

**Submission to**  
***Foundation Program***  
***Standards:***  
***positioning for***  
***quality, success and***  
***competitiveness***

**Joint submission**  
**July 2021**



# ***Joint submission to the consultation on Foundation Program Standards: positioning for quality, success and competitiveness***

Navitas, Kaplan and Study Group (the organisations) welcome the opportunity to respond to the *Consultation Paper for Foundation Program Standards: positioning for quality, success and competitiveness*. The following submission outlines our response to the Consultation Paper and the discussion questions.

## **1. Context and the importance of Foundation Studies**

### **Navitas, Study Group and Kaplan are three of the leading independent providers of Foundation studies programs in Australia**

Navitas, Study Group and Kaplan are all major providers of Foundation Studies in Australia. Navitas has partnerships in place with nine universities across Australia to deliver pathway programs including Foundation programs, these are both through Navitas higher education providers and on behalf of some university partners. Study Group has partnerships in place with ANU, University of Western Australia and the University of Sydney and delivers Foundation programs through Taylors College Sydney, Taylors College Perth and ANU College. Kaplan has partnerships in place with both the University of Adelaide (through University of Adelaide College) and the University of Newcastle.

As outlined in the Consultation Paper, in 2019 there were 18,050 total enrolments in Foundation Programs. Over 6,250 of these students undertook a course with either Navitas, Study Group or Kaplan – accounting for one-in-three of all international Foundation Studies students. Collectively our three organisations currently operate or deliver programs on behalf of 10 of the 32 Foundation studies providers and deliver 33 of the 79 Foundation programs currently registered in Australia.

Given the role of these organisations in the Foundation studies sector, we welcome the opportunity to provide our feedback to inform the update of the Foundation Standards prior to their renewal.

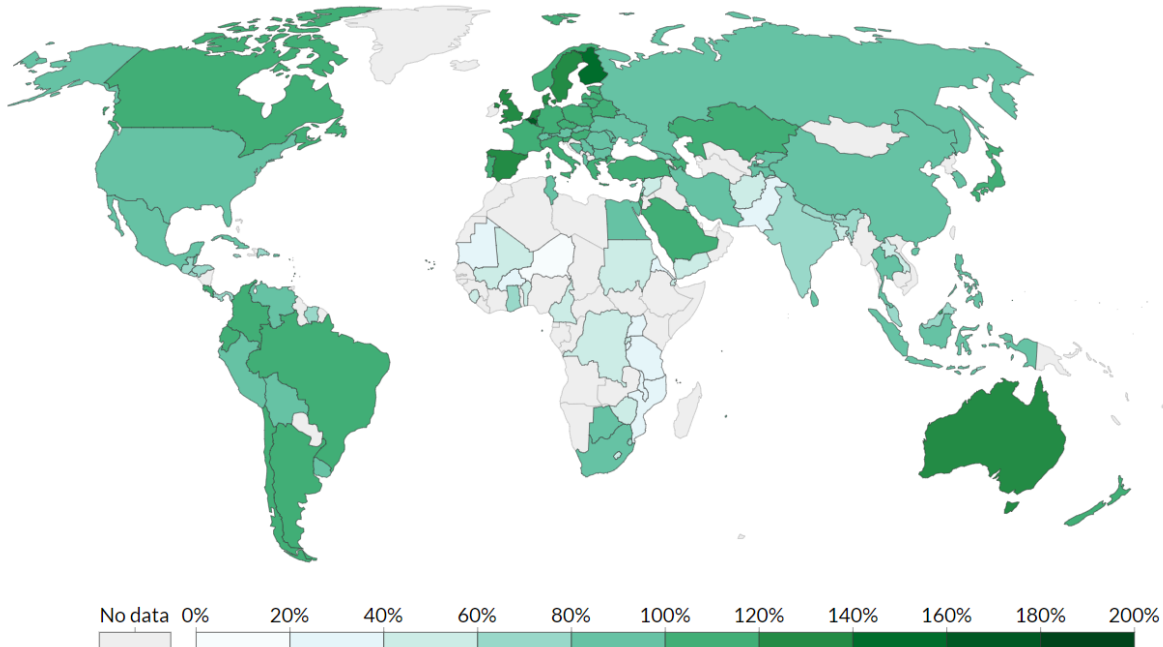
### **Foundation studies are a critical part of the Australian education sector and the necessary first experience of Australian education for many international students**

Foundation studies programs are the first experience of education in Australia for a large cohort of international students. As outlined in the Consultation Paper, Foundation programs provide a pathway that provides a strong academic foundation for students to undertake tertiary studies in Australia. This includes both English language preparation as well as core academic skills. Students typically undertake a Foundation studies program for between 26 and 40 weeks, however, this may be longer for 'extended' Foundation programs.

### **Foundation studies can create pathways for those that lack access to a Year 12 equivalent qualification**

While the intent and the design of Foundation programs deliberately differs from Year 12 studies in Australia, it can be seen as typically equivalent to undertaking Year 12 in the Australian schooling system. There are many countries where publicly funded compulsory education only reaches Year 11/Form 5 standard. As shown in Figure 1 below, there is significant variation in participation rates in secondary education across the world, which indicates demand for Foundation studies to bridge this gap prior to study in Australian higher education.

