

Evaluation of the
Education Services for Overseas Students Act 2000

A submission by the
Council of Australian
Postgraduate Associations

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Introduction

The Council of Australian Postgraduate Associations is pleased to contribute to the Review of the Education Services for Overseas Students Act 2000. CAPA is the peak body representing Australia's 247,315 postgraduate students, including its 76,877 international postgraduates.

Postgraduate student associations and committees at each of Australia's public universities are affiliated to CAPA and contribute to CAPA policy at its Annual Council Meeting each year. International students are particularly active within CAPA, and tend to be the main cohort making use of facilities and services at postgraduate associations. Recent CAPA research on international students includes a background paper on key issues affecting international postgraduates, *Equity of Conditions for International Postgraduates Students* (March 2004), available on the CAPA website, www.capa.edu.au, and included with this submission. CAPA also conducted a survey of international postgraduates conducted in October 2003. The results of the survey have not been released publicly due to the small sample size, however a brief overview is included as an appendix to this submission.

CAPA is also preparing a submission to the review of "Options for regulating migration agents overseas and the immigration related activities of education agents" being conducted by DIMIA. In our 2003 survey of international postgraduates, CAPA identified the problems with overseas education agents as one of the most pressing concerns faced by international students. While some matters concerning education agents will be presented in this submission, we will be addressing the problem primarily through our submission to DIMIA.

About this submission

Here, we focus on the first section of the Review Consultation Guide, "Quality Assurance," commenting in particular on the National Code of Practice. We also comment very briefly on the section "Consumer protection." We have not responded to the section "Migration policy" as we are aware that other stakeholder groups who deal more directly with international students in crisis have responded in detail to this section. In particular we refer the review panel to the submission of the Swinburne University Postgraduate Associations (SUPA). SUPA's concerns are representative of problems faced by international students in respect of migration law and regulations. We also refer the review panel to the submission of the National Liaison Committee for International Students. Our paper, *Equity of Conditions for International Postgraduates Students* (March 2004), attached, may be of interest to the review panel in so far as it comments on aspects of the DIMIA assessment system, applicable to the section "Joined up government."

List of recommendations

Recommendation 1: That section C, sub-sections 21.1 – 21, of the Regulations be replaced by a proscribed pro-forma-style list of information to be sent to the student before the completion of enrolment. As well as the items currently listed under paragraph 21, this should include a statement *from the department or centre in which the student will be enrolled* setting out:

- An exact description of the course content, including which subjects will be available to the student;
- A full description of the teaching methods used, including the amount and style of teacher contact the student should expect;
- A description of the facilities and resources available *at the departmental level*, including whether the student will be able to access a sole-use desk, and the number of computers available per student;
- In the case of research students: the specialist facilities available within the department, a curriculum vitae of the supervisor, including past publications and areas of specialization, and a confirmation from the department that it is able to support the students proposed research project.

Recommendation 2: That students enrolling in research degrees, whose previous degree is not from an Australian university, be required to submit examples of previous written academic work to the department in which they are enrolling, and that the department be required to confirm that, *prima facie*, the work is of an adequate standard to undertake higher degree research. Where the work is judged not to be of standard, a full description of what the student would need to do/achieve to bring the work to standard should be provided.

Recommendation 3: That DIMIA prepare a brochure fully explaining the students' rights as a consumer under Australian law and that this be sent to all students upon enrolment.

1. Quality assurance

- *Are the National Code requirements adequate for assuring a minimum level of quality across all providers who deliver education and training services to international students in Australia whilst on a student visa?*
- *Is the National Code consistently applied across all jurisdictions, sectors and provider types?*
- *Do the current monitoring and enforcement powers enable the Australian Government to act quickly and decisively against providers who do not comply with the ESOS Act 2000?*
- *What changes, if any, are needed to the ESOS Act 2000 to improve quality assurance arrangements?*

The National Code fails to adequately regulate and monitor universities

The National Code appears to be designed to regulate the activities of smaller and private providers. CAPA does not believe that the Code adequately regulates the activities of universities as providers of education services. Currently, the quality of courses provided to international students by universities varies widely not just across the sectors, but within individual universities. In particular, the standard of facilities on offer may be very poor in particular departments, even if the university as a whole is seen as having excellent facilities. Further, strained departmental budgets often mean that some tutorial or other learning groups may have staff-to-student ratios which are far too low to accommodate the needs of international students, both in terms of language support, as well as support for students adapting to new teaching pedagogies.

Paragraph 13.8 of the Code is designed to overcome the problem of inadequate resources through inspection. This clause is an example of how blatantly inadequate the Code is for regulating universities – it would be overwhelmingly difficult for every university department supporting international students to be inspected. Worse, paragraph 13.9 provides that universities are exempt from such inspection. A situation is created where the kind of provider most able to hide inadequate resources and facilities – the large and by nature difficult to inspect universities – are the least regulated of all.

