



# PROVISION of EDUCATION to INTERNATIONAL STUDENTS

Code of Practice and Guidelines for Irish Higher Education Institutions

# **Provision of Education to International Students: Code of Practice and Guidelines for Irish Higher Education Institutions**

This Code of Practice is intended to enable HEIs to set their own education provision arrangements for international students against agreed sector wide benchmarks. It is intended that all HEIs will make a conscious commitment to adopt and maintain these standards in relation to the recruitment, reception, education, pastoral care and welfare of their international students ensuring the continued high standing of Irish HEIs as education and training providers worldwide.

These guidelines also apply to all international students studying offshore in an outreach facility which is governed and controlled by an Irish HEI.

## The IHEQN Subcommittee

A subcommittee was appointed by the Irish Higher Education Quality Network and given the remit to draft this Code of Practice and Guidelines for Irish Higher Education Institutions concerning the Provision of Education to International Students. The composition of the subcommittee was:

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<b>Sheila Power</b>	Irish Council for International Students
<b>Lewis Purser</b>	Irish Universities Association

## Acknowledgements

In preparing these guidelines reference has been made to the publications below, the input of which is hereby acknowledged with thanks to the bodies concerned

- ❖ Guidelines to support the Code of Practice for the Pastoral Care of International Students – New Zealand Ministry of Education – Sept. 2003
- ❖ Guidelines to support the Code of Practice for the Pastoral Care of International Students – New Zealand Ministry of Education – Dec. 2003
- ❖ Good Practice – In the Organisation of Student Support Services Irish Universities – IUQB – National Guidelines 2006
- ❖ An IUQB Sectoral Project – Dissemination, Publication and Implementation of Good Practice in the Organisation of Student Support Services in Irish Universities – March 2005
- ❖ Responsible Recruiting – A Code of Practice for Third Level Colleges – ICOS 1992
- ❖ Provision of Education to International Students – Australian Vice Chancellors Committee – April 2005
- ❖ Internationalisation of Irish Education System – Report of Interdepartmental Working Group – Sept 2004
- ❖ Education of Overseas Students Act 2000 Attorney-General's Department, Canberra, Australia – Prepared Dec. 2005
- ❖ Code of Practices and Guidelines for HECA Colleges – June 2006
- ❖ International Students in Higher Education in Ireland 2006 - International Education Board of Ireland
- ❖ UNESCO (& OECD) Guidelines for Quality Provision in Cross-border Higher Education, Paris 2005

## Acronyms relevant to this document:

DoES	Department of Education and Science
DIT	Dublin Institute of Technology
DoJELR	Department of Justice Equality and Law Reform
FETAC	Further Education and Training Awards Council
IEBI	International Education Board Ireland
IELTS	International English Language Testing System
INIS	Irish Naturalisation and Immigration Service
IUA	Irish Universities Association
HEI	Higher Education Institution
HETAC	Higher Education and Training Awards Council
HECA	Higher Education Colleges Association
IHEQN	Irish Higher Education Quality Network
IUQB	Irish Universities Quality Board
ICOS	Irish Council for International Students
NFQ	National Framework of Qualifications
NQAI	National Qualifications Authority of Ireland
USI	Union of Students in Ireland

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# Section 1 Introduction

## 1.1 Aims and Objectives

In 2006, the Irish Higher Education Quality Network appointed a subcommittee to draft a voluntary Code of Practice for Irish higher education institutions (HEIs) governing the provision of education and services to international students. The subcommittee was expanded to include representation from the Irish Council for International Students (ICOS) having direct interest in the pastoral care of international students and international offices of HEIs having direct contact with international students. The aim was to exchange experiences and examples of good practice among higher education networks. From this the subcommittee sought to develop a Code of Practice governing the provision of education and service to international students emphasising practical standards, guidelines and minimum requirements

This Code of Practice would enable HEIs to set their own education provision arrangements for international students against agreed sector wide benchmarks. It is intended that all HEIs will make a conscious commitment to adopt and maintain these standards in relation to the recruitment, reception, education, pastoral care and welfare of their international students ensuring the continued high standing of Irish HEIs as education and training providers worldwide.

## 1.2 International Education in Ireland

International student mobility is increasing each year and, although forecasts for growth have been revised downwards over recent years, the global growth trends remain positive. The significant increase in the use of English around the world is leading to an accelerated demand for English language courses. Of a projected one billion English speakers by 2050, two thirds will be non-native speakers.

Ireland has experienced growth levels in international student numbers over recent years of approximately 10% per annum. In 2006, for the first time, the number of international students in recognised tertiary education exceeded 25,000. These students come from other countries in the European Union under exchange programmes such as Erasmus (referred to as EU students) and students from countries outside the European Union (referred to as non-EU students) studying in Ireland on undergraduate, postgraduate or study abroad programmes. IEBI's<sup>1</sup> report "International Students in Higher Education in Ireland 2006/2007" indicated there were 27,275 international students in recognised HEIs in Ireland, 58% of whom originated from non-EU countries. Income from tuition fees provided by these students as reported by these institutions was €164 million for the 2006-2007 academic year. Other living expenses for students generated approximately €208 million bringing the total estimated revenue to over €372 million<sup>2</sup>.

