



ESOS Policy & Legislation
International Frameworks Branch
International Division
Department of Education, Skills and Employment
www.dese.gov.au

To whom it may concern

Thank you for providing the opportunity for the University of New South Wales (UNSW Sydney) to contribute feedback on the discussion paper on redeveloping and enhancing the Foundation Program Standards for introduction from 1 October 2021.

UNSW Sydney has provided feedback in relation to all six questions posed in the discussion paper via the DESE portal and in the attached response. In addition, through the attached response we also provide additional recommendations and feedback on topics related to the Standards.

UNSW Sydney strongly recommends that representatives from the largest Australian university Foundation Programs be included for consultation on the drafting of the new Foundation Program Standards. UNSW Sydney was the first Australian university to develop a Foundation Program and delivers, via its wholly owned controlled entity UNSW Global, one of the largest Foundation Programs in Australia. We would welcome the opportunity to be actively involved in the review moving forward and can nominate a UNSW Sydney representative to participate in the review panel.

I trust the feedback will assist in the review of the Standards, and the University and UNSW Global look forward to further opportunities to engage with this process.

Your sincerely

Professor Merlin Crossley
Deputy Vice-Chancellor Academic & Student Life

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National Standards for Foundation Programs – Review Feedback

1. What are your overall comments on the paper, including the possible amendments?

The 2011 Standards were effective in creating a quality assurance model that removed non-compliant providers of Foundation Programs from the sector. It is pleasing that the discussion paper proposes to retain most of the compliance elements from the 2011 Standards. UNSW welcomes the opportunity for consultation on the proposed reform of the Standards. However, for reasons outlined in our response, UNSW does not support the following aspects proposed in the consultation paper:

- raising the minimum age to 18,
- the replacement of extended Foundation Programs with ELICOS plus Standard Foundation course packages; and
- including shorter 'accelerated' programs in the Standards.

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?

Yes, the existing age settings are appropriate and UNSW strongly opposes any increase to the minimum age. It should be noted that the university higher education sector does not require students to be at least 18 years of age as an entry requirement and therefore neither should the pre-university pathways sector. It is inevitable that accepting international students from Year 11 programs will lead to enrolling students under 18 years of age, especially from countries like Singapore and Indonesia where students are often accelerated on the basis of strong academic ability. UNSW has successfully enrolled students who are 16 years of age into its Foundation Programs for over 30 years, and based on this experience the University believes that a student's ability to succeed in a Foundation Program is primarily based on academic capability and the learning and teaching supports that the institution has in place. It should also be noted that UNSW and all other Foundation providers are subject to the ESOS National Code that requires providers to have policies and processes in place for enrolling and supporting younger students. Providers must also apply to TEQSA for an exemption to enrol students under the age of 17 in Foundation Programs. In its successful application to TEQSA to enrol students who are 16 years of age, UNSW was required to supply the relevant policies confirming appropriate care arrangements for younger students and that there have been no incidents involving students in that age group.

UNSW endorses the need for providers to have robust policies and systems in place to support younger students in line with ESOS requirements, and the inclusion of a new Standard addressing the care and protection of Foundation students under 18 years of age.

3. Is there a need for 'extended' Foundation Programs? i. If so, how should the Standards apply to them?

Yes, there is a need for extended Foundation Programs for students who do not meet the academic and/or English entry settings for shorter Foundation Programs. It should be noted that based on the existing Standards, an extended Foundation Program cannot contain English studies only and the proposed change to the standards seems to make the erroneous assumption that extended program students only require English language support. If a student only requires English support they can take advantage of the option to package English courses with a Standard Foundation Program which already exists.

While a focus on English language studies is important for students in a longer Foundation pathway program, not all extended Foundation students require additional language support. Students may already meet the English level for a shorter Foundation Program and instead have gaps in key pre-requisite academic skills (e.g. maths, physics) as they have not completed these subjects in their previous high school studies. A longer program provides the appropriate academic scaffolding for students who have these identified skills gaps or fall short of the academic entry settings for the longer Foundation Programs and need additional support to complete the program.

Further, UNSW considers that the minimum entry setting of IELTS 5.0 is appropriate for extended Foundation Programs. The longer program and the minimum English class contact hours that are included in the existing Standards ensure that students receive the appropriate amount of English support and at the same time utilise their English skills in a specific academic domain.

UNSW supports some modifications to the Standards regarding teacher qualifications and quality assurance of embedded Foundation Program English courses.

Firstly, all Foundation Programs should be required to demonstrate how their course is benchmarked against widely accepted English language standards such as the Common European Framework of Reference for Languages (CEFR). Standard P4.1(c)(ii) of the ELICOS Standards 2018 includes a comparable provision requiring that: *in the case of ELICOS courses which are provided under a direct entry arrangement to a tertiary education course, formal measures must be in place to ensure that assessment outcomes are comparable to other criteria used for admission to the tertiary education course of study, or for admission to other similar courses of study.* However, UNSW considers that the sector should not require students to undertake an external English test prior to university admission as assessments in accordance with the Standards should be sufficient. UNSW Global and UNSW have aligned our Foundation Program exit settings to meet UNSW's undergraduate entry requirements and review cohort data as a quality control measure for both academic and English language capability.