Figure 1: Gross enrolment ratio in secondary education, 2013

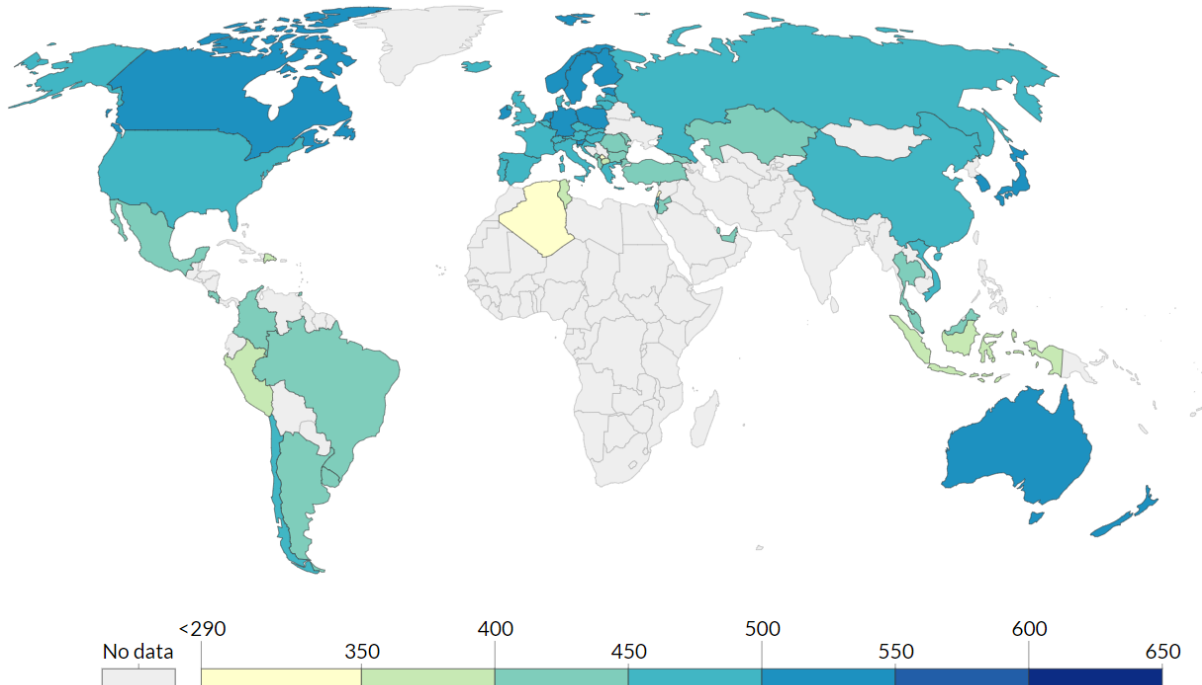


### Foundation studies create pathways for those who want to be confidently prepared for the rigours of higher education in Australia

As various benchmarks have shown, there is a wide distribution between the academic abilities of students both *across countries* and *within countries* at the same level of schooling. PISA test scores present one such example (see Figure 2 below). Differences in educational outcomes are a function of many factors. Australia's international education sector needs to be able to cater to such differences and Foundation studies, at varying lengths, are one key component that makes this possible.

In addition, some countries (such as Oman) also have a stated requirement that students from their country undertake a Foundation studies program, in addition to the completion of Year 12. In this way, Foundation studies serve a variety of roles, with the consistent objective being to prepare students for the academic rigours of an Australian higher education environment, regardless of the quality of any prior senior secondary education they might have received. As Foundation studies provides an equivalent or alternative to Year 12 study in Australia, consideration should therefore be given to where the legislative and regulatory requirements for Foundation studies programs significantly differ from providers of Year 12 schooling.

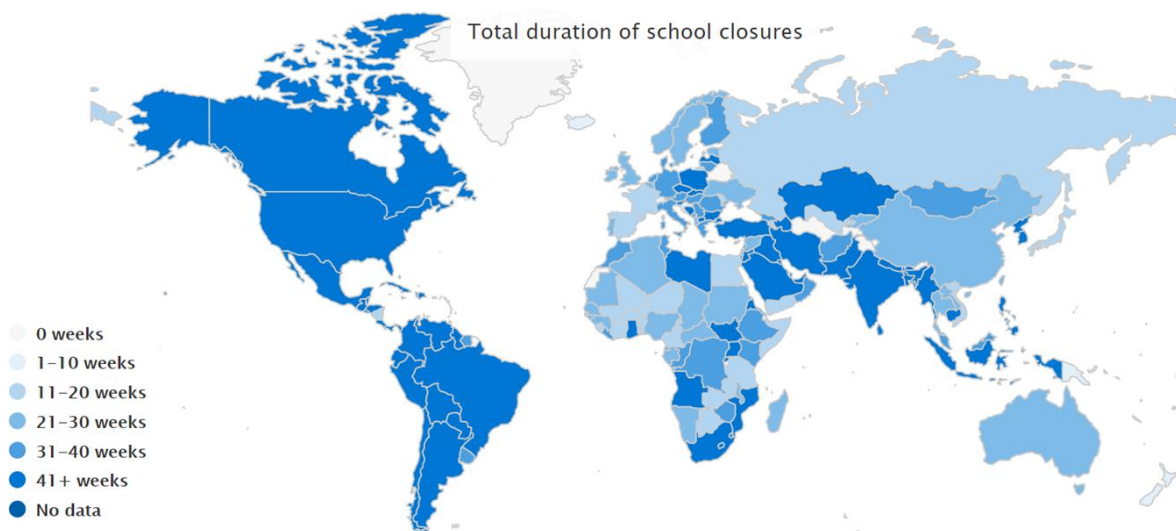
Figure 2: PISA test score: Mean performance on the reading scale, 2015



**Foundation studies create pathways for those whose schooling was disrupted by COVID-19**

Foundation studies programs could also play a critical role following COVID-19 as Australian providers look to build a sustainable pipeline of international students. At the peak of the pandemic, as many as 1.45 billion students (82.8 per cent of enrolled learners) had their education disrupted due to varying levels of school closures as a result of COVID-19 (as shown in Figure 3 below). For these students, Foundation studies will in many instances provide an important mechanism in Australia’s international education system to ensure that these students can gain the skills and proficiency required to be academically successful in their higher education studies.

Figure 3: Total duration of school closures as a result of COVID-19 (UNESCO)



## Foundation studies are a critical part of the growth and diversification of the Australian international education sector

Foundation studies play an important role in supporting the government and sector's objectives around market growth and diversification. For most emerging source country markets, educational levels and English language proficiency are typically not sufficient to support direct entry into university level study, and are better suited to a Foundation studies pathway as opposed to initially undertaking a Diploma level pathway program.

It is therefore important not to constrain Foundation studies programs through significant changes to the Standards or eligibility for studying Foundation studies programs which would limit the ability for Foundation studies providers to diversify and grow in these markets.

## There are several misconceptions about the operations of Foundation programs that are important to address

There are three areas that are raised in the Consultation Paper that should be considered before more specific feedback on the proposed changes to the Standards and discussion questions. These are:

- Concerns about quality of Foundation studies programs and student outcomes for students that have completed Foundation studies (*quality and student outcomes*)
- A lack of understanding of oversight, academic governance and admissions practices within the Foundation studies sector (*governance and oversight*)
- English language proficiency of students undertaking and completing Foundation studies programs (*English language proficiency*).