Section C of the National Code, which relates to the resources and facilities the provider is obliged to provide (paragraphs 15-18) are particularly problematic when applied to universities. CAPA receives many reports of students finding that the computer and IT support supplied in their department is inadequate to their needs. For research students, problems with inadequate resources are compounded where specialist equipment necessary for the student to carry out the project as envisioned may not be available.

CAPA also questions whether any monitoring of universities' adherence to section 21 of the Regulations is undertaken. Section 21 seeks to ensure that providers disclose detailed information about course content, teaching methods, assessment and facilities to intending students. International students commonly report problems with university courses such as failure to disclose:

- that the student is enrolled at a satellite campus of the institution;
- Australian pedagogy, such as the requirement for independent learning, and the focus on essay-style assessment;

- precisely what units of a course will be available in a given year;
- the number of computers available per students, and that students may in fact find it extremely difficult to access a computer;
- for research students, in many instances, that no dedicated study space will be provided – for example that the student will not have access to a sole-use desk, let alone an office;
- other costs, such as public transport costs, realistic accommodation costs, etc.

CAPA is further concerned that the minimum level of English language proficiency necessary to undertake postgraduate education is not disclosed in a realistic manner. The TOEFL and IELTS measurements are insufficient for ensuring that students' written communication skills are of a postgraduate/academic/publishable level. It is traumatising for students to discover halfway through a PhD that their language proficiency is inadequate.

What students say

CAPA conducted a survey of 826 international postgraduate students in late 2003. While the sample used is too small to confidently extrapolate to the total international postgraduate population, some of the comments made by students surveyed bring alive the problems raised above:

“Only after arriving here did I realise publishing every year is encouraged and for the most part conference registration, hotel accommodation and plane tickets must be paid for by the student...”

“...the school mislead me generally regarding the infrastructure and particularly supervision and facilities for international students... The area where the school showed most punctuality was the collection of huge sums of my fees for the program...”

“[The university has no] expertise in the selected field of study and no laboratories or facilities to conduct the research. I rely on what the student can find through his studies, finding suitable facilities in local industry and expertise from other universities. The supervision was terrible, my supervisor is totally lost in my field of study and can't help me.”

“Not one of the estimated living or university costs from the University of Wollongong or Newcastle were close to the actual costs (government taxes, food, extra school fees, etc).”

“The university I study in charges a horrendous amount of tuition fees yet the facilities, especially computers, are not enough. We have to make long queues in order to use a machine.”

“Improve the damn quality of education in order to get at par with the rest of the world.”

“The information I received about the course was entirely misleading – to the point that I wouldn't have enrolled in the course if I had [known].”

“...the curriculum of my course keeps changing and therefore some topics that I intended to take when looking at the course description before enrolment into the Uni became

unavailable.”

“1. A lot of hidden costs. 2. Promotional materials absolutely misleading. 3. Care [for] Aussie students much more than international students. 4. Absolutely bureaucratically run. 5. In general a very bad experience.”

“Cost of living is higher than I expected and to find work is almost impossible and far more additional costs such as parking and the cost of course materials and books.”

“Information regarding the quantity and duration of fees, resulting in financial hardship, was inaccurate and incomplete prior to arrival in Australia, and even faculty at the university were not aware of the real policies until they had to reach them for my benefit, many were shocked by extreme financial demands placed on international students.”

CAPA believes these problems are both widespread and serious. CAPA has encouraged student to press charges under the Trade Practices Act in order to force universities to take such issues seriously. Unfortunately, many international students feel too intimidated to take such action, due to fear of DIMIA, and causing problems back home. Students also admit to not mentioning these issues in exit surveys, as they don't wish to bring down the name of an institution in whose reputation they have a stake as a degree-holder.

Possible solutions

One way to address the issues raised above would be to expand and proscribe section C, sub-sections 21.1 – 21 of the Code. CAPA recommends:

Recommendation 1: *That section C, sub-sections 21.1 – 21, of the Regulations be replaced by a proscribed pro-forma-style list of information to be sent to the student before the completion of enrolment. As well as the items currently listed under paragraph 21, this should include a statement from the department or centre in which the student will be enrolled setting out:*

- *An exact description of the course content, including which subjects will be available to the student;*
- *A full description of the teaching methods used, including the amount and style of supervisor/teacher contact the student should expect;*
- *A description of the facilities and resources available at the departmental level, including whether the student will be able to access a sole-use desk, and the number of computers available per student;*
- *In the case of research students: the specialist facilities available within the department, a curriculum vitae of the supervisor, including past publications and areas of specialisation, and a confirmation from the department that it is able to support the student's proposed research project.*

The provision of such information to the student should be seen as a binding contract on the behalf of the university for services to be provided.