A key element in attracting students to a country to pursue their education is the quality of the whole education experience. In this context, consideration of quality is not simply confined to the academic standards of a programme but encompasses the wider dimensions of the individual's educational experience, based on the quality of supports and services in place within the institution and readily available to the student. These would include, for example, orientation, accommodation, health and welfare services. Given the substantial investment on the international students' part, there is a consequent responsibility on HEIs to provide a quality service both in terms of academic delivery and appropriate pastoral/welfare supports.

In 2003, the Government agreed to a proposal by the Minister for Education and Science to establish an interdepartmental group to consider the internationalisation of Irish education and to address issues such as promotion, the development of a quality mark and pastoral care. The group considered a range of issues including quality assurance, immigration and visa issues, the need for better regulation, future marketing and promotion arrangements, academic and institutional supports for international students and scholarships. Its report also highlighted the

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<sup>1</sup> International Education Board Ireland

<sup>2</sup> This is considered a conservative estimate by IEBI as cost of living estimates used are at the lower end of the spectrum and airfares and the revenue generated by visitors to these students are not included.

need for a Code of Practice. In response to this the IHEQN decided to appoint a subcommittee to draft a voluntary Code of Practice.

### **1.3 Irish Higher Education Quality Network**

The Irish Higher Education Quality Network (IHEQN) was established in 2003 and provides a forum for the discussion of quality assurance/quality improvement issues amongst the principal national stakeholders involved in quality assurance of higher education and training in Ireland (See Appendix 2 for further details). In response to the Interdepartmental report, the Irish Higher Education Quality Network decided to address the matter in its work programme for 2006/2007.

### **1.4 Consultative Process**

The Subcommittee produced a draft Code of Practice in 2007 and engaged in a comprehensive consultation process by circulating the document to stakeholders and international offices in Irish HEIs. This process culminated in a consultative seminar to debate and discuss the proposed Code of Practice.

### **1.5 What the Code Defines**

Each chapter of the document is structured to present Standards, Guidelines and Minimum Requirements with the exception of Chapter 1, which is of a descriptive rather than a prescriptive nature. In this structure each element is intended to convey the following:

#### **The Standard**

The Standard describes in broad terms what is ideally expected of HEIs in the provision of education to international students. It appears in bold red font in this document.

#### **The Guidelines**

The Guidelines give guidance as to ways in which the standards can be attained. They appear in blue font in this document.

#### **Minimum Requirements**

Minimum requirements indicate procedures/methods that represent the minimum necessary to achieve the standards. They appear in bold, black font in this document.

### **1.6 Standing of the Code**

This Code of Practice derives its authority from the commitment by Irish HEIs to the highest standards in the provision of education to international students. The quality assurance arrangements of these institutions are overseen by the member bodies of the Irish Higher Education Quality Network (IHEQN). The development process of this Code includes a period of consultation with and agreement by the HEI represented on the IHEQN.

### **1.7 Irish Quality Assurance Systems**

There are three separate, but linked, systems in place for quality assurance in Irish higher education for each of the following:

- (a) The universities and associated HEI.
- (b) The Higher Education and Training Awards Council and the associated institutes of technology and providers within the independent sector.
- (c) The Dublin Institute of Technology.

## **1.8 Compliance with the Code**

These guidelines are persuasive rather than mandatory. As such they should be considered as indicative of good practice expected of the HEIs which have agreed to subscribe to this Code.

Compliance with this Code of Practice is a matter for individual HEIs that subscribe to it. Adherence to and implementation of the Code are matters to be addressed by the institutions' own quality assurance arrangements. Reviewing the effectiveness of the institutions' quality assurance arrangements in this connection is the responsibility of the relevant member body of the Irish Higher Education Quality Network (IHEQN) in the context of its general review of the effectiveness of the quality assurance procedures of its client institutions. For the universities this body is the Irish Universities Quality Board (IUQB) for the Institutes of Technology and independent provider institutions, the Higher Education and Training Awards Council (HETAC) and for the Dublin Institute of Technology (DIT) the National Qualifications Authority of Ireland (NQAI).

## **1.9 Relevance of this Code to developing Quality Assurance**

The Irish Government is committed to positioning Ireland as a "location of choice in the international educational market" ('Building Ireland's Smart Economy', December 2008). It is hoped that this Code of Practice will be of assistance in development of the agreed quality assurance standards for provision of education to international students to support this policy.

## **1.10 Resourcing of Student Pastoral Care**

The adoption of the recommendations contained in this Code will have resource implications for HEIs. These resources will have to be made available to each HEI or set aside by it.

## **1.11 Review of Guidelines**

This Code of Practice is issued by the Irish Higher Education Quality Network and is to be reviewed on a triennial basis in consultation with providers.

# Section 2 Standards, Guidelines & Minimum Requirements

## Chapter 1 Marketing and Recruitment

### The Standard

#### 1.1 Marketing and Recruitment: The Standard

**Irish higher education is promoted and marketed accurately and honestly in terms of its quality, standing and availability. HEIs provide prospective international students with accurate, up-to-date and comprehensive information.**

### The Guidelines

#### 1.2 Provision of Information to Prospective International Students

Full information in either writing or electronic format is provided in relation to the following:

- a) Programmes and facilities.
- b) Details of the programme award including award body, National Framework of Qualifications level of the award and progression possibilities.
- c) Minimum entry requirements, to include academic prerequisites, English language proficiency and admission procedures.
- d) Amounts of application fees and whether they are refundable or non-refundable.
- e) Cost of tuition and all other programme-related costs.
- f) Conditions of acceptance and refund conditions.
- g) Medical Insurance requirements.
- h) Estimated current cost of living including accommodation costs.
- i) Work prospects and casual employment.

