

Guiding Principles for VET in schools delivered to overseas students

The department considers that VET in schools may be delivered to overseas students under the following conditions.

Where the school is a registered training organisation (RTO), the school may deliver VET components to overseas students under its school course CRICOS registration if the components contribute towards the school qualification.

- A school which is a registered training organisation (RTO) and already registered with the Australian Skills Quality Authority (ASQA) or another regulatory body to deliver a VET component would need to apply to the ESOS Agency for school providers. In this case, the Secretary of the Department of Education, Skills and Employment (the department) would register the school course on CRICOS inclusive of the VET components on its school course scope.
- The school would not be expected to register the VET component in addition or as a separate course on CRICOS where it is included in the scope of the school course registered on CRICOS.
- ASQA will not be the appropriate ESOS agency to register a VET course on CRICOS where the RTO intends to deliver the VET component in a school on a part-time basis as part of a school course. Instead, the school would need to apply to the Secretary to register the school course, including the VET component in its course scope.
- Where the school intends to deliver a full VET qualification, (such a Certificate III) as an integral component of the school certificate, the school must ensure the method of course delivery, including the amount of training they provide, will enable the student to complete all the units of competency necessary to gain that qualification during their secondary school studies.

Where the school is not an RTO it may engage an RTO to deliver the VET component of the registered school course, either at the school or a separate location.

- This is permissible under Section 8(f) of the ESOS Act, if it is delivered under an arrangement approved by the ESOS Agency (ie the Secretary) as part of the school CRICOS registration for the school course. The VET provider would still be required to deliver the VET components in compliance with the *National Vocational Education and Training Regulator Act 2011* (NVETR Act 2011) or, if applicable, the *Australian Quality Training Framework* (AQTF), and meet the Commonwealth, state or territory legislation or other regulatory requirements relating to child welfare and protection appropriate to the jurisdiction(s) in which it operates.
- School providers should not offer VET in Schools as an option to overseas students unless they are able to meet their obligations under the ESOS Act with respect to that component.
- Regardless of whether the school delivers the VET component, or partners with an RTO to deliver the VET component, the school will be responsible to meet the requirements under the *National Code of Practice for Providers of Education and Training to Overseas Students 2018*, including monitoring and reporting on course attendance/progress, providing support services and ensuring compliance with requirements for younger students under standard 5.
- The school must also ensure that the partner RTO, if delivering VET components at a separate location, has adequate facilities and equipment to deliver these components. Where the VET components are delivered by the partner RTO at another location, the school may be required to demonstrate to the DSA that the delivery site is an approved delivery location for the purposes of providing the VET training.

- As the VET component falls under the school's CRICOS registration, the student's tuition fees for the course (including the VET components) are protected by virtue of the school's CRICOS registration.
- It is important that the school, as the Registered Provider of the course, is aware that it can be held responsible for any breaches of the ESOS framework with respect to that course whether the breaches arise from actions by the school or the partner RTO it has engaged. Accordingly, when forming an agreement with a partner to provide a course, the school provider should ensure it is able to monitor compliance in respect to all parts of the course – including parts delivered by the RTO it has engaged to deliver the VET component.
- If the school provider is no longer able to deliver the school course to the student, they will be in provider default, as under Section 46A of the ESOS Act.
- If the RTO the school has partnered with closes or is otherwise unable to deliver the VET component, the school must ensure that the student is still able to complete the secondary school course for which their visa has been issued. This could mean engaging an alternative VET provider to deliver the VET components or if this is not possible, offering alternative secondary school subjects which meet the requirements for completing the school qualification.

Where the VET components are not included in the scope of the school course CRICOS registration students must only study this component with an RTO who is registered on CRICOS to deliver that course at the relevant location.

- VET courses which are offered to international students by an RTO in addition to the school certificate course can only be offered by a CRICOS registered provider.
- Consistent with requirements for registering all courses on CRICOS, ASQA will only consider applications from RTOs wishing to offer these courses to students on a full-time basis, and the duration of the VET course would need to reflect that intention.
- If a school or the department reasonably considers the student's VET studies are in addition to the school course qualification, it would be more appropriate for the RTO seeking to offer the course to apply to ASQA as the ESOS agency to register the additional VET component separately on CRICOS as a VET course. In this case, the VET course would be delivered as a full-time VET course rather than as a component of the school course.

Registration process for school providers wishing to register a school course which includes a VET component integral to the school certificate

- The department has advised ASQA to consider any queries from a school or RTO regarding delivery of VET in schools through the lens of this advice. We expect ASQA would redirect applications from schools wishing to deliver a school course including a VET component to overseas students to apply for CRICOS registration through their Designated State Authority (DSA) to the Secretary as the ESOS Agency for school providers, rather than ASQA.
- RTOs which intend to deliver VET components as part of the school qualification on behalf of a school to overseas students will be directed to contact the school to discuss arrangements if they wish to deliver these components under the school's CRICOS registration.