These three areas are critical to fully understand in reviewing the existing Standards and establishing the requirements and objectives for any proposed changes to the revised Standards. Each is discussed in turn.

## Available evidence indicates that Foundation studies students achieve good outcomes and perform as well as direct-entry students at university

The Consultation Paper raises potential concerns related to the quality of Foundation studies programs and student outcomes of those that have completed Foundation studies programs. These reflect broader concerns that have been raised in the media around Foundation studies programs. Specifically, the Consultation Paper identifies:

- There is a need to 'enhance quality' and 'strengthen rigor and quality' within Foundation studies programs (pg. 1 and 4);
- Instances of media criticism that programs do not appropriately prepare students and there is not sufficient oversight of quality in place (pg.4); and
- That it is not clear that Foundation studies programs currently delivers 'academic preparedness content' that are aligned with 'real academic requirements' of university study (pg. 7).

No evidence is put forward in the Consultation Paper, or in the media articles referenced, which indicates there are consistent issues with the quality of Foundations studies programs or their ability to prepare students for subsequent higher education study. The three organisations strongly disagree with this characterisation of Foundation studies program having quality concerns or not delivering strong student outcomes. Instead, the organisations view Foundation programs as critical for ensuring all capable students are appropriately prepared for the rigours of higher education study.

There is limited information available in the public domain on student outcomes, however data provided by university partners demonstrates that Foundation studies students perform as well or better than international students that have directly entered the university without undertaking a Foundation studies course prior – as shown in Figure 4 below.

**Figure 4: Grade point average (GPA) comparison for direct entry students and Foundation studies students, anonymised university partner A, first semester, 2018, Organisation A**

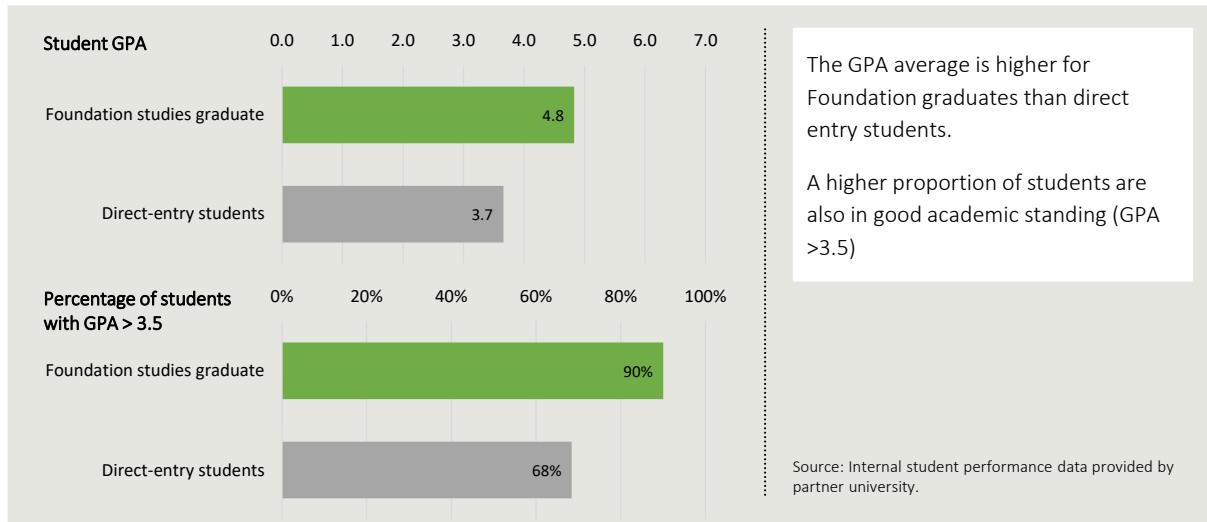
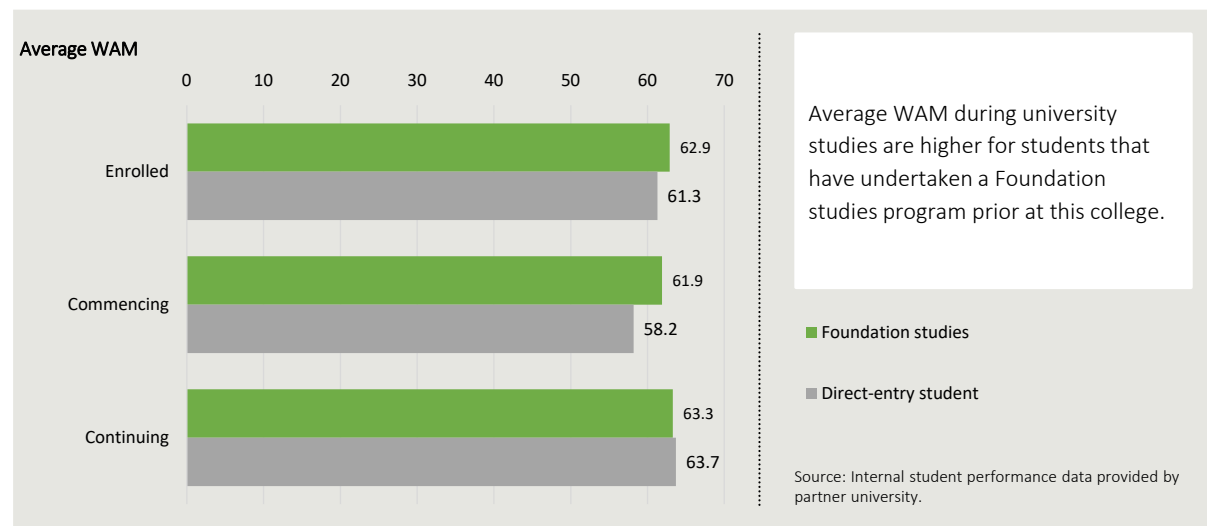


Figure 4 shows that for students from an anonymised university partner of Organisation A, the average GPA of students that have undertaken a Foundation studies program prior is higher than those that entered the university directly. A higher percentage of Foundation studies students (90%) held a GPA above 3.5 than direct-entry students.