#### 1.3 Promotional Material (Prospectuses, Websites etc)

All material truthfully and accurately describes the education services, including the nature of programmes, facilities and opportunities available to international students. Advertisements and promotional literature do not include misleading or ambiguous statements about the nature of the programme, its accreditation status or about the cost of the programme offered.

HEIs approve all promotional materials. They ensure their promotions and advertisements, including those involving third parties e.g. recruitment agents, accurately reflect the services provided.

Information provided to prospective international students is reviewed annually to ensure its accuracy and relevance. Such review includes feedback from international students.

#### 1.4 Staff members representing Higher Education Institutions Overseas

Promotional and recruitment visits by HEI representatives are well planned and coordinated. Staff members representing HEIs at such events overseas or delivering programmes to international students are carefully selected. Representatives are clear communicators and are thoroughly familiar with the HEI's programmes and procedures. In particular, they are well briefed on the assessment systems as they apply to prospective international students.

Representatives are sensitive to the culture and customs of the country they are visiting and aware of its political and historical background and educational systems. They should be knowledgeable, experienced and competent in the administration of student policy and in face-to-face dealings with students. Representatives are in a position to advise prospective international

students of any significant barriers associated with the programmes or qualifications offered by a HEI being recognised for employment or further study in the student's home country when the career intentions of the student have been made known to the representative.

### **1.5 Recruitment Agents**

In selecting recruitment agents, HEIs:

- a) ensure that reasonable effort has been made to ensure that agents are competent, well informed, and reputable and act at all times in the best interests of applicants and HEIs,
- b) ensure that fees (if appropriate) charged by agents to students are clearly outlined in advance,
- c) monitor the activities of their agents on a regular basis. Training support is provided on a regular basis to update agency staff on changes to programmes, fees, services etc,
- d) ensure that promotions and advertisements carried out by agents on behalf of HEIs are truthful, accurate and approved by the HEI,
- e) review student satisfaction with agents' level of service.

HEIs have written contracts with recruitment agents which are stated to be governed by Irish law. Such contracts with recruitment agents provide for termination in the event of breach of contract.

In certain countries, staff of Irish embassies and consulates or Irish government agencies overseas (e.g. in the case of India), may be in a position to offer local knowledge and this is given due consideration.

### **1.6 Existing Structures for Promoting Ireland as a Centre of Educational Excellence**

Bodies involved in the promotion of Irish education (state, publicly funded/aided or independent) uphold and promote the standards and guidelines as set out in this Chapter.

### **1.7 Assessment of Applications from International Students**

HEI representatives advise prospective students, in clear terms, of minimum academic and, where applicable, English language requirements. Applications are assessed on the basis of such minimum requirements. For visa application purposes, the DoJELR website states that 5.0 in IELTS (or equivalent) is necessary for entry to academic programmes or 4.0 (or equivalent) in the case of short term preparatory English language courses. In most cases, HEIs will stipulate a higher English language requirement for entry to undergraduate and postgraduate programmes and an offer of a place on such a programme will not be made unless documentary evidence of same has been provided. Authorised HEI representatives are satisfied on reasonable grounds that such requirements are met before making an offer of a place to the student or accepting the student for enrolment. If these minimum requirements are met, the representative has discretion to offer a place to the student or to accept the student for enrolment.

If the HEI representative is not satisfied that a prospective student meets the requirements as outlined, they may advise the student of English language, foundation or other prerequisite courses that must be successfully completed before the representative will enrol them. Minimum requirements to be attained on such programmes are also clearly stated. In such cases, representatives may issue conditional offers to students.

Students receive a response regarding their application within a reasonable time frame.

## **Minimum Requirements**

### **1.8 Marketing and Recruitment - Minimum Requirements**

Full information in either written or electronic format is provided in relation to the following:

- a) Programmes and facilities.
- b) Details of the programme award including award body, National Framework level of the award and progression possibilities.
- c) Minimum entry requirements, to include academic prerequisites, English language proficiency and admission procedures.
- d) Amounts of application fees and whether they are refundable or non-refundable.
- e) Cost of tuition and all other programme-related costs.
- f) Conditions of acceptance and refund conditions.
- g) Insurance requirements.
- h) Estimated current cost of living including accommodation costs.
- i) Work prospects and casual employment.

All material truthfully and accurately describes the education services, including the nature of programmes, facilities and opportunities available to international students.

HEIs approve all promotional materials, including those produced by recruitment agents.

In selecting recruitment agents, HEIs make reasonable efforts to ensure that agents are competent, well informed, and reputable.

HEIs develop contracts with recruitment agents which include a termination clause in case of breach of contract.

Where applicable, fees charged by agents to students are clearly outlined to students in advance.

HEIs regularly monitor the activities of their agents. Training support is provided.

Student satisfaction with agents' level of service and HEI promotional materials are carefully reviewed.

