# ISP Modes of Study Policy

## Purpose

This policy provides guidance relating to the optional modes of study available to secondary school international students holding a subclass 500 Student – Schools visa or 571 Schools Sector visa (international students or students) enrolled in the International Student Program (ISP).

This policy is for Department of Education and Training (International Education Division) (DET (IED)) staff, international students, parents, legal guardians, DET-accredited education agents and schools.

## Scope

This policy is applicable to international students participating in, or considering participating in, modes of study that include online learning or studies delivered through a third-party education provider involving community-based learning.

These studies are limited to:

* online studies with the Victorian School of Languages (VSL)
* online studies with Virtual School Victoria (VSV)
* Victorian Certificate of Education (VCE) language studies at a community language school.

International students are not able to participate in the following studies, because these are not offered as part of the International Student Program:

* Victorian Certificate of Applied Learning (VCAL) studies, except for students being taught out in 2020–21
* VCE and VCAL Vocational Education and Training (VET) studies, except for students being taught out in 2020–21
* Higher Education studies at a university
* online studies through the Victorian Learning Network, Emerging Science Victoria or with any other provider.

## Policy

* Once enrolled in a Victorian government school, it is expected that an international student will undertake their studies at their host school and that the studies will be delivered face-to-face. However, in limited circumstances and after conducting international student and third-party education provider assessments, a principal may permit an international student to undertake a subject that is not offered at their school:
  + via online learning – limited to online studies with the VSL or VSV only, or
  + through a third-party education provider involving community-based learning – limited to VCE language studies with a community language school.
* Where an international student is permitted to undertake a subject via these modes of study, the student is limited to studying one subject per study period (semester).
* In compelling circumstances, and on a case-by-case basis, DET (IED) may permit an international student to undertake two subjects per semester.
* In all situations where an international student has been permitted to study select subjects via these modes of study, it is understood that DET retains responsibility for the provision of the international student's course of study, and the student is undertaking individual subjects via these modes of study only as a component of the student's normal school course.
* To ensure that an international student receives appropriate support during these modes of study, a member of staff from the student’s host school must be nominated by the principal as the student’s school supervisor.

### Third-party education providers and agreements

* The school supervisor must conduct a suitability and risk assessment and community language school site inspection prior to the international student being allowed to study with a community language school. The site inspection ensures the community language school has appropriate staff and education resources, including facilities, equipment, learning and library resources and premises as are needed to deliver the subject to the international student.
* The school supervisor must conduct a new suitability and risk assessment and community language school site inspection each year or immediately if the community language school’s premises change while the student is studying. The community language school must provide at least 4 weeks advance notice to the school of any intention to change premises to enable a new site inspection to be conducted without disrupting the student’s study.
* Once the assessments have been conducted, the school supervisor must send the assessments, which must be signed by the principal, and the draft third-party agreement to DET (IED). DET (IED) must approve the third-party arrangement before the school can enter into an agreement with the community language school.
* Once DET (IED) has approved the third-party arrangement and the school has entered into an agreement with the community language school, the school supervisor is required to provide DET (IED) with a full copy of the signed third-party agreement prior to an international student commencing studies with the community language school.
* The third-party agreement template for international students participating in VCE language studies at a community language school can be found here: link and agreement to be created.
* The VSL and VSV are Victorian government schools and are not considered third-party education providers and schools do not need to enter into a third-party agreement with the VSL or VSV.