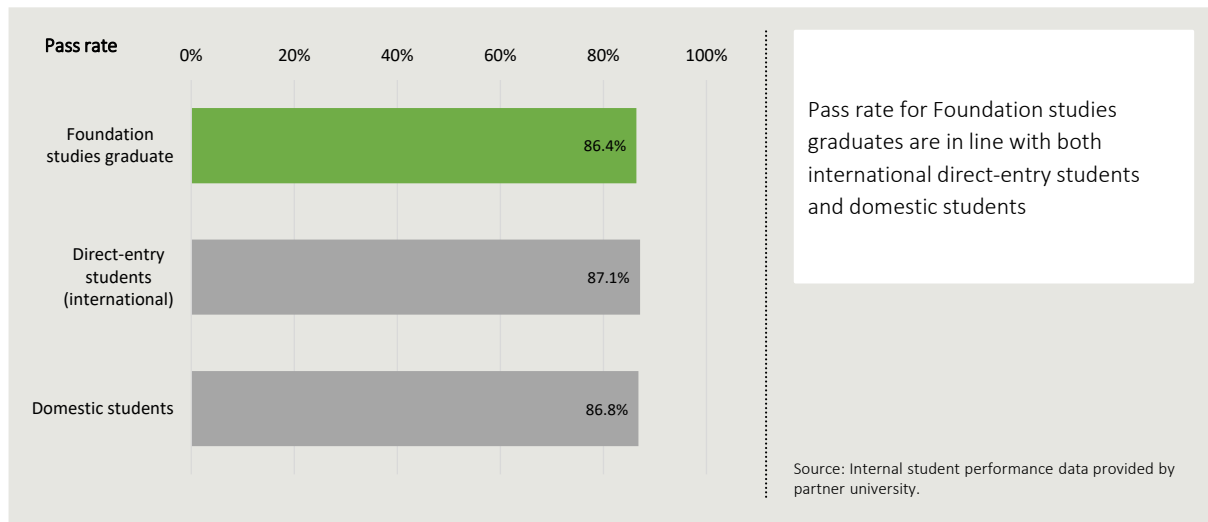
Another college operated by Organisation A shows similarly positive results – as shown below in Figure 5. The weighted average mark (WAM) of Foundation studies students is higher than direct-entry students. For this college, retention rates are also consistently higher for Foundation studies graduates.

**Figure 5: Weighted average mark (WAM) comparison for direct entry students and Foundation studies students, anonymised university partner B, 2019, Organisation A**



Similarly, the performance of Foundation studies graduates from Organisation B also achieve favourable university outcomes compared to both direct-entry international students and domestic students – as shown in Figure 6 below. In previous years, the pass rates of Foundation studies graduates have been higher than direct entry international students.

**Figure 6: Pass rate comparison for direct entry students and Foundation studies students, anonymised university partner C, 2019, Organisation B**



The third organisation has not been able to provide data on student outcomes of Foundation studies students compared to direct-entry students. As this information is not consistently shared by university partners and therefore not always accessible to Foundation studies providers. *Note: opportunities to improve access to data on Foundation studies is included below.*

The evidence above demonstrates that Foundation students achieve outcomes that are comparable or better than direct-entry students during their university studies. Given students that undertake Foundation studies are initially less academically prepared before they commence their studies, this demonstrates very strong outcomes for students and efficacy of Foundation studies programs. The necessity of any changes to the Standards that aim to improve quality of Foundation offerings should therefore be considered in this context.

These findings are consistent with other assessments of the outcomes delivered by pathway programs. For example, the Review of the Demand Driven Funding System concluded that “Pathway programs successfully prepare students for university study.”

Finally, the evidence presented above aligns with findings from the recently released Enabling Growth and Innovation program funded research paper *Pathways to Success in International Education*.<sup>1</sup> The project aimed to ‘investigate whether international pathways students<sup>2</sup> have comparable academic outcomes to direct entry international students, what factors affect their transition and success in the first year and to identify examples of good practice in supporting international students to succeed’. Overall the research found ‘that for most participating institutions, the differences in performance by entry pathway are generally minor, but where significant differences were observed, the analysis showed that international undergraduate students from a post-secondary education pathway may have an advantage in terms of academic performance and progression in their early years in university’. Further it found that ‘international students entering university via a secondary-school pathway, whether overseas or Australian, had significantly lower mean WAMs than those entering from post-secondary pathways’.

<sup>1</sup> Baik, C., Uzhegova, D., Teo, I., Arkoudis, S. and Palmer, S. (2020). *Pathways to Success in International Education: Final Report to the Department of Education*. Melbourne: Melbourne Centre for the Study of Higher Education available at <https://www.dese.gov.au/enabling-growth-and-innovation-program/resources/pathways-success-international-education> (accessed 27 July 2021).

<sup>2</sup> For the purposes of this research project ‘pathways students’ refers to those international students entering higher education after having completed some study in Australia, namely: secondary school, foundation studies, English language Intensive Course for Overseas Students, (ELICOS), Vocational Education and Training (VET) courses, and other sub-Bachelor or non-award courses.



It also found that at some institutions there are differences in the academic performance of direct entry and pathways entry students and often that this seems to be related to the level of preparation of the incoming students. For example, when analysing the Weighted Average Mark (WAM) of second year students (those commencing in 2018) at the Go8 University, those that had completed a university foundation program had a significantly higher mean WAM (for their first two or three semesters) than those entering via Direct entry from an overseas secondary school.

### **Foundation studies programs have mature oversight and academic governance practices to ensure quality**

The Consultation Paper also identifies potential concerns around oversight, academic governance and admissions practices. This includes areas that have been recently raised in the media or areas where the Organisations would argue that the Department does not have a clear understanding of the governance practices in place. Specifically, the Consultation Paper identifies:

- Instances the media has identified commercial pathway program do not have the same level of oversight as university programs (pg. 4);
- The process to ensure alignment of curriculum between the Foundation program and university study requirements is not clear (pg. 7); and
- TEQSA will be undertaking work with providers to ensure admissions practices are adequate and are 'setting students up for success' (pg. 4).

All three organisations agree that appropriate oversight and academic governance practices are critical for the delivery of pathway programs. For this reason, stringent arrangements are put in place in partnership with our university partners for Foundation programs. This ensures that the standard of the academic program delivered is appropriate to the university and prepares the students to meet the requirements for their subsequent studies.