# Chapter 2 Enrolment Processes

## The Standard

### 2.1 Enrolment Processes: The Standard

HEIs provide to students on a timely basis full, accurate and relevant:

- a) course information on application for the course,
- b) information as to the terms of the offer of a course, related support services and fee conditions,
- c) information relating to the visa application and associated appeal processes,
- d) necessary pre-arrival information.

The ability of the HEI to discharge its responsibilities in this connection will be dependent upon the student also providing full, accurate and timely information appropriate to each stage in the enrolment process.

## The Guidelines

### 2.2 Enrolment Processes: Application to Higher Education Institution

On application to a HEI, students provide documentation in the format stipulated by the institution's authorities. This may include:

- a) Completed application form.
- b) Supporting educational documentation.
- c) Medical Certification (if appropriate).
- d) Academic /Professional References (if appropriate).

In response to students' applications the HEI provides students with the following information:

- a) Summary course programme contents.
- b) Applicable course fees, payment schedule and refund conditions.
- c) Course Academic Entry Requirements.
- d) Course English Language Entry Requirements.
- e) Other course specific requirements e.g. Portfolio, pre-interview etc.
- f) Requirements to attend bridging courses and pre-sessional and in sessional English language programmes.
- g) Details as to course exemptions in recognition of prior learning.
- h) Details of credit transfer processes.
- i) Details of the HEI's student protection arrangements and refunds policy.
- j) Details as to scholarship application process (if applicable).

Should the HEI reject a student's application the reasons for rejection and details of the HEI's appeal procedure against rejection of application are clearly outlined in writing to the student or his or her agent on request by the student.

### 2.3 Offer of Place to Applicant

#### 2.3.1 Conditional Offer

Should the HEI accept a student's application, a conditional offer is made to the student. This offer becomes a full offer once the student has fulfilled any conditions specified. The HEI provides the student with the following information:

- a) Details as to a course admission, or course admission at a particular level, being conditional on a given level of English language proficiency.
- b) Details of further assessment such as interview (if appropriate).
- c) Arrangements for deferral of take up of place (if any).

- d) Estimated current cost of living including accommodation and student working rights and prospects in Ireland.

Upon acceptance of a conditional offer students furnish the HEI with the following:

- a) Written confirmation of acceptance.
- b) Fee payment.
- c) Scholarship Application Form in the case of scholarships.
- d) Any final documentation indicating compliance with conditions as detailed in the conditional offer (e.g. final English language results).

### **2.3.2 Full Offer**

Once students have satisfied the conditions (if any) specified and all agreed fees have been paid (or scholarships granted as applicable), the HEI provides the following information to students:

- a) Letter confirming offer of place in HEI.
- b) Details of the HEI's orientation programme, academic calendar and support services.
- c) A copy of the summary document of (or a weblink to) the Code of Practice for the Provision of Education to International Students.
- d) Procedures that apply when a student withdraws, or fails to attend or participate as required by the HEI.
- e) Circumstances in which the HEI may terminate its tuition contract with the student. These circumstances may include the submission of fraudulent documentation by the student.

### **2.4 Visa Application & Status**

The HEI provides enrolling international students with the following information in relation to student visa applications:

- a) Details of visa application process
  - where the student has an Irish embassy or consulate in their home country,
  - where the student does not have an Irish embassy or consulate in their home country,
- b) Approximate timescale of the visa process,
- c) Rights of international students to remain in Ireland on completion of their third level course <sup>1</sup>.

It is the responsibility of enrolling students to provide documentation in accordance with the appropriate visa procedures as advised by the Irish Naturalisation and Immigration Service ([www.inis.gov.ie](http://www.inis.gov.ie)) and/or the appropriate Irish embassy or consulate. Students inform the HEI of the visa application number assigned by the appropriate visa office immediately on receipt.

The Department of Justice, Equality and Law Reform (DoJELR) notifies the student or the HEI of the outcome of the visa application process. The party notified will notify the other party of the decision.

Should a student's visa be refused the HEI provides the student with information pertaining to visa appeal processes and course fee refund policies as appropriate. The student should indicate to the HEI whether he/she chooses to appeal the visa refusal or accept the decision.

Confidentiality of the visa application process is acknowledged. HEIs accept that the visa decision rests with the Department of Justice, Equality and Law Reform (DoJELR). It may be necessary at times for HEIs to provide supplementary information to assist with a student's application or appeal.

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<sup>1</sup> [www.entemp.ie/labour/workpermits/graduatescheme.htm](http://www.entemp.ie/labour/workpermits/graduatescheme.htm)

The onus is on the applicant to satisfy the Visa Officer that a visa should be granted. The decision to grant student visas rests exclusively with the DoJELR.

It is important to note that a visa is a form of pre-entry clearance to the State only, and does not guarantee permission to enter or remain in the State. Immigration Officers at the point of entry are entitled to question any person on arrival. If they are not satisfied with the bona-fides of any person, or their reasons for wishing to enter the State, they have the right to deny entry to any such person despite the fact they hold a valid visa. Full details regarding student visa application are available at: <http://www.inis.gov.ie/en/INIS>.

