



# International students – course progress

This fact sheet is all about **maintaining satisfactory course progress**, including:

- » the rules about course progress
- » intervention strategies
- » the role of the Commonwealth Ombudsman, and
- » tips for international students.

## Course progress

### Why do I have to maintain satisfactory course progress?

All primary student visa holders have a **mandatory visa condition (8202)**. The condition requires you (among other requirements) to *maintain satisfactory course progress* for each study period as required by your education provider.

You need to let your education provider know if your circumstances change, such as if you become ill or you experience other issues that affect your studies.

### What do I need to know?

Your education provider has to:

- monitor your course progress
- implement an intervention strategy if you are at risk of not meeting satisfactory course progress requirements
- notify you if it intends to report you to the Department of Home Affairs if you have been assessed as not achieving satisfactory course progress after an intervention strategy has been implemented
- report unsatisfactory course progress to the Department of Home Affairs.

You, the student, have:

- to meet the course progress requirements
- the right to appeal your education provider's decision to report you for unsatisfactory course progress.

#### Contact us

[ombudsman.gov.au](http://ombudsman.gov.au)  
1300 362 072

GPO Box 442  
Canberra ACT 2601

You have a right to an complaint and appeal with your provider and then an external complaint with an independent complaint-handling body

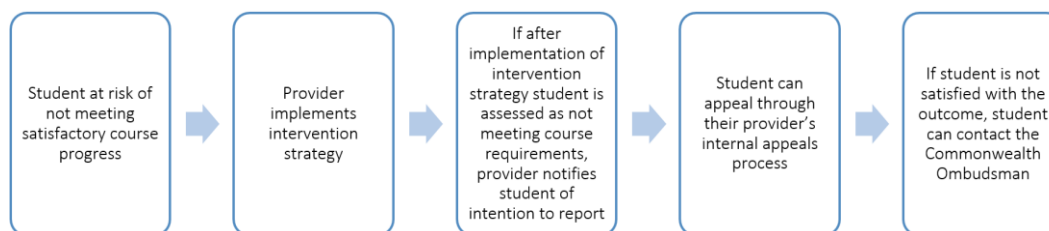
The Commonwealth Ombudsman is an independent complaint-handling body

The Commonwealth Ombudsman is a free service

Have you seen our video? Scan the QR code to watch



### An overview of the process



### What happens next?

If you follow the process outlined above and decide to contact the Commonwealth Ombudsman, the Ombudsman will consider your dispute with your education provider.

If the Ombudsman makes a **decision that supports you**, your provider is required to implement the Ombudsman's recommendations. In this situation you will continue with your course and not be reported to the Department of Home Affairs.

If the Ombudsman makes a **decision in support of your provider**, your provider can report you to the Department of Home Affairs for failing to meet satisfactory course progress. The Ombudsman may make a decision in support of your provider if:

- your provider's policies and procedures follow the rules in the [National code and the law](#)<sup>1</sup>, and
- your provider has correctly followed its policies and procedures.

### What is an intervention strategy?

An intervention strategy is a plan, method or action to help you if you are at risk of failing to meet course progress requirements. The aim of an intervention strategy is to help you to improve your course progress to a satisfactory level.

Appropriate intervention strategies may vary according to the education sector, the course and the student but may include some of the following:

- advising you of available study skills workshops, academic counselling, English language support or other support
- requiring you to meet regularly with a staff member of your education provider to review your progress before the end of the next study period
- reducing your study load temporarily or changing your enrolment to another subject area if this is agreed between you and your provider
- requiring you to attend a minimum number of classes
- requiring you to submit assignments or complete assessments within a certain timeframe
- referring you to other relevant support services, for example, counselling for personal issues, appropriate services such as medical, accommodation or financial counselling services
- considering a period of deferment or temporary suspension of studies
- putting a written intervention plan in place to confirm the steps you are required to take, which may include participating in some of the above actions.

<sup>1</sup> Visit the International Education webpage on the [ESOS legislative framework](#)

## What else do I need to know?

If you fail to meet course progress requirements after the intervention strategy has been implemented, your provider should send you a Notice of Intention to Report. The Notice of Intention to Report is to tell you that the provider intends to report you to the Department of Home Affairs. You have an opportunity to lodge an **internal appeal** first, within 20 working days (Monday to Friday, excluding public holidays). This will be explained in your provider's policies and procedures. You will need to follow your education provider's complaints and appeals process. Make sure you keep your contact details up to date.