While the specific arrangements in place for the three organisations do vary, there are consistent key features to ensure that appropriate oversight and academic governance are in place. This includes:

- **Processes to enable joint course development, with university academic input directly into all Foundation programs developed with articulation into university level study.** This ensures that the curriculum is appropriately aligned with and complements the curriculum during the first year of a higher education program (Bachelors or Diploma).
- **Formal requirements around accreditation for Foundation courses.** All Foundation courses have to be accredited in order to be listed on the National Register. This provides assurance around their quality.
- **Inclusion of joint academic governance structures.** All three organisations have Joint Academic Boards or joint Boards of Studies in place for all colleges that deliver Foundation programs. These bodies include representation from both the college and the university – typically at senior levels (such as Deputy Vice-Chancellor or Pro Vice-Chancellor). Some academic boards also have independent representatives in place. These joint bodies provide quality assurance across academic governance, admissions policy and practices and approval for curriculum design and delivery. This ensures university oversight over key academic considerations within the Foundation studies programs.
- **Course review practices to ensure ongoing alignment with university requirements.** Joint Academic Boards approve the programs and conduct regular review activities. This includes assessment of the curriculum, appropriateness of assessment strategies and analysis of academic outcomes. Alignment to university curriculum and requirements are also considered as part of this process. These mechanisms also allow consideration of university academic integrity standards and the alignment of that to standards within the college.
- **Ongoing monitoring of recruitment and admissions data.** Through the Joint Academic Board (or relevant sub-committees) recruitment and admissions practices are monitored to ensure they align with both legislative requirements (for example the Higher Education Standards Framework and the ESOS Act) as well as the requirements of the university partner.



It is the view of the three organisations that where these features that are implemented as part of the commercial and partnership arrangements in place between universities and Foundation studies providers, there are sufficient safeguards to ensure the appropriate oversight from the university and effective academic governance.

### **Foundation studies providers ensure students' English language proficiency is appropriate to transition to subsequent higher education study**

Finally, the Consultation Paper also identifies potential concerns about the English language proficiency of Foundation studies students both during and upon completing their program. Specifically, the paper identifies:

- It is not certain current English language proficiency to undertake Foundation studies is appropriate;
- That it is not clear the English language requirements that students are required to meet to complete the Foundation studies program and articulate to the subsequent higher education course; and
- Media criticism that students do not graduate from the Foundation studies programs with appropriate levels of English language skills for university study.

The organisations agree that English language proficiency is important to support student success in subsequent higher education study, but also believe that the purpose of Foundation studies programs is to build the academic and English language skills required by students. Concerns about the overall English language standards of students entering the Foundation studies program do not appropriately consider the important role of Foundation studies in building English language proficiency. The organisations therefore do not think an increase in English language proficiency is required.

As outlined in the Consultation Paper, almost all students meet the pre-requisite of 5.5 IELTS for Foundation level study. Throughout a Foundation studies program, students further develop their proficiency through targeted English language training to develop proficiency in line requirements for admissions to university courses (typically between IELTS 6.0 and 6.5). This proficiency is assessed throughout the program to ensure the student is able to meet the standard required to enable academic success in the subsequent higher education course. Joint Academic Boards provide oversight on the requirements of English language proficiency in line with the requirements for the university course, checking students' academic performance and progress on a regular basis. This form of ongoing assessment is more appropriate than 'high stakes' testing which is not the ideal method for assessing English language proficiency. Adopting single tests have several limitations – specifically it is not suited to all learners and results in rote learning as opposed to authentic and applied proficiency. The proposed changes to the Standards also identify this suggesting a move away from 'exams' towards other 'formal assessment methods'.

There is clear evidence that appropriate levels of English language proficiency are an important enabler for subsequent success in university level studies. As demonstrated above, the academic success of students that have undertaken Foundation studies program is comparable or better than students that directly entered university study. This is despite the fact that many students that enrol in a Foundation studies program start off with a lower level of English language proficiency (as measured by IELTS) at the outset. This provides compelling evidence that the English language proficiency of students when they complete their Foundation studies program is appropriate, and sets them up for success during their subsequent higher education studies. Similarly, there are several instances of direct-entry students when despite achieving the prerequisite IELTS score have turned out to be underprepared for university study. A more holistic assessment is therefore important and this approach is consistent with TEQSA practices around 'other forms of demonstrating proficiency'. This is distinct from 'English waivers' which also appear to be used in admissions within the university sector.<sup>3</sup>

<sup>3</sup> See [English waivers - definition \(teqsa.gov.au\)](#) and [TEQSA Compliance Report 2020](#) (page 7).

## Changes to data can build a strong evidence base for Foundation studies programs going forward

There are a range of limitations of existing data sources in understanding the scale, value and student outcomes of the Foundation studies sector. Changes to data collection requirements are important to build the evidence base for Foundation programs and ensure consistent information is available. There are two existing challenges. The organisations propose the following changes to support better data collection.

**Consistent identification of the size and scale of Foundation studies and other shorter non-award programs.** Within PRISMS there is a 'Foundation tag' which can be used to identify Foundation programs. However, there is evidence that this is not consistently used by all providers in reporting their accredited Foundation studies programs. Further to this, there is no equivalent way of identifying in PRISMS shorter courses that have the same intent as a pathway program (such as 'university preparation programs'). It is therefore not possible to disentangle the scale of these programs from other non-award courses (such as 'exchange' or 'study abroad' courses). Notably, this information is also inconsistently reported in HEIMS as it is not required to be so as a non-award program. It is recommended that changes are made to ensure the Foundation tag is consistently applied and provide an equivalent tag for shorter non-award courses whose purpose is preparation for degree-level studies.

**Evidence of student outcomes during Foundation studies and in subsequent university studies.** As outlined in the Consultation Paper, there is relatively limited evidence on the outcomes that students achieve upon transitioning to full-degree studies. While information is publicly reported by the Department on award level programs (including sub-bachelor programs), comparable information is not reported or available on Foundation level studies. Similarly, while TEQSA has provided guidance for universities to develop systems to understand cohort level outcomes (for example, those that have previously studied a Foundation program), this information is not available at the sector level and, as outlined above, not always available to Foundation studies partners of universities due to privacy concerns. This can make it challenging to identify system level outcomes and for Foundation studies providers to implement continuous quality improvement based on student's performance in their full-degree. While Navitas, Study Group and Kaplan are taking steps to develop a consistent approach to measuring student performance during university study, a consistent sector-wide approach here would be beneficial. We acknowledge that this should be easier, including monitoring academic outcomes for students transitioning across multiple higher education providers, following the implementation of the Unique Student Identifier (or USI) and its introduction for Foundation studies students.

