

SUBMISSION

Inquiry into the Higher Education Support Amendment (Response to the Australian Universities Accord Interim Report) Bill 2023

25 August 2023

The Australian Technology Network of Universities (ATN) welcomes the opportunity to provide a submission to the Senate Education and Employment Legislation Committee for its inquiry into the *Higher Education Support Amendment (Response to the Australian Universities Accord Interim Report) Bill 2023*.

ATN is pleased that the Accord Panel and the Government have placed equity at the heart of Australia's higher education system – across education, research, community engagement and global development. They have recognised the need for a high-quality, fair and equitable system that is accessible to everyone.

The five priority actions outlined in the Interim Report provide much needed certainty and stability to the sector while we consider longer-term structural reforms which will be to the benefit of our next generation of students and shape higher education for the next 30 years.

ATN has led the call for the removal of the 50 per cent pass rule and the extension of the demand driven system to all First Nations people since the release of the Job-ready Graduates proposals in 2020 (see Attachment). These changes improve policy and its implementation and will make an immediate impact for some of our most disadvantaged students.

Recommendations

ATN recommends that:

1. The demand driven system include all First Nations people as outlined in the Bill
2. The 50 per cent pass rule be abolished as outlined in the Bill
3. The Committee consider the efficacy of introducing a support for students policy in addition to existing measures offered by higher education providers to monitor and support student progress.

info@atn.edu.au
www.atn.edu.au
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Further information

Demand driven system for all First Nations students

We ought to support First Nations participation regardless of their choice of course, whether in vocational education or university, and regardless of where they live at the time of their enrolment.

While First Nations Australians from regional areas are guaranteed a place they are offered at any university, the same does not apply for First Nations Australians from other areas. Over a third of First Nations Australians do not live in a regional or remote area and are not afforded the same opportunity.

There is no more effective way to Close the Gap than by providing access to post-school education for all First Nations Australians. This should be a priority for all governments, given the significance of education in reducing disadvantage in a long-term, sustainable and targeted way.

First Nations people should be represented in higher education in a holistic and inclusive way that facilitates the positive contribution they can make to the development of our society. We do everyone a disservice when First Nations initiatives are constructed solely through a deficit lens and focused exclusively on raising participation metrics.

This year is a momentous one for First Nations constitutional recognition and listening to the voices of First Nations people. Regardless of the outcome of the referendum, the momentum of change must be maintained, and the national Accord and individual university accords should provide an anchor point for our First Nations community and recognise their place in all our endeavours.

Ceasing the 50 per cent pass rule

This rule cuts off Commonwealth support to those students who need it the most at the time when they need it the most. Students at risk of poor or no progression in their studies need and deserve continuity and extension of support, not a mandatory and administrative halt that guarantees that they will not complete.

The current formulation of the rule creates unhelpful and damaging incentives to switch courses or universities to regain Commonwealth support. This practice would make it difficult or impossible to monitor students' progression, identify the need for additional assistance or intervention, and provide this support.

ATN advocates for a focus on excellence and success for all students, not just access to opportunities. It welcomes an emphasis on student progress. However, we have consistently maintained that the 50 per cent pass rule is not the way to improve progress (see Attachment).

Support for students policy

ATN agrees with the Government that universities should be identifying students at risk of falling behind and helping them to succeed. All higher education providers are currently required to have in place processes and assistance to do so. These arrangements should be further developed and enhanced if they are not working satisfactorily.

TEQSA already administers the Higher Education Standards Framework (Threshold Standards) 2021 which requires universities to have processes that identify students at risk of unsatisfactory progress and provide support to students to ensure they have equivalent opportunities to transition into and progress through their course, irrespective of their educational background, entry pathway or place of study (see Excerpt below).

The Minister for Education has written to the Higher Education Standards Panel asking that the Panel consider the effectiveness of the current Threshold Standards in supporting students and advise what can be done to improve the standards currently in place. This is an appropriate first step and one which makes the best use of existing administrative and regulatory structures before introducing additional complexities.

ATN does not support the inclusion of proposed section 19-43 in the *Higher Education Support Act 2003*. This will introduce a separate duplicative set of arrangements which confuse responsibilities, reduce efficiency and are wasteful of Commonwealth and university resources. There is no rationale for a second set of legal and penalty provisions that are enforced by the Department of Education, rather than TEQSA the agency responsible for regulation of higher education.

In addition the wording of section 19-43 suggests a single support for students policy whereas universities may have well established frameworks with multiple related policies. The supports required and provided to assist students are varied and can involve several parts of the university (e.g. academic, financial, health and wellbeing) – universities' responses can be accordingly comprehensive and wide-ranging.