### Online learning

* A principal may permit an international student to study a subject with the VSL or VSV through online learning. Please note, the VSL refers to this mode of study as distance education which differs to the definition of distance learning provided in the National Code.
* Each semester the international student must study at least one unit that is not by online learning, unless the student is completing the last unit of their course. As the international student will only undertake limited subjects through online learning, this requirement should be met. None-the-less, the school supervisor should check the international student’s study load to ensure this is the case.
* Schools must demonstrate that they have taken all reasonable steps to support international students who may be disadvantaged by taking part of their course by online learning. To demonstrate this, prior to permission being granted for a student to undertake online learning, schools must complete an international student suitability assessment to determine any additional supports the student may require, and, if the student’s participation is permitted, provide the supports at no cost to the student.
* Prior to permitting an international student to participate in online learning, schools must have in place an Acceptable Use Agreement relating to the use of internet and other online and digital technologies. The school supervisor must explain the agreement to the student, talk to the student about online cybersafety, and have the student sign the agreement. A DET Acceptable Use Agreement template can be found online at: <https://www.education.vic.gov.au/about/programs/bullystoppers/Pages/lolconsent.aspx>.
* VCE language studies via online learning with the VSL will require international students to participate in several day-long, face-to-face seminars throughout the year. These seminars allow participants to meet other students and their teachers, learn about VCE language subject requirements and get advice on how to achieve their best results.
* International students participating in online learning with the VSL can access online learning resources and are able to create and participate in online forums and groups with other students and their VSL teacher. These forums and groups are monitored by their VSL teacher.

### Payment for these modes of study

* The fees and charges that an international student accepts in their written agreement to study in a Victorian government school includes provision for the study options outlined in this policy and an international student is not required to pay any additional fees for undertaking studies via these modes of studies.
* Schools are responsible for paying all subject and material-related costs associated with an international student’s participation in a VCE language subject delivered by a community language school from the funds the school receives from DET (IED) for the international student. Schools must not require an international student to pay any additional tuition or non-tuition fees for these studies.
* Schools are not required to pay for an international student’s participation with the VSL or VSV, as DET (IED) has an arrangement to disburse payment for these studies to the VSL or VSV directly.

### Qualifications and credit

* An international student participating in studies delivered through online learning and by third-party education providers cannot gain a qualification or partial qualification for these studies.
* In some cases, an international student may earn credit towards their mainstream schooling if they achieve the required outcomes of these studies. Schools should advise an international student prior to their participation in these studies whether or not they can earn credit towards their mainstream schooling.

### Monitoring international student attendance and course progress

* International students holding a 500 Student - Schools visa or 571 Schools Sector visa have visa conditions that require them to maintain adequate attendance and course progress as a condition of their visa, as described in the [ISP Attendance Policy](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Attendance_Policy.docx) and the [ISP Course Progress Policy](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Course_Progress_Policy.docx). This includes attendance and course progress in any online learning or community-based learning undertaken by an international student.
* Accordingly, the school supervisor must monitor and record an international student’s attendance when they are participating in these modes of study. This means a weekly attendance report must be sent by the provider to the school supervisor to record attendance. DET’s third-party agreements require community language schools to report attendance on a weekly basis. The school supervisor is responsible for following up with the provider if the school does not receive the weekly attendance report.
* The school supervisor must also monitor the international student’s course progress by reviewing the student reports supplied by the provider. In addition, the school supervisor should respond immediately to any advice from the provider that indicates the student is experiencing learning difficulties in accordance with the [ISP Course Progress Policy](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Course_Progress_Policy.docx) for early intervention to mitigate any risk to the student of not maintaining satisfactory subject progress. The school supervisor must liaise with the provider to ensure all reasonable learning and welfare support is offered to the student.