## **2.5 Accommodation and Academic Information Pertinent to Successful Applicants**

### **2.5.1 Accommodation Information**

Before departure from their country of origin, students provide the HEI with their full travel details and initial accommodation arrangements. Should this accommodation be prearranged by the HEI, reminders of the accommodation details as well as course start dates and orientation information are sent to the student. Advance information provided confirms specific points of contact, preferably a named individual or list of named individuals who are available to respond and offer advice should students encounter difficulty on arrival or en route to Ireland.

Should a student make his/ her own arrangements, he or she should make the HEI aware of contact details, the type of their accommodation and their Irish address. The HEI should be notified of any changes to these details.

### **2.5.2 Academic Information**

Enrolling students are provided with sufficient information regarding the general academic structures of the institution and the particular nature of the department/school/faculty providing their programme of study. They are also provided with information outlining the academic supports that are available to them during the course of their studies, including details of information technology and library services; study skills; and personal tutorial support. This information may be given as part of the students orientation or induction programme.

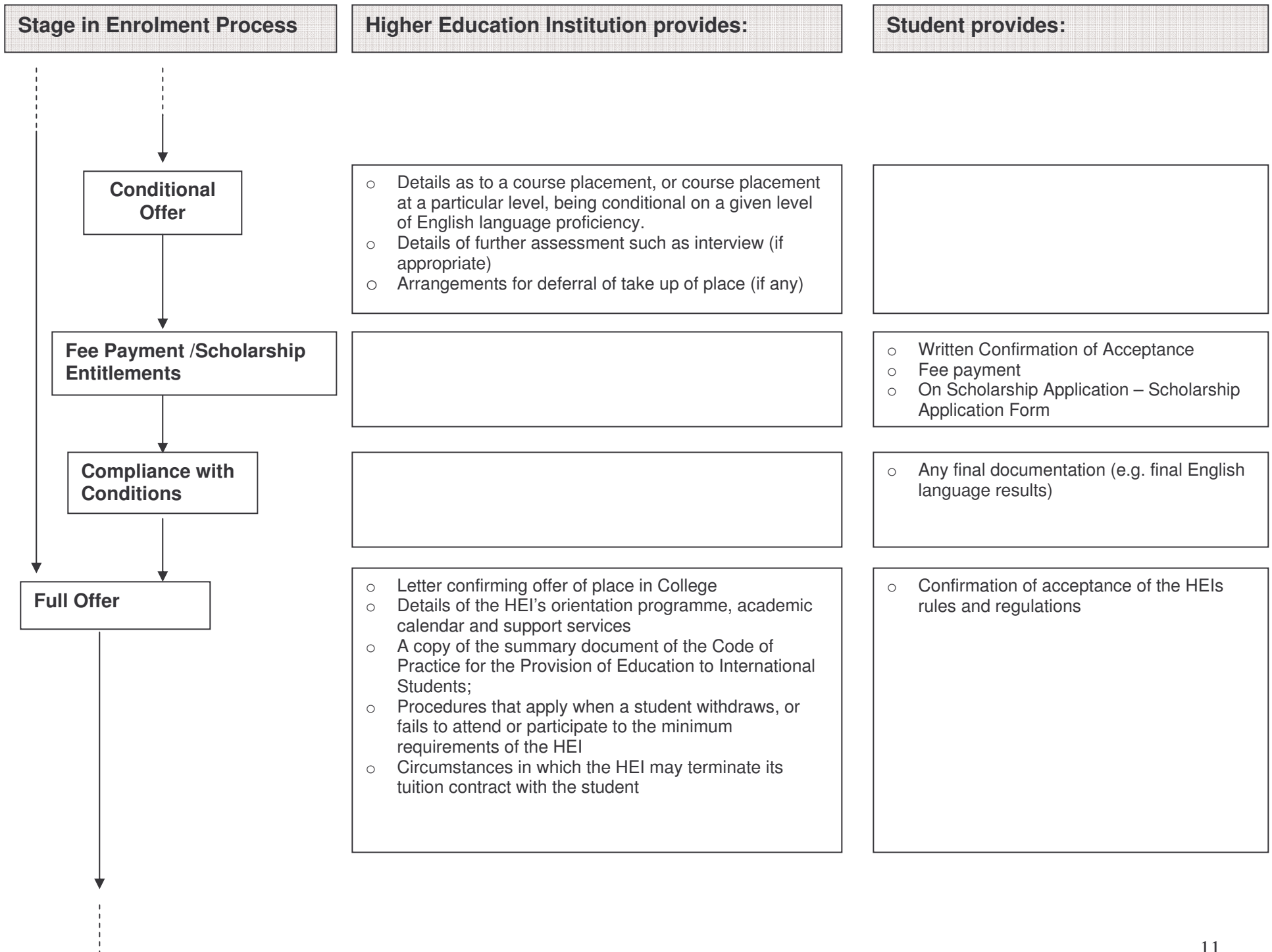
## **Minimum Requirements**

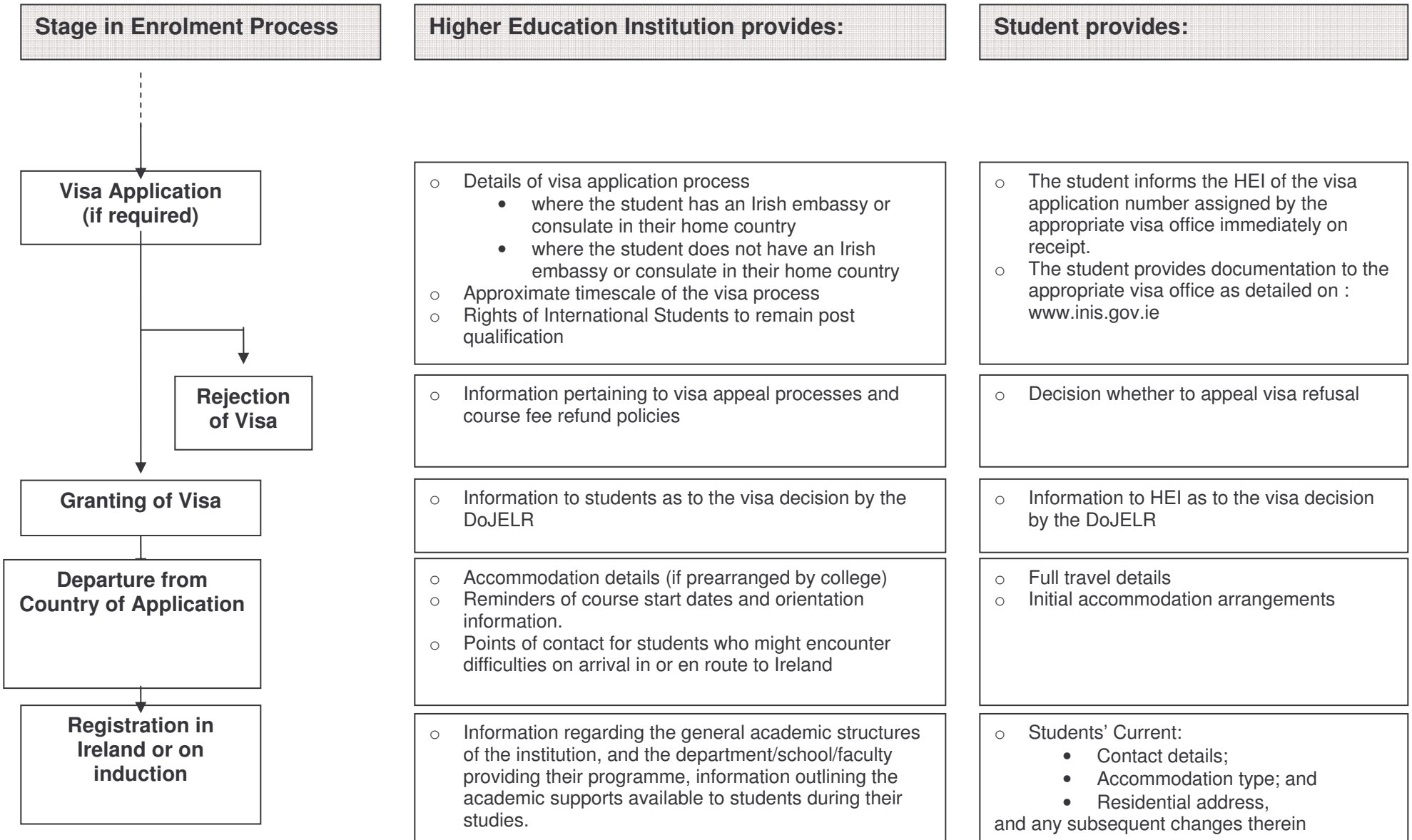
### **2.6 Enrolment Processes - Minimum Requirements**

**The minimum requirement necessary to attain the standard set out above is the provision of the information by the HEI to students and students to the HEI as set out in Table 1 attached to Chapter 2. Table 1 indicates the stage in the enrolment process at which the relevant information shall be provided. It should be noted that there is also an obligation on students to provide relevant information on a stage by stage basis as set out in Table 1, without which the HEI cannot fulfil its own information provision obligations.**

**Table 1 – (Minimum Requirements)  
Information to be provided by Higher Education Institutions and Students**