Excerpts from the Higher Education Standards Framework (Threshold Standards) 2021

PART A: Standards for Higher Education

1.3 Orientation and Progression

1. Successful transition into courses of study is achieved through orientation programs that are tailored to the needs of student cohorts and include specific consideration for international students adjusting to living and studying in Australia.
2. Specific strategies support transition, including:
 - a. assessing the needs and preparedness of individual students and cohorts
 - b. undertaking early assessment or review that provides formative feedback on academic progress and is able to identify needs for additional support, and
 - c. providing access to informed advice and timely referral to academic or other support.
3. Methods of assessment or monitoring that determine progress within or between units of study or in research training validly assess progress and, in the case of formative assessment, provide students with timely feedback that assists in their achievement of learning outcomes.
4. Processes that identify students at risk of unsatisfactory progress and provide specific support are implemented across all courses of study.
5. Trends in rates of retention, progression and completion of student cohorts through courses of study are monitored to enable review and improvement.
6. Students have equivalent opportunities for successful transition into and progression through their course of study, irrespective of their educational background, entry pathway, mode or place of study.

5.3 Monitoring, Review and Improvement

7. The results of regular interim monitoring, comprehensive reviews, external referencing and student feedback are used to mitigate future risks to the quality of the education provided and to guide and evaluate improvements, including the use of data on student progress and success to inform admission criteria and approaches to course design, teaching, supervision, learning and academic support.

Conclusion

ATN welcomes the immediate action on the five priority areas identified in the Australian Universities Accord Interim Report. The two actions implemented by this Bill have been long called for by ATN and rectify key flaws in the Job-ready Graduates package.

We appreciate the intent to monitor and improve student progression and success, but we must also make sure this is part of an efficient and effective system of administration and regulation. We would welcome improvements in the Department of Education's collection and publication of relevant and timely data.

ATN looks forward to working constructively with all parties to design and implement further actions from the Accord process.

Further enquiries should be addressed to:

Executive Director

Australian Technology Network of Universities
info@atn.edu.au

Attachment

Demand driven system for all First Nations students

[Excerpt from ATN's submission to Senate inquiry into the Higher Education Support Amendment \(Job-Ready Graduates and Supporting Regional and Remote Students\) Bill 2020](#)

[Recommendation] 1. Demand-driven access should be extended to all Aboriginal and Torres Strait Islander people, not just those from regional and remote areas

The Bill provides for demand-driven funding for eligible Indigenous persons with the definition of such a person being restricted to someone whose permanent home address at the time of enrolment is in a regional or remote area. Over a third of Indigenous persons do not live in regional or remote areas and a high priority needs to be given to reducing the gap in further educational attainment for all Indigenous persons.

The definition of an eligible Indigenous person in the Bill should be broadened to include all Indigenous persons. This would better align the Bill with the Government's recently announced approach to Closing the Gap and revised further education target.

Ceasing the 50 per cent pass rule

[Excerpt from ATN's submission to Senate inquiry into the Higher Education Support Amendment \(Job-Ready Graduates and Supporting Regional and Remote Students\) Bill 2020](#)

[Recommendation] 4. Remove the 50 per cent completion rate rule from the Bill

... ATN is deeply concerned that this measure is unfairly punitive on students. It may deny students a viable pathway to completing their studies (especially in circumstances where there is no full fee paying option available), rather than supporting students to achieve their best outcome as universities already do.

In particular, this measure is likely to disproportionately affect the very students that the Job-ready Graduates Package aims to support. Students from low SES backgrounds, students from regional areas, Aboriginal and Torres Strait Islander students, and first-in-family students can struggle to adapt to university in their first year. This measure will cut off the Commonwealth assistance for some of these students, preventing universities from being able to properly support these students.

The measure as written creates considerable uncertainty. There are technical issues that could cause inconsistencies in its interpretation and application across universities, creating undue confusion for students.

The Higher Education Standards Framework (Threshold Standards) 2015 requires universities to have processes that identify students at risk of unsatisfactory progress and provide support to students to ensure they have equivalent opportunities to transition into and progress through their course, irrespective of their educational background, entry pathway or place of study.

All universities have policies concerning academic progression which seek to ensure that students who unable to complete a course do not continue to enrol. These policies take into account the particular circumstances experienced by a student. These circumstances are not restricted to the very limited circumstances in which a HELP debt to the Commonwealth may be waived.