s complaints and appeals process.

STUDENTS’ RESPONSIBILITIES

As overseas students on student visas, students have responsibilities to:

- satisfy student visa conditions
- maintain Overseas Student Health Cover (OSHC) for the period of their stay
- meet the terms of the Written Agreement with the provider
- inform the provider if the student changes address;
- maintain satisfactory course progress;
- if attendance is recorded for the course, follow the provider’s attendance policy; and
- if the student is under 18, maintain approved accommodation, support and general welfare arrangements.

Contact Details:

<table>
<thead>
<tr>
<th>Service Provider</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scotch College</td>
<td>For policies and procedures at the school.</td>
</tr>
<tr>
<td>Department of Education Science and Training (DEST)</td>
<td>For your ESOS rights and responsibilities.</td>
</tr>
<tr>
<td>Department of Immigration and Citizenship (DIAC)</td>
<td>For visa matters.</td>
</tr>
</tbody>
</table>

MR I TOM BATTY, PRINCIPAL
(May 2015)