### Child Safety

* Before a student participates in a subject delivered via these modes of study, the school supervisor must complete an international student suitability assessment together with a third-party education provider suitability and risk assessment. This helps the school identify student vulnerabilities and potential risks that need to be addressed to ensure the Department’s obligations with respect to child safety are met.
* Providers offering these modes of study are subject to the following child safe requirements:
  + The VSL is a Victorian government school and is subject to [Ministerial Order 870 – Child Safe Standards – Managing the Risk of Child Abuse in Schools](https://www.vrqa.vic.gov.au/childsafe/Pages/documents/Min%20Order%20870%20Child%20Safe%20Standards.pdf). The [VSL’s Child Safe Strategy](https://www.vsl.vic.edu.au/Resource/Policies/Major%20Policies/Child%20Safe%20Strategy.pdf) is available on their website.
  + VSV is a Victorian government schools and is subject to [Ministerial Order 870 – Child Safe Standards – Managing the Risk of Child Abuse in Schools](https://www.vrqa.vic.gov.au/childsafe/Pages/documents/Min%20Order%20870%20Child%20Safe%20Standards.pdf). The [VSV’s Child Safe Standard policy statements](http://www.distance.vic.edu.au/wp-content/uploads/2018/10/Child-Safe-Standards.pdf) are available on their website.
  + Community languages schools are accredited and audited by DET and must comply with child safe standards as a DET accreditation requirement. DET also funds the [Ethnic Schools Association of Victoria](https://www.communitylanguages.org.au/Child-Safe.php) to ensure each community language school complies with Child Safe Standards and to assist schools to embed the standards in the culture of each school and to report, manage and document any incidents.

### Complaints

* Where an international student has a complaint that they have not been able to address informally with the provider, the school supervisor should instruct the student to lodge a formal complaint with the International Education Division. [ISP Complaints and Appeals Policy](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Complaints_and_Appeals_Policy.docx.) and the [ISP Complaints Form](https://www.study.vic.gov.au/Shared%20Documents/en/ComplaintsForm.pdf) can be accessed online under *Brochures and Forms* on [www.study.vic.gov.au](http://www.study.vic.gov.au).

### International student support

* To ensure that an international student receives appropriate support during online studies with the VSL or VSV, or VCE language studies with a community language school, a member of staff at the student’s host school must be nominated by the principal as the student’s school supervisor.
* The school supervisor should:

#### Prior to principal approval

* + assess and document any additional learning support an international student may require to engage in these modes of study using the [ISP Modes of Study Assessments](https://study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Modes_of_Study_Assessments.docx) document
  + ensure that the international student understands the requirements of their chosen mode of study and understands the outcomes required to earn any credit towards their mainstream schooling
  + ensure that the international student and their parents are aware that the student cannot gain a qualification or partial qualification for these modes of study
  + ensure the international student understands that they can raise concerns about their study or relating to their safety or wellbeing with them
  + discuss what constitutes acceptable behaviour by the international student, other students, instructors and others with the student
  + discuss the importance of student safety and wellbeing, relevant safeguards the school has in place in this area and that the student can raise any concerns with them
  + ensure the school has an acceptable use agreement in place, explain it to the international student, discuss online safety and ask the student to sign the agreement, if the student is engaging in online study
  + conduct a suitability and risk assessment and community language school site inspection, if the student is engaging in VCE languages studies at a community language school
  + seek the principal’s approval for the international student to participate in these modes of study.

#### Post principal approval

For studies at community language schools only

* + seek approval from DET (IED) for a third-party arrangement prior to entering into an agreement by emailing DET (IED) a copy of the completed [ISP Modes of Study Assessments](https://study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Modes_of_Study_Assessments.docx) document and a draft of the third-party agreement
  + once the arrangement is approved by DET (IED), email a copy of the completed, signed third-party agreement to DET (IED) before the student starts studying at the community language school
  + conduct a new third-party education provider suitability and risk assessment and site inspection every year or immediately if the community language school’s premises change while the student is studying

For studies online only

* + for online studies with the VSL or VSV, email the assessment documents and a copy of the acceptable use agreement that has been signed by the student to DET (IED)

For studies at community language schools and online

* + inform the provider of any additional support arrangements the school will provide if the student has additional support needs
  + meet with the student in the week following their first class to ask if they have any questions or concerns, and once per term subsequently while the student is studying, unless more frequent meetings have been identified as an additional support requirement for the student
  + assist the international student with any questions or concerns they raise and facilitate liaison between the student and provider, if necessary
  + direct the international student to lodge a formal complaint with DET (IED) if a matter with the provider cannot be resolved informally
  + record the student’s attendance for these modes of study each week to ensure compliance with the student’s visa conditions. Follow up with the provider immediately if attendance reports are not provided
  + monitor the student’s progress by reviewing reports from the provider and follow the [ISP Course Progress Policy](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Course_Progress_Policy.docx) to ensure the student is not at risk of failing to maintain satisfactory course progress
  + respond promptly to any provider notification that the student is experiencing learning difficulties with the subject to avoid the student becoming at risk of not maintaining satisfactory course progress.