If you lodge an internal appeal, your provider must give you a written outcome of the internal appeal and explain the reasons for its decision. It also has to tell you that you have the right to make an **external complaint** to an independent complaints body like the Commonwealth Ombudsman, by a certain time (deadline), before it can report you.

Read your provider's internal appeal outcome and decide if you want to make an external complaint. You have to contact the external complaints body before your provider's **deadline** ends. You should also tell your education provider that you have lodged an external complaint so they know not to report you until the external complaint process is complete.

## How do I complaint about my education provider's decision?

If you are an international student studying with a **private** education provider, you can complain to the Commonwealth Ombudsman after you have finalised the provider's complaints and appeals processes. The Ombudsman investigates complaints about problems that intending, current or former students may have with private schools, colleges or universities (education providers) in Australia. You can fill out our online form or phone us **1300 362 072**. For more information about how to complain and how to contact us, visit [ombudsman.gov.au](http://ombudsman.gov.au)

If you are an international student or a domestic student studying in **South Australia**, you can complain to the [Office of the Training Advocate](http://www.trainingadvocate.sa.gov.au)<sup>2</sup>.

If you are an international student or a domestic student studying with a **public (government) education provider** you can complain to the appropriate [state or territory ombudsman](#)<sup>3</sup>.

## If I complain to the Ombudsman, will this stop my provider reporting me to the Department of Home Affairs?

Your provider must maintain your enrolment while the Ombudsman investigates your external complaint. The Ombudsman will notify you and your provider when starting and finishing an investigation of an external complaint.

Depending on the outcome:

- your provider may still be required to report you, or
- the Ombudsman may recommend your provider does not report you.

## What happens if I am reported to the Department of Home Affairs?

If you are informed your provider has reported you, your visa may be subject to cancellation. If your visa is to be considered for cancellation, the Department of Home Affairs will send you a notice giving you the opportunity to provide information about your situation. This information about your circumstances will be taken into account. You must respond within the time frame given by the Department of Home Affairs or your visa may be cancelled. It is important your contact details are kept up to date and to ensure that you continue to comply with your visa conditions. You can find out more information about studying in Australia at [homeaffairs.gov.au](http://homeaffairs.gov.au)

<sup>2</sup> <http://www.trainingadvocate.sa.gov.au/>

<sup>3</sup> <http://www.ombudsman.gov.au/about/our-history/state-and-territory-ombudsmen>

## Who else can help me?

You can find a list of [useful links](#)<sup>4</sup> to other organisations that may be able to help you on our website.

### Tips for international students

- Read your education provider's Course Progress Policy and make sure you understand what it means for you. If you have any questions about it, ask your education provider.
- Make sure you understand your education provider's definition of 'satisfactory course progress' and 'unsatisfactory course progress'. If you don't know what standard you have to meet, ask your education provider to explain it to you.
- Make sure you know the period of time that your education provider monitors course progress—is it a five week block of study? Or a 10 week term? Or a 26 week semester? Or is it the total length of your course? If you don't know, ask your education provider.
- Keep your contact details up to date with your education provider. This will help to make sure you receive information from your education provider when it is sent.
- If you start to experience any problems with your course, talk to your education provider about it and ask for help.
- Co-operate with your education provider if they ask you to come to a meeting to discuss your course progress or ask you to make an appointment to see a staff member. Do it quickly—do not wait until it is too late. This is your opportunity to get help and support to improve your course progress so you can avoid being reported.
- Be honest with your education provider and tell them what is happening and why you are having troubles with your studies. This might be due to:
  - \* Homesickness
  - \* Illness
  - \* other problems that you are experiencing.
  - \* relationship issues
  - \* not understanding your course, or

Your education provider should try to help you with these problems or tell you about other support services you can contact such as counselling.

- If your education provider tells you that you are at risk of failing to meet satisfactory course progress, they should offer you an intervention strategy. Intervention strategies are designed to help you improve your course progress. Accept what they offer you and do what they ask you to do to improve your course progress.
- Act on the intervention strategies your education provider offers you or tells you about. If your education provider puts you on an intervention plan or learning contract, make sure you do what it says you have to do.

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More information is available at [ombudsman.gov.au](http://ombudsman.gov.au).

Please note: This document is intended as a guide only. For this reason, the information should not be relied on as legal advice or regarded as a substitute for legal advice in individual cases. To the maximum extent permitted by the law, the Commonwealth Ombudsman is not liable to you for any loss or damage suffered as a result of reliance on this document. For the most up-to-date versions of cited Acts, please refer to the [Federal Register of Legislation](#).

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<sup>4</sup> <http://www.ombudsman.gov.au/about/overseas-students/useful-links>