Stage in Enrolment Process	Higher Education Institution provides:	Student provides:
<div data-bbox="235 610 499 667" style="border: 1px solid black; padding: 5px; text-align: center;"><b>Application</b></div> <div style="text-align: center;"> <pre> graph TD     A[Application] --&gt; B[Rejection]     A --&gt; C[ ]     style C fill:none,stroke:none     C -.-&gt; D[ ]     style D fill:none,stroke:none             </pre> </div> <div data-bbox="428 1219 619 1284" style="border: 1px solid black; padding: 5px; text-align: center;"><b>Rejection</b></div>	<div data-bbox="659 610 1381 1198" style="border: 1px solid black; padding: 5px;"> <p>In Response to Application:</p> <ul style="list-style-type: none"> <li>○ Summary course programme contents;</li> <li>○ Course fees applicable and refund conditions</li> <li>○ Estimated current cost of living including accommodation and student working rights and prospects</li> <li>○ Course Academic Entry Requirements</li> <li>○ Course English Language Entry Requirements</li> <li>○ Other course specific requirements e.g. Portfolio</li> <li>○ Requirements to attend bridging courses and pre-sessional and in sessional English language programmes;</li> <li>○ Details as to course exemptions in recognition of prior learning;</li> <li>○ Details of credit transfer processes.</li> <li>○ Details of the HEI's student protection, fee protection and refunds policy.</li> <li>○ Details as to scholarship application process (if applicable)</li> </ul> </div> <div data-bbox="659 1219 1381 1403" style="border: 1px solid black; padding: 5px;"> <ul style="list-style-type: none"> <li>○ Letter of Rejection</li> <li>○ Reasons for Rejection (on request by student)</li> <li>○ Appeal Procedure (on request by student)</li> </ul> </div>	<div data-bbox="1430 610 2026 1198" style="border: 1px solid black; padding: 5px;"> <p>On Application:</p> <ul style="list-style-type: none"> <li>○ Completed application form</li> <li>○ Supporting educational documentation</li> <li>○ Medical Certification (if appropriate)</li> <li>○ Academic /Professional References (if appropriate)</li> </ul> </div> <div data-bbox="1430 1219 2026 1403" style="border: 1px solid black; height: 100px;"></div>





