# Community Language School Policy

## Purpose

This policy provides guidance relating to secondary school international students holding a subclass 500 Student – Schools visa (Standard or Study Abroad students) participation in Victorian Certificate of Education (VCE) languages subjects at a community language school (CLS).

This policy is for Department of Education (DE or department) International Education Division (IED) staff, international students, parents, legal guardians, department-accredited education agents and schools. It is not applicable to international students on other visa types.

## Policy

* Once enrolled in a Victorian government school, it is expected that an international student will undertake their studies at their host school. However, in limited circumstances, a principal may allow an international student to undertake a VCE language subject not offered at their school at a CLS.
* Permission for an international student to study a language subject at a CLS is subject to a student and CLS assessment and a CLS site inspection.
* Where an international student is permitted to study with a CLS, it is understood that the department retains responsibility for the provision of the international student's course of study and the student is undertaking the VCE language subject as a component of the student's normal school course.
* Schools must enter into an appropriate third-party agreement with the CLS before the student starts studying by using the [Community Language School contract](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Community_Language_School_Contract.docx) template. This third-party agreement binds the CLS to relevant elements of the *Education Services for Overseas Student* (ESOS) Act. These agreements are for the period of one calendar year only, with a new agreement required every year that an international student studies with a CLS.
* To ensure that an international student receives appropriate support, a member of staff from the student’s host school must be nominated by the principal as the student’s school supervisor. The school supervisor is responsible for completing the necessary paperwork prior to a student’s enrolment in these studies, maintaining contact and supporting the student throughout these studies, ensuring the school uses the [Community Language School contract](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Community_Language_School_Contract.docx) template and the [ISP Community Language School Assessment and Site Inspection Form](https://study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_CLS_Form.docx), and ensuring the school adheres to this ISP Community Language School Policy and the [ISP Community Language School Procedure](https://study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_CLS_Procedure.docx).

### Assessments and site inspections

* The school supervisor must conduct student and CLS assessments and a CLS site inspection of the room and premises using the [ISP Community Language School Assessment and Site Inspection Form](https://study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_CLS_Form.docx) prior to the student being allowed to start these studies. The site inspection, in combination with the third-party agreement, ensures the CLS 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.
* A new assessment and site inspection must occur each year or immediately if the CLS’s premises change while the student is studying. As per the third-party agreement, the CLS 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.
* Where another school has already conducted a site inspection of the CLS’s rooms and premises for the year, another site inspection is not required. Schools can check the [Third-Party Education Provider Site Inspection Register](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Site_Inspection_Register.docx) available on [www.study.vic.gov.au](http://www.study.vic.gov.au) to see if a site inspection has already been conducted for the year.
* Once completed, the school supervisor must provide the [ISP Community Language School Assessment and Site Inspection Form](https://study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_CLS_Form.docx) and a copy of the signed third-party agreement to DE (IED) by uploading them to the Victorian International Students Information Tool (VISIT) (video instructions [here](https://www.youtube.com/watch?v=OreSKxA-sdY)). The school must wait until DE (IED) reviews the documents and approves the student’s study before the student can commence studying with the CLS.
* Uploading these documents to VISIT will also allow schools to see international students at their school involved in third-party education arrangements by including the student’s details in a student register in the third-party agreement section in VISIT.

### Payment

* 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 CLS from the funds the school receives from DE (IED) for the international student. Schools must not require an international student to pay any additional tuition or non-tuition fees for these studies.

### Monitoring international student attendance and course progress

#### Attendance

* International students holding a 500 Student ­– Schools visa have a visa condition that requires them to maintain adequate attendance, as described in the [ISP Attendance Policy](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Attendance_Policy.docx).
* Accordingly, the school supervisor must monitor and record an international student’s attendance. The CLS contract requires the CLS to report the student’s attendance to the school’s International Student Coordinator on a fortnightly basis. The school supervisor is responsible for following up with the CLS if the school does not receive the fortnightly attendance report.

#### Course progress

* International students holding a 500 Student ­– Schools visa have a visa condition that requires them to maintain adequate course progress, as described in the [ISP Course Progress Policy](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Course_Progress_Policy.docx).
* The school supervisor must monitor the international student’s course progress by reviewing the student reports supplied by the CLS. The CLS contract requires the CLS to provide the school with mid-semester progress reports and end of semester results reports. The school supervisor is responsible for following up with the CLS if the school does not receive these reports.
* In addition, the school supervisor should respond immediately to any advice from the CLS 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 CLS to ensure all reasonable learning and welfare support is offered to the student at no additional cost.

### Child safety

* Before a student participates in these studies, the school supervisor must complete a student assessment and a CLS assessment and site inspection. 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.
* CLS’s are accredited by the department and must comply with child safe standards as an accreditation requirement. The department also funds [Community Languages Victoria](https://www.communitylanguages.org.au/Child-Safe.php) to ensure each CLS 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 CLS, the school supervisor should instruct the student to lodge a formal complaint with IED. The [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).

## Roles and responsibilities

* The **Manager, Strategy and Quality Assurance Unit, IED**, is responsible for the maintenance of this policy.
* The **Executive Director, IED**, is responsible for the approval of this policy as the nominated Principal Executive Officer of the department 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 these third-party studies 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 1359 – Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools* (Vic)

## Associated documents

* [ISP Community Language School Procedure](https://study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_CLS_Procedure.docx)
* [ISP Community Language School Assessment and Site Inspection Form](https://study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_CLS_Form.docx)
* [Community Language School Contract Template](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Community_Language_School_Contract.docx)
* [ISP Attendance Policy](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Attendance_Policy.docx)
* [ISP Course Progress Policy](https://www.study.vic.gov.au/Shared%20Documents/en/School_Toolkit/ISP_Course_Progress_Policy.docx)
* [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

* **CLS** means community language school, a third-party education provider engaged to deliver VCE language subjects to international students as part of the department’s CRICOS-registered course.
* **CRICOS** meansCommonwealth Register of Institutions and Courses for Overseas Students.
* **DE** or the department means the Department of Education in Victoria.
* **DE (IED)** means the Department of Education – International Education Division. IED is the division in the department that administers the ISP in Victorian government schools. IED is not a separate entity to the department, which 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, otherwise known in the department’s ISP as Standard or Study Abroad students.
* **ISP** means International Student Program administered by DE (IED).
* **Parent** refers to the parent(s) or legal guardian(s) of an international student.
* **School** means any Victorian government school accredited by DE (IED) to deliver the ISP.
* **School supervisor** refers to a staff member at the school nominated to provide support to an international student participating in, or considering participating in, VCE language studies at a CLS.
* **Third-party education providers** refers to community language schools delivering VCE languages subjects.
* **VCE** means Victorian Certificate of Education.

## Policy contact and maintenance officer

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## Authorised

Executive Director, International Education Division

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**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.