

Foundation Program Standards consultation submission form

Please provide your comments to ESOS-PolicyTeam@dese.gov.au by 5pm AEST Friday 23 July 2021

Do you agree to have your submission published online?	Yes
Title	
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Sector of delivery (eg VET, higher education)	Schools
Are you a member of an industry body? If yes, please specify	<p>Independent Schools Australia (ISA) is the national peak body representing the Independent school sector. It comprises the eight state and territory Associations of Independent Schools (AISs). Through these Associations, ISA represents 1,169 schools and over 647,000 students, accounting for approximately 16 per cent of Australian school enrolments. ISA's major role is to bring the contribution and unique needs of Independent schools to the attention of the Australian Government and to represent the sector on national issues.</p> <p>ISA represents the non-government school sector on matters relating to International Education. This submission is a joint submission together with the National Catholic Education Commission (NCEC).</p>

QUESTIONS	COMMENTS
1. What are your overall comments on the paper, including the possible amendments?	<p>This submission focuses on Questions 1 and 2 of the paper.</p> <p>ISA recognises that Foundation Programs are an accepted part of the Australian education landscape and offer an alternative pathway for some overseas students to gain entry into higher education programs. However, while the paper examines a range of issues in</p>

relation to Foundation Programs, it is disheartening to see that the ongoing concerns of the school sector have not been taken into account.

Foundation programs and school courses

While the paper states that Foundation Programs “provide an academic entry pathway to first year undergraduate study or its equivalent”, it does not mention the fact that generally a Foundation Program will provide entry only into specific courses at a single higher education provider. The paper goes on to say that students can “complete a Foundation Program course as an alternative to a Year 12 school course” when they are in fact, very different courses with different outcomes.

When the initial Foundation Program standards were developed, concerns were raised then about the equating of a Foundation Program with a Year 12 qualification as the Foundation Program results in decreased tertiary pathway choice and students are thus disadvantaged in gaining acceptance in a range of tertiary institutions. These concerns still stand. In contrast, an overseas student who successfully finishes Year 12 can apply for entry into a range of courses at a number of higher education providers.

Welfare of younger students

School courses are educationally age appropriate and also have the relevant support and pastoral care in place for school age students. Schools exist in a highly regulated environment with trained welfare officers / school counsellors, pathway planners / career advisors and registered teachers who are trained in how to teach younger students.

As noted in ISA’s submission to the Australian Strategy for International Education 2021-2030:

As the school sector enrolls mostly students under the age of 18, it has a duty of care which differs to that of other sectors. Under the current ESOS and visa arrangements, schools take on and are legally responsible for, the accommodation and welfare for a large proportion of their international students. Schools provide their students with wraparound

supports which aim to ensure that they become a part of the school community in all aspects of their academic, social, cultural and physical development.

Further, given the school sector's role as a pathway to further study, the provision of a quality education to students to set them up for choice and opportunity going forward is paramount.

Schools provide support for overseas students while they are in school, out of hours, on weekends, and during school holidays. This level of support for overseas students' welfare and wellbeing cannot be delivered in the same way in a non-school setting.

However, as long as Foundation Programs are able to enrol overseas students under 18 years of age, ISA and NCEC strongly advocate for more explicit requirements in the standards for the care and welfare of younger students than currently exist in the ELICOS Standards 2018 as outlined below.

Standard P2 – Needs of younger ELICOS students

Where a registered ELICOS provider enrolls students under the age of 18, the operations of the provider are appropriate for the age, maturity and English language proficiency of the students.

- 1) P2.1 The provider's arrangements for students under the age of 18 must comply with the National Code.*
- 2) P2.2 Facilities and operations for any mixed-age student cohorts must be designed to meet the needs of students of different ages, maturity and levels of English language proficiency.*
- 3) P2.3 Students must have access to services, learning opportunities, facilities and equipment that address their English language learning needs.*
- 4) P2.4 Course materials and tutoring must be tailored to meet student learning requirements, taking into account their differing levels of age and maturity.*

Targeting of vulnerable students

For many years now, both the government and non-government school sectors have raised concerns in relation to the minimum entry requirement of completion of Year 11 for Foundation Programs and the subsequent predatory behaviour on the part of some

	<p>institutions and agents that often targets academically vulnerable overseas students and negatively impacts on their career pathways.</p> <p>Schools report that since the decision was made to allow onshore enrolment in Foundation Programs from Year 11, there has been a steady targeting and movement of often academically weak students into Foundation Programs as a 'guaranteed' pathway to higher education. What is not made clear to students is that generally there are prerequisites to be met to get into the higher education course which students may or may not meet. If they do get into their course, then these students may struggle and not complete their qualifications. They are then left without either a Year 12 qualification, or a degree.</p> <p>The ongoing loss of academically vulnerable school students to Foundation Programs is a significant concern to schools. It is also important to note that the targeting of school students is not limited to these students. The on-going issue of "poaching" of school students has been made worse with COVID-19 as onshore Year 11 overseas students are clear targets for activity by agents as there is currently no student entry into Australia. A key element of that concern is seeing these students transfer to an environment that is often not appropriate for younger students and with limited career pathways.</p>
<p>2. Is the minimum age requirement of 17 years of age to commence a Foundation Program, or 16 years of age with prior approval by TEQSA , appropriate?</p>	<p>It is the view of ISA and NCEC, that the current requirements for entry into Foundation Programs are not appropriate.</p> <p>ISA and NCEC strongly recommend:</p> <ul style="list-style-type: none"> • Raising the age for students to enrol into Foundation to 18, and • Making completion of Year 12 the minimum entry requirement into Foundation Programs onshore. <p>Even if welfare requirements are included in the Foundation Program standards, it is still of great concern that younger students are being enrolled into campuses designed for adult learning and are not being taught by registered school teachers. The adult learning environment of a higher education provider is not appropriate for younger students due to the lack of age appropriate welfare and support services and for this reason, being 18</p>

	years of age and completion of Year 12 should be the minimum entry requirements for entry into a Foundation Program onshore.
3. Is there a need for 'extended' Foundation Programs? If so, how should the Standards apply to them?	
4. Should the Foundation Program Standards also regulate courses under 26 weeks? If not, should providers be able to register these courses on CRICOS as 'non-award'?	
5. Should online learning be a part of Foundation Programs? i. If so, how should this be specified? ii. What limits should be in place (such as course percentage or hours per week)? iii. How would consideration be given to the younger cohorts in Foundation Programs?	
6. Is the distinction between streamlined and general programs required? i. Should there be specified key learning areas, or more flexibility to deliver units designed to meet student needs/pathway course needs, with only the English language component as compulsory?	