# Chapter 3 Fees: Clarity, Support, Payment and Refunds

## The Standard

### 3.1 Fees: Clarity, Support, Payment and Refunds: The Standard

HEIs provide students with accurate information prior to their application for courses, to enable them to make advance payment of fees compliant with Irish visa regulations and budget with reasonable accuracy their total tuition and maintenance costs over the period of the course for which they are applying.

Any financial assistance available is transparent, well publicised, efficient and timely. HEIs have welfare arrangements available to students in hardship and emergency situations.

HEIs inform students:

- a) of the nature of sanctions for non-payment of fees,
- b) of the circumstances in which full or partial refunds apply and the proportion thereof of the total fee and those in which no refund applies.

Refunds to students are made on a timely basis. HEIs ensure that there is a clearly defined appeals process related to refund of fees.

## The Guidelines

### 3.2 Clarity Regarding Total Costs

Unpredictable fee increases can be a source of difficulty for international students who have to calculate their budgets for several years of study. Accordingly institutions seeking to attract international students provide advance information on fee packages. In particular on application students are:

- a) provided with detailed fee information including all compulsory payments in addition to tuition fees. Likely costs of books and course materials, costs of production of dissertations and theses etc. are also included,
- b) informed of the current fee for all years of the programme,
- c) informed of the HEI policy on fee increases and repeat fees,
- d) provided with realistic cost of living information, which can be given as a range of likely costs for accommodation, travel, food, personal expenses etc,
- e) made aware on a request in writing by the students before leaving their country of origin of all existing scholarship and funding opportunities available to them from the HEI.

### 3.3 Student Financial Support

- a) HEIs administering student grants or scholarships may have in place a student financial support section to help students in need meet their living costs while studying, and to give advice on tuition fees and be responsible for distribution of maintenance cheques with reference to students' loans, grants and scholarships.
- b) HEIs have well established structures, and transparent systems and procedures in place such as:
  - i) An accessible welfare facility to meet the changing needs of students.
  - ii) A dedicated international student support office.
  - iii) Details of support available on web.
  - iv) The capacity to respond to individual needs.

### 3.4 Payment

International students are informed in advance of arrival that in accordance with visa requirements they:

- a) may be required to pay 100% of their annual course fee before departure from their country of origin (or prior to application for their visa) when commencing their first programme in the HEI,
- b) may be required to pay tuition fees annually in advance of continuing their study in a programme. Payment due dates will be clearly identified on the student invoice,
- c) may not be able to enrol again, review results, graduate or renew their student visa in the event that payment has not been made in full by the due date specified,
- d) Will only be granted extensions of time to pay tuition fees in exceptional circumstances for example:
  - Evidence of a medical illness preventing fee payment during the specified period,
  - Evidence of unforeseen circumstances preventing fee payment during the specified period.

### 3.5 Refund of Course Fees

#### 3.5.1 Full and Partial Fee Refunds

- a) These guidelines apply to all international students studying in Ireland or offshore in an outreach facility which is governed and controlled by an Irish HEI. The guidelines for fee refunds apply equally to new and continuing students, and are based predominantly on standard academic year programmes.
- b) Where the applicant has been refused a visa to study in Ireland and, in cases where it has been decided to appeal the visa refusal, where an appeal against the decision has failed, a full refund of tuition fees should be given on submission of all original documents and evidence of the refusal of visa to the HEI.
- c) In the event that an offer of a place is withdrawn or the HEI is unable to provide the programme, all tuition fees paid should be fully refunded.
- d) Where an offer was made on the basis of incorrect or incomplete information being supplied by the applicant or student the HEI may reserve the right to retain up to 50% per cent of the tuition fee as well as any cost incurred in recruiting the student.
- e) A student, who fails to meet course entry / progression rules and accordingly, is not permitted to pursue the course, should be eligible for a refund of fees if paid in advance of notification of exclusion. The HEI shall have discretion to deduct 10% to 20% of the tuition fee to cover marketing, recruitment and administration costs. In cases where a provider seeks to retain more than 20% of the tuition fee this retention should be no more than 50%, the circumstances justifying the higher retention should be clearly articulated by the provider and advance notice given of this potentially higher retention.
- f) A notice of withdrawal due to exceptional circumstances may be accepted as grounds for either a full or partial refund of fees, subject to the provision of acceptable documentary evidence in support of the application for a refund. Examples of exceptional circumstances may include:

- i) Inability of an applicant to obtain a student visa.
  - ii) Refusal of entry by Irish immigration authorities at the point of entry into Ireland, despite the student having a valid visa.
  - iii) Recent certified serious illness or disability.
  - iv) Failure to meet English language requirements for admission having supplied documentary evidence that their language proficiency met or surpassed the criterion set for their chosen course, and subsequently having failed a HEI test.
  - v) Death of the student or a close family member (parent, sibling, spouse or child; this would not normally include a grandparent).
  - vi) Collapse of promised financial support or sponsorship of the student notified before commencement of the course.
- g) Where a student, having accepted an offer of a course place and not having travelled to Ireland, gives a **minimum of four weeks** written notice of an inability to undertake the course, all tuition fees paid are refundable, provided that the student provides evidence of the cancellation or expiration of his or her study visa to Ireland. The notice period is measured as four weeks before the notified commencement date of the course. The HEI shall have discretion to deduct 10% to 20% of the tuition fee to cover marketing, recruitment and administration costs. In cases where a provider seeks to retain more than 20% of the tuition fee this retention should be no more than 50%, the circumstances justifying the higher retention should be clearly articulated by the provider and advance notice given of this potentially higher retention.
- h) Refunds are only paid when evidence is provided by the student that he/she has returned to his/her home country and the student has provided evidence of the cancellation or expiration of his or her study visa to Ireland.

### 3.5.2 Conditions Determining Zero Refunds

- a) A student, who withdraws from a course for whatever reason after six teaching weeks, will not be eligible for a refund.
- b) A student whose visa is withdrawn subsequent to the granting of a visa will not be eligible for a refund unless there are extenuating circumstances.
- c) Where an offer of a course place was made on the basis of documents which subsequently proved to be fraudulent or misleading the HEI may reserve the right to retain the full fee.
- d) A student whose entitlement to attend a programme is terminated due to academic misconduct or antisocial behaviour within the HEI, will not be eligible for a refund.
- e) A student unable to continue or complete his/her studies because of having been in breach of government regulations governing his/her student status in Ireland will not be eligible for a refund.
- f) A student, who is unable to continue or complete his/her studies because of having been convicted of a criminal offence in the jurisdiction of the Republic of Ireland, will not be eligible for a refund.

### **3.5.3 Agreements between Irish Higher Education Institutions and International Students concerning Fee Charging and Refunds**

HEIs ensure that there is a written agreement between the institution and each international student which indicates an acceptance of the HEI's stated fee charging and refund policy, including those governing withdrawal from a programme.

### **3.5.4 Payment Mechanisms for Fee Refunds to Students**

- a) Where there is a written agreement between the HEI and the international student regarding the HEI's fees refunds, the terms of that agreement will apply to the payment of refunds. However, the HEI pays any refund within four weeks of receiving a valid written claim from the student.
- b) Where such written agreement does not exist between the HEI and the student, payment of refunds should be made as follows:
  - i) Where the HEI defaults, within two weeks after the date of withdrawal of the offer of a place or notification that the HEI is unable to provide the course or the student providing evidence of return to his or her home country and of cancellation of his or her study visa whichever is the later; the study visa will be treated as cancelled where it has expired.
  - ii) Where the student defaults, within four weeks after receiving a written claim from the student or the student providing evidence of cancellation of his or her study visa whichever is the later; the study visa will be treated as cancelled where it has expired.
  - iii) Refunds are only paid when evidence is provided by the student of the cancellation or expiration of his or her study visa to Ireland.
- c) Refunds are denominated in the same currency as that in which the fees were originally invoiced. Payment is made to a designated bank account in the student's home country, except in exceptional circumstances. Refunded fees are ideally transferred electronically through the international banking system to avoid delay.

### **3.5.5 Appeals Process Pertaining to Fee Refunds/ Extensions**

HEIs ensure that there is a clearly defined appeals process related to the refund of fees, or fee payment extensions whereby the HEI's decisions regarding such matters can be appealed if the student believes the HEI has not honoured its stated fees refunds policy or if the student feels that not all of the relevant information has been taken into account in the decision.

### **3.5.6 Fees Policy where Residence Status of International Student Changes**

HEIs should inform students of their policy in relation to fees in situations where the residence status of an international student changes from Non-EU to EU status.

## **Minimum Requirements**

### **3.6 Fees: Clarity, Support, Payment and Refunds – Minimum Requirements**

HEIs inform students as to:

- a) the fees chargeable in the forthcoming year,
- b) the approximate rate of fee increases anticipated over the duration of the intended course,
- c) the average maintenance cost (including accommodation and subsistence) in the forthcoming academic year,
- d) the current rate of inflation per annum of maintenance cost.

**HEIs have:**

- a) student welfare and other arrangements in place to meet the changing needs of students,**
- b) good communication between offices involved and students,**
- c) assistance/welfare committees,**
- d) Details of support available on web.**

**Students are informed in advance by the HEIs of the sanctions applying in the event of failure to pay fees by the due date.**

**Refunds due are paid within four weeks of production of qualifying evidence.**

**There is a clearly defined appeals process relating to refunds of fees of which students are informed.**

# Chapter 4 Orientation and Induction

## The Standard

### 4.1 Orientation and Induction: The Standard

**HEIs ensure that arrangements and resources are in place to provide comprehensive information, orientation and induction