In respect of language requirements, CAPA does not believe that the hurdles set out under DIMIA's five-tiered assessment system for student visas are either useful or logical (see attached paper, *Equity of Conditions for International Postgraduates Students* (March 2004). Rather, CAPA recommends:

Recommendation 2: *That all students enrolling in research degrees, or degrees where written work will form a substantial part of the assessment, and whose previous degree is not from an Australian university, be required to submit examples of previous written academic work to the department in which they are enrolling, and that the department be required to confirm that, prima facie, the work is of an adequate standard to undertake higher degree research. Where the work is judged not to be of standard, a full description of what the student would need to do/achieve to bring the work to standard should be provided.*

2. Consumer Protection

- *How effective are consumer protection provisions (including the assurance fund and tuition assurance schemes) in ensuring that students' tuition and refund entitlements are appropriately protected?*
- *Do the administrative arrangements supporting consumer protection provisions deliver the Government's policy intent at a reasonable financial and regulatory cost?*
- *How well do stakeholders understand their rights and obligations under the ESOS Act 2000?*
- *What changes, if any, are needed to the ESOS Act 2000 to improve consumer protection arrangements?*

CAPA does not wish to comment at length on the section except to say that students are often unfamiliar with their rights as consumers under the Trade Practices Act and ESPOS Act. CAPA recommends:

Recommendation 3: *That DIMIA prepare a brochure fully explaining the students' rights as a consumer under Australian law and that this be sent to all students upon enrolment.*

Appendix: The CAPA Survey of International Postgraduate Students¹

In September 2003 CAPA surveyed International postgraduate students studying at all Australian universities. We received 826 responses, of which 29% were from HDR students (8% Masters and 21% Doctorate).

We recognise that our sample group is quite small, and do not presume to make broad generalisations about the international student experience based on this data alone, however we believe that the feedback the surveyed students have provided is a valuable tool for gaining a better understanding of some themes for further investigation.

International Research Student Satisfaction

While students were not, on the whole, exceptionally positive about the research experience at Australian universities, those who were 'extremely dissatisfied' represented less than 8% on each count (see data below). However, the provision of resources and on-campus facilities left only around 10% of those surveyed 'extremely satisfied.' While the highest proportion of students fell into the 'satisfied' range, the data below could also be interpreted as showing that around 40% of students were less than satisfied with supervision, resources and facilities, and a worrying 54% less than satisfied with university support.

Research satisfaction with:		Average	% extremely dissatisfied (1)	% dissatisfied (2)	% neither satisfied nor dissatisfied (3)	% satisfied (4)	% extremely satisfied (5)
	Quality of supervision	3.54	5%	11%	25%	43%	16%
	Provision of resources	3.45	6%	15%	20%	48%	11%
	On-campus facilities	3.45	5%	14%	24%	48%	10%
	University support	3.25	7%	15%	32%	38%	8%

Key Finding

The key finding of the survey was the very poor level of information provided to students prior to their arrival in Australia. While universities sometimes recruit students directly, much of this work is done by agents in the students' home country. Comments made by the students surveyed indicates that these agents may not be giving students realistic information, and students may not be asking the 'right' questions.

Students can suffer extreme hardship once they arrive in Australia if they have been misinformed prior to leaving home. We strongly encourage universities to ensure that students are given the best possible information prior to coming here, and that they are encouraged to contact the university directly for information rather than relying on agents.

¹ Presented to the Deans and Directors of Graduate Studies committee meeting November 2003.

Note: Because students from Singapore, Malaysia and Indonesia were markedly less satisfied than other students in the following section, we have provided the South-East Asian average as well as the over-all average. South-East Asians students make up 40% of the overall postgraduate international student cohort at Australian universities.

Information provided to you prior to your arrival in Australia	Average	South-East Asia Average
1 extremely dissatisfied		
2 dissatisfied		
3 neither satisfied nor dissatisfied		
4 satisfied		
5 extremely satisfied		
a) Resources and services on the campus in which you are enrolled	2.21	2.03
b) Content of Course Program in which you are enrolled	2.09	1.93
c) Assessment Procedures of the Program in which you are enrolled	2.31	2.09
d) Information on staff and the faculty	2.40	2.23
e) Costs of living in the area in which your campus is situated	2.15	2.13
f) Options for housing and accommodation	2.14	2.15
g) Information about access to cultural support	2.67	2.52
h) Information about access to financial support	2.71	2.22
i) Information about access to welfare and counseling support	2.62	2.38
j) Information about access to religious or spiritual support	2.75	2.55
k) Information about access to English language support	2.18	1.95
l) Information about employment opportunities	2.67	2.46
m) Information about the ESOS Act and other laws pertaining to International Students	2.94	2.69
n) Information on public education costs for dependents	2.87	2.80
o) Information about the extra costs of studying (textbooks, student activities etc)	2.55	
p) Information about access to public transport concessions	2.59	2.42
q) Information about legal obligations and rights	2.67	2.62
r) A broad range of study options across a number of different institutions of higher learning.	2.78	2.68

Given the apparent widespread inadequacy of the information students are provided with before they come to Australia, it is not surprising that only 26% of students were finding that their satisfaction with their experience here was more or much more than they had expected.

Expectations met	
much more than I had expected	11%
more than I had expected	15%
about what I had expected	36%
less than I had expected	23%
much less than I had expected	16%

The intent of this survey was to gauge the areas of concern to the international students we represent, and not to shame or rank universities. For this reason we have decided not to release university specific data, but would encourage universities to conduct research on their own international students to isolate problems localised to their institution.