## Roles and responsibilities

* The **Portfolio Director, International Education, IED**, is responsible for the maintenance and updating of this policy.
* The **Executive Director, IED**, is responsible for the approval of this policy as the nominated Principal Executive Officer of DET as a Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) registered provider.
* The **school supervisor** is responsible for undertaking pre and post-approval administrative and support tasks.
* The **principal** is responsible for approving an international student’s participation in studying via these modes of study after considering the assessments that have been conducted.

## Legislation

* *Migration Act 1958* (Cth)
* *Education Services and Overseas Students Act 2000* (Cth)
* *ESOS National Code of Practice for Providers of Education and Training to Overseas Students 2018* (Cth)
* *Education Training and Reform Act 2006* (Vic)
* *Child Wellbeing and Safety Act 2005* (Vic)
* *Health Records Act 2001* (Vic)
* *Privacy and Data Protection Act 2014* (Vic)
* *Public Records Act 1973* (Vic)
* *Ministerial Order 870 – Child Safe Standards – Managing the Risk of Child Abuse in Schools* (Vic)

## Associated documents

* [ISP Modes of Study Procedure](https://study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Modes_of_Study_Procedure.docx)
* [ISP Course Progress Policy](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Course_Progress_Policy.docx)
* [ISP Attendance Policy](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Attendance_Policy.docx)
* [ISP Modes of Study Assessments](https://study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Modes_of_Study_Assessments.docx)
* [DET Acceptable Use Agreement Template](https://www.education.vic.gov.au/about/programs/bullystoppers/Pages/lolconsent.aspx)
* [ISP Complaints and Appeals Policy](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Complaints_and_Appeals_Policy.docx.)
* [ISP Complaint Form](https://www.study.vic.gov.au/Shared%20Documents/en/ComplaintsForm.pdf)

## Definitions

* **DET (IED)** – Department of Education and Training – International Education Division. IED is the division in DET that administers the International Student Program in Victorian government schools. IED is not a separate entity to DET. DET is the CRICOS-registered provider.
* **International students or students** for the purpose of this policy are defined as secondary school students participating in the ISP under a subclass 500 Student – Schools visa or 571 Schools Sector visa.
* **International Student Program (ISP)** for the purpose of this policy is defined as DET’s ISP administered by the DET International Education Division (IED).
* **Online learning** refers to language studies mostly conducted through electronic communication with the VSL. The VSL refers to online learning as distance education.
* **Parent** refers to the parent(s) or legal guardian(s) of an international student.
* **Providers** refers to community language schools (a third-party provider) and the Victorian School of Languages (a Victorian government school).
* **School** means any Victorian government school accredited by DET (IED) to deliver an international student program.
* **School supervisor** refers to a staff member at the school nominated to provide support to an international student participating in, or considering participating in, these modes of study.
* **Third-party education providers** refers to community language schools delivering VCE languages.
* **VCAL** means Victorian Certificate of Applied Learning
* **VCE** means Victorian Certificate of Education
* **VSL** means Victorian School of Languages.
* **VSV** means Virtual School Victoria.

## Policy contact and maintenance officer

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## Authorised

Executive Director, International Education Division

**Date of authorisation**: 03/02/2020

**Review frequency**: This policy will be reviewed at minimum every 24 months or when any changes arise impacting its currency, including legislative or regulation change.