The remainder of the submission addresses the questions put forward in the Consultation Paper, including responses to the proposed changes to the Standards from the organisations.

## 2. Responses to discussion questions

### Question 1 – What are your overall comments on the paper, including the possible amendments?

As outlined above, Foundation studies are a critical part of the international education sector that can play an important role in supporting sector recovery in a sustainable way. The three organisations support the renewal of the Foundation Standards to ensure they are contemporary and fit-for-purpose going forwards. While we support this intent, the organisations do not support all of the proposed changes to the Standards. Some changes are too prescriptive in nature and provide only limited ability for providers to innovate in course design and to tailor quality programs that meet the needs of Foundation studies students and university partners.

In the following paragraphs we provide direct feedback on each of the proposed amendments to the Standards.

### Assuring student preparedness

#### Ensuring appropriate English language requirements

The following changes to English language standards are proposed in the Consultation Paper:

- Include a requirement that “formal measures must be in place to ensure assessment outcomes for the academic English program are comparable to other criteria used for admission to the tertiary education course of study, or for admission to other similar courses of study”.
- Increase the minimum IELTS score for ‘extended programs’ from 5.0 to 5.5.
- Consider whether the minimum IELTS score for standard programs is appropriate.

**The organisations do not support the introduction of mandated exit examinations or IELTS testing at the end of a Foundation studies program.** As outlined in the Consultation Paper, the National Code requires providers to have policies in place to assess whether the student’s English language proficiency is sufficient. To support this, the three organisations apply an appropriate level of English proficiency, which is independently assessed through the Foundation studies program. This provides the assurance to university partners that students have appropriate levels of English proficiency in line with broader admissions requirements and can represent a more fulsome assessment than a one-off IELTS test. The benefits of this form of assessment as opposed to a one-off examination is detailed in other sections of this paper. We also view a contradiction in the proposals that there is a more limited focus on ‘exams’ (with a focus on ‘significant formal assessment’), while also proposing ‘re-testing’ students’ English language proficiency. Instead, we view a holistic assessment of the students’ readiness to transition to university over the course of the Foundation program as most appropriate. The organisations therefore support the proposed change from ‘exams’ to ‘significant formal assessment’ in *Standard 6* (see ‘Modern Delivery Methods’ response).

**The organisations do not support changes in the IELTS entry requirements for ‘Extended’ programs.** As outlined in the Consultation Paper, under the existing settings there is a distinction between the IELTS level required for admission to a ‘Standard’ Foundation program (5.5 IELTS) and an ‘Extended’ Foundation program (5.0 IELTS). This distinction in admissions reflects that the ‘Extended’ Foundation program is designed to provide additional levels of support (in both academic preparedness and English language) for students that do not yet have the pre-requisites for university level study in Australia.

The Organisations believe that it is important that students with lower levels of English (between IELTS 5.0 and 5.5) should be supported to develop their English language and academic preparation skills to a level appropriate for university study through participation in an ‘Extended’ program. Changing the IELTS requirement for this program to be in line with the ‘Standard’ program would undermine the intent and value of the ‘Extended’ program and would disincentivise students from undertaking the ‘Extended’ program, even if this may be the most appropriate program for those who require additional academic support.

**The organisations support maintaining the existing IELTS requirements for Foundation studies programs, with the existing minimum IELTS seen as appropriate.** Currently the entry requirements for a ‘Standard’ Foundation studies program are an overall IELTS of 5.5 (with no individual ‘skill’ lower than 5.0 IELTS). The organisations do not believe there is a need to change these existing IELTS requirements. As outlined in the Consultation Paper, 84 per cent of students have an IELTS score higher than 5.5 upon commencing their Foundation studies program. Oversight of admissions including IELTS is also provided by the Joint Academic Board (or equivalent). During the Foundation studies program students improve their English language competence to meet the required level for their subsequent undergraduate course (which typically ranges from 6.0 to 6.5 IELTS). The Consultation Paper does not put forward any evidence that students that complete Foundation studies do not have adequate levels of English language to commence their university studies. Indeed, evidence put forward by the three organisations on relative student outcomes of Foundation studies students compared to direct-entry bachelor level students indicates there is typically no significant difference in subsequent student outcomes such as pass rate, WAM, attrition or GPA – as presented in the above sections. This is also support by recent findings on other universities from the Melbourne Centre for the Study of Higher Education report *Pathways to success in International education*. This indicates that the English language proficiency of these students at the end of their Foundation studies program is appropriate to be successful in higher education study. The organisations would therefore strongly oppose any changes to the existing requirements.

### Academic preparedness

The following changes to academic preparedness are proposed in the Consultation Paper:

- Providers who have a relationship with one or more ‘receiving universities’ require a written agreement from the university that offered curriculum adequately prepares the student for higher education programs.
- Under ‘overall results’ providers must assess overall university readiness.
- In addition to formal learning methods already listed in the Standards, providers must include explicit attention and focus on:
  - Critical thinking; and
  - Academic rigour and integrity.

**The organisations do not support the proposal for requirement of a written agreement on the curriculum, believing existing commercial arrangements provide sufficient oversight.** As outlined in the Consultation Paper, there is a requirement for Foundation studies providers to ‘have a relationship with one or more universities’. Each higher education provider has a requirement that students are appropriately prepared to undertake the program of study they are applying for as per the National Code. In addition, contractual and academic arrangements between Foundation studies providers and the university partner ensure that the course curriculum is appropriately suited to the needs of the students and the needs of the university in preparing the student for university study. This includes academic oversight and governance that is provided by the Academic Boards or Boards of Studies, which typically include representation from the university partner. Specifically, these Academic Boards approve the programs to ensure they are appropriate prerequisites for study at that university and course reviews are undertaken at regular intervals (at least every two years). Hence, there is no need to include this requirement in the Foundation Standards as this would duplicate other more robust measures that are already in place.

The organisations would also note that other forms of admission do not require these types of requirements. For example, TAFE and other vocational programs that provide articulated entry to university degrees do not require this formal process to be in place. It is therefore inconsistent and inequitable that such a requirement be applied only to Foundation studies providers.