Additionally, UNSW supports changes to the Standards regarding the qualifications of English language teachers. The existing Standards specify the qualifications required for teachers who are 'primarily responsible' for academic English language subject areas (Standard 9, 9.2). UNSW considers that all teachers teaching English as part of a Foundation Program should be required to have these minimum qualifications, in line with the ELICOS standards, rather than just the teachers who are 'primarily responsible' for that subject.

4. Should the Foundation Program Standards also regulate courses under 26 weeks?
 - i. If not, should providers be able to register these courses on CRICOS as 'non-award'?

Accelerated programs are available to students who narrowly miss out on university entry as demonstrated by the entry settings for such programs. UNSW believes that 'accelerated programs' should not be included in the Foundation Program Standards as providers may, as a result, choose to register a shorter Foundation Program for commercial advantage rather than sound pedagogical principles. Shorter Foundation Programs were common before the introduction of the Standards, where providers offering 5-week and 10-week ELICOS courses were registering and marketing these as Foundation Programs. Instead, UNSW strongly recommends that only self-accrediting higher education institutions should be able to register accelerated programs, which will still be regulated by the ESOS National Code and by the receiving university's own quality assurance practices regarding the admission of students to degree programs according to the Higher Education Standards Framework (Threshold Standards).

5. Should online learning be a part of Foundation Programs?
 - i. If so, how should this be specified?

Yes, online learning should be recognised within the Standards, as most providers have spent more than a year now successfully delivering their Foundation Programs online and developing online teaching resources to support that mode of delivery. For some aspects of course delivery, UNSW intends to continue delivering select teaching and assessment activities online based on superior pedagogical outcomes.

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

Based on a minimum of 20 class contact hours per week, UNSW supports up to one-third of the tuition hours, or 6.5 hours per week, being delivered online or remotely with written approval from the receiving university. This would align the Standards with the ESOS National Code.

- iii. How would consideration be given to the younger cohorts in Foundation Programs?

UNSW recommends that face-to-face (on-campus) class contact options be available each week to younger learners for no less than two-thirds of the program. Academic and welfare support should be available for younger students regardless of the mode of study. UNSW supports the inclusion of a new Standard addressing the care and protection of Foundation students under 18 years of age.

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?

The current definition in the Standard should be clarified by specifying that in addition to English language studies, a Foundation Program must include units or streams of study that adequately prepare students for the receiving degree so that students have the opportunity to meet the prerequisite and/or assumed knowledge of the receiving or intended degree program (e.g. Business, STEM, Arts...).

Tailored and targeted preparation is a key advantage of Foundation Programs. If all students undertake 'generalist programs' that do not include subjects that relate to the receiving degree, it will lower the preparatory value of the program, with many providers no longer offering studies in the costlier STEM units where expensive facilities like labs are required.

Additional recommendations and feedback

1. UNSW recommends a review of the term 'designated authority' within the Standards as the original intention of the Standards was for the 'designated authority' to be the self-accrediting university that the provider holds an agreement with.

The term 'designated authority' was also used in the ESOS Act for a period of time to identify which Government Agency had jurisdictional coverage of ELICOS and Foundation Programs (in UNSW's case it is TEQSA). Whilst this terminology has since been updated to 'ESOS agency' in the ESOS Act, we believe there is still the potential for confusion.

For example, Standard 1, 1.4 states: *The curriculum must be approved by the designated authority at least every 5 years. A Foundation Program provider must notify the designated authority of significant changes to the curriculum.* Our understanding of the requirements of this Standard is that the University, as a self-accrediting provider, should review its Foundation Program curriculum every 5 years through its Academic Governance Processes and be notified of any significant changes to the curriculum. We would suggest that further clarification to this effect be provided in the updated Standards.

2. UNSW supports the recommendation in the consultation paper for providers to provide annual professional development of their staff on the basis that each provider should have the flexibility to determine the focus of the professional development as appropriate, rather than stipulating that annual training be focused on teaching students from 'non-English speaking backgrounds.'
3. UNSW supports including in the Standards a minimum requirement of 20 class contact hours per week. Further, the class contact hours may be on-campus or online according to agreed percentages.
4. UNSW strongly recommends that representatives from the largest Australian university Foundation Programs be included for consultation on the drafting of the new Standards. UNSW participated in the drafting of the original Standards and subsequent reviews. Without further industry consultation on the Standards, UNSW is concerned that changes like the increase in the minimum age and the removal of Extended Foundation Programs from the Standards may not be adequately considered. Such changes would have broader repercussions for the sector, whereas these risks can be mitigated through alternative mechanisms in the Standards as outlined above. As UNSW was the first Australian university to develop a Foundation Program and is currently one of the largest providers in Australia, we believe that it is appropriate that UNSW have a representative on the review panel.