**The organisations support the inclusion of ‘overall university readiness’.** Foundation programs at the three organisations have been explicitly designed so that successful completion of the program represents a positive

assessment of the student's overall readiness to progress to university level study for relevant courses. We therefore support the inclusion of this requirement in the Foundation Standards.

**The organisations support the inclusion of 'critical thinking' and 'academic rigour and integrity'.** These two areas are already foremost components of the Foundation Studies programs that are delivered by the three organisations. We support their formal inclusion within the formal learning methods outlined in the Standards.

Further to this, the organisations also believe there would be benefits in requiring providers to specify and map the graduate outcomes the program will support – including the articulation arrangements into the university program. This would further strengthen the academic preparedness aspects of the Standards.

## Modern delivery methods

### Quality assurance and student support

The following changes to quality assurance and student support are proposed in the Consultation Paper:

- Ensure access to digital and physical resources and support services.
- Require student progress reports to be available in an online format.
- Replace references to "exams" with "significant formal assessment".
- Require that exams should not form more than 40% of the overall assessment weighting.
- Consider whether the distinction between streamed and generalist programs is appropriate.

**The organisations support the change to ensure access to digital and physical resources and support services. The organisations also support the change for requirement of student progress reports to be available in an online format.** These represent a clear updating of the Standards to modern approaches to delivery of academic programs and student supports. These changes would enable the organisations to move towards contemporary methods more in line with practices in other areas of their academic offerings.

**The organisations support the change from 'exams' to 'significant formal assessment'.** This change supports greater flexibility for providers than the current Standards. This aligns more appropriately to contemporary methods of assessment in the higher education sector and more broadly. Foundation studies programs have already begun to shift in this direction – including at our three organisations. This would enable further consideration of the most appropriate assessment methods and approaches considering the specific requirements of different student cohorts, university programs and university partners.

**The organisations do not believe the Standards should dictate the relative focus on exams or alternate assessment approaches and do not support change to the Standards.** While the organisations all support the intent of the change – namely placing a lesser focus on traditional 'exams' than exists in the current Standards (see Standard 6.2), we do not think that it is necessary for the Standards to specify the proportion of total program assessment that can be made up of examinations. Our view is that this should be agreed between the Foundation studies provider and the university. This approach ensures that the curriculum and assessment for the Foundation Studies program is tailored to the needs of subsequent university study. While we support the intent of change with a lesser focus on traditional 'exams' (as per Standard 6.2 currently), we do not think it is necessary for the standards to specify the proportion of total assessment that exams represent. This is most appropriately managed between the Foundation provider and the university – who will have a clearer understanding of the specific curriculum and assessment requirements that will support students in their subsequent university studies.

**The organisations do not support the existing distinction between 'streamed' and 'generalist' programs.** As outlined in the Consultation Paper, the Standards currently require a Foundation program to be either a 'generalist' program – with at least one subject in Mathematics, Science and Technology, The Arts, and Society and the



Environment / Business Legal Studies – or a ‘streamed’ program – where subjects are aligned to entry requirements. While the organisations agree that there is a need for a range of different models to appropriately meet the needs of partner universities and students, our view is that the existing delineation between ‘streamed’ and ‘generalist’ programs in the Standards does not have value and does not provide sufficient flexibility for Foundation providers and their partners. These existing categories are too prescriptive and limit innovation in course design of Foundation studies programs – therefore they should be removed from the Standards.

## Consistency with ESOS legislative framework

### Possible amendments

The following changes to ensure consistency with the ESOS Act are proposed in the Consultation Paper:

- Create a new standard addressing the care and protection of Foundation students under 18 years of age.
- Specify providers are required to follow the relevant child protection legislation in their state or territory jurisdiction and / or comply with any relevant Commonwealth child safety requirements.
- Specify Foundation Programs must be a minimum of 20 hours per week.
- Require providers to implement an annual program of professional development for teaching staff which includes teaching students from non-English speaking backgrounds.

**The organisations support the introduction of a new standard on the care and protection of under 18 year old students. The organisations also support the inclusion of requirements for Foundation studies providers to comply with relevant child protection legislation or child safety requirements.** The organisations agree that these are important safeguards for the health and wellbeing of under 18 year old students. These should be consistent with the ESOS Act.

*See Question 2 below for discussion on minimum age requirements for Foundation programs.*

**The organisations do not support the Standards specifying a minimum 20 hours per week.** Currently, the Standards outlines that students are required to complete a minimum of 720 scheduled course contact hours (*Standard 7*). The proposed change to include a minimum threshold of 20 hours per week could create significant operational challenges for Foundation studies providers – in particular those that deliver a three-semester (or trimester) model. The majority of current Foundation programs are delivered on a trimester calendar, rather than the universities’ traditional semester calendar. Mandating a minimum hours per week could result in students not being able to meet this requirement in the third trimester, despite having only a small number of units to complete to finalise their program. We also believe that the existing settings – 720 hours minimum across the program – provides a sufficient safeguard for the level of study a student is undertaking. We therefore do not think this change is necessary.

**The organisations do not support the proposed change to the Standards on professional development.** All three organisations support professional development opportunities for our staff and acknowledge the important role of professional development in supporting staff development and providing the best experience to students. For example, Navitas has a range of online resources (such as LinkedIn Learning) available to all staff members and further internal training aligned with professional development priorities. Kaplan and Study Group have a similar commitment to professional development of Foundation Studies staff. Our view is that the existing Standards around professional development is appropriate, with the Standard stating the requirement for formal policies on the ‘ongoing professional development of teachers’. The changes proposed to this standard would result in additional impost on and costs for providers. While the details of the specific requirement for the Standard are not clear, we understand this could place additional requirements around professional development for casual staff members. Further clarity is required on this proposed amendment.



## Question 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?

The organisations do not support raising the minimum age to 18 years old. This would not align with the requirements of the program for students, many of whom have completed their studies in their home country when they are not yet 18 years old. For example, in many local secondary school systems in South East Asian countries, students that are completing their equivalent of Year 11 are 16 years of age – such as Malaysia and Singapore. This change would create significant logistical challenges for potential students and for Foundation studies providers. The rationale for increasing the minimum age to 18 years is also not clear from the Consultation Paper – in particular given DESE PRISMS analysis has identified there is not a disproportionate pattern of transfers from schools to Foundation studies.

Further to this, the organisations propose a change to the existing requirement that students between 16 and 17 years of age require an exemption due to operational complexity. As per Standard 2.5 students that are under the age of 17 years require a formal exemption from TEQSA. This process results in significant operational challenges, including, often, significant delays that inhibit the student’s commencement of study in the Foundation program. We recommend that this requirement for formal approval for students that are 16 years of age is amended and that all students above the age of 16 should not require approval from TEQSA. Instead we recommend that the Standard is changed so that Foundation students must be a minimum of 16 years of age (as opposed to the current minimum of 17 years of age in *Standard 2.5*).

The organisations do support the introduction of an additional Standard on the care and safety of overseas students under 18 years of age. We acknowledge that this is important to ensure that all necessary safeguards and management processes are in place for the health, well-being and guardianship of students under the age of 18 years. However, we also believe that this should apply consistently across the ELICOS Standards, but also the ESOS Act more generally.

## Question 3 – Is there a need for ‘extended’ Foundation programs?

Study Group and Navitas both deliver ‘Extended’ Foundation studies programs.

The organisations all support the merit of an ‘Extended’ program. As outlined in the Question 1 response above, the ‘Extended’ pathway program can provide more substantial academic and English language support for those students that require it. The ‘Extended’ program therefore plays an important role in ensuring the academic readiness for higher education study for some students. From our perspective, this often provides a more appropriate form of academic support and development for some students compared to ELICOS study followed by a ‘standard’ Foundation program, particularly those that are younger or less experienced. We therefore believe there is a need for the Standards to include both ‘extended’ and ‘standard’ programs.

As outlined in our response above to Question 1, we believe it is appropriate and necessary that the ‘Extended’ program has a lower IELTS requirement than the ‘Standard’ program, and therefore the existing IELTS requirements should be retained.

### i. If so, how should the Standards apply to them?

The organisations also believe that the characteristics and features of an ‘extended’ academic program could be more clearly defined within the Standards. From the existing Standards and from the Consultation Paper the distinction between the ‘Standard’ and ‘Extended’ version of the Foundation program is not clearly established. Key differences between the programs, for example the allowed duration of the program, are included only in footnotes in the Standards. The Standards establish that ‘extended’ programs are ‘delivered over a longer period’ (but no more than 18 months) and that there is a requirement the provider indicates the basis for modification from standard Foundation program requirements (see *Standard 2.1*). From our perspective a clearer articulation of the differences within the Standards would be beneficial.

## Question 4 – Should the Foundation Program Standards also regulate courses under 26 weeks?

The organisations acknowledge that currently programs under 26 weeks are not included as part of the Foundation Standards. These programs are not Foundation programs and can be better categorised as ‘university entry programs’, acknowledging both their shorter length and typically more limited scope. However, as these shorter programs are not included in the Foundation Standards this also means that these shorter programs do not have the same regulatory and oversight requirements as formal Foundation programs. Appropriate regulatory settings for these programs should be considered to ensure broad alignment with the requirements for Foundation programs.

While consideration of the regulatory oversight for these non-award programs is necessary, these programs are not ‘Foundation’ programs and should therefore not be included in the Foundation Standards. The Standards should also retain the existing requirement that these shorter programs which do not meet the Foundation Program Standards are not able to use ‘Foundation’ in their title (see *Standard 10.1*).

### i. If not, should providers be able to register these courses on CRICOS as ‘non-award’?

**Yes, providers should be able to register programs less than 26 weeks as CRICOS non-award courses.** The Department may consider introducing alternate arrangements, which may include more standard naming and reporting conventions to ensure this product is clearly and transparently understood by students and the broader sector. Recommendations around data reporting to support this are presented in our response to Question 1.

## Question 5 – Should online learning be a part of Foundation Programs?

**The organisations support online learning as part of the Standards, however this needs to align to the broader sector-wide policy discussions and be reflected in and aligned to the ESOS Act.** There is an ongoing policy discussion across the Australian international education sector on the appropriate level of online study for onshore international students – including during the recent consultation process for the Australian Strategy for International Education 2021-2030. This follows increased flexibility under the ESOS Act in response to the impacts of COVID-19.

While we believe that the Foundation Standards should allow for a proportion of online study, it is important and necessary that this aligns and is consistent with the broader requirements for international student visa holders. The Foundation Standards should therefore be amended as required based on the position developed more broadly for the sector, and reflected in the ESOS Act.

**The organisations also believe that the Standards need to retain flexibility considering requirements for unforeseen events** – for example, the flexibility that has been introduced in responding to COVID-19 and subsequent outbreaks in Australia.

We note also that while the Standards do not apply for offshore students, as it relates to student visa holders only, transitional delivery of Foundation programs is an important opportunity for Australian providers.

### i. If so, how should this be specified?

As outlined above, the requirements for online study should be specified in the ESOS Act, and consistently reflected in the Foundation Standards (as required).

### ii. What limits should be in place (such as course percentage or hours per week)?

The organisations foresee that for onshore student visa holders there would be ongoing requirements around the proportion of studies that are undertaken on campus (and not in an online environment). This should be consistent across Foundation studies and the broader higher education study the students will undertake in Australia.

### iii. How would consideration be given to younger cohorts in Foundation programs?

Any specific provisions for younger Foundation studies program students related to online study should be consistent with requirements for other sectors – for example ELICOS students and school students.

## Question 6 – Is the distinction between streamlined (sic) and general programs required?

As outlined in the response to Question 1, the organisations do not believe that the Standards need to specify a distinction between ‘streamed’ and ‘general’ programs. These existing categories are too prescriptive and limit innovation in course design of Foundation studies programs – therefore they should be removed from the Standards.

- 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?**

The organisations do not support the inclusion of specified key learning areas. The Standards should support provider flexibility in order to allow for the curriculum of the Foundation programs to be tailored to meet the needs of students and the requirements of university partners. This does differ across different courses of study and different universities, and therefore we do not see value in key learning areas being prescribed within the Standards. The organisations do support the inclusion of the English language component as compulsory.

**Submitted on behalf of Navitas, Kaplan and Study Group by:**

Kadi Taylor – Head, Strategic Engagement and Government Relations, Navitas  
(E) [kadi.taylor@navitas.com](mailto:kadi.taylor@navitas.com)  
(M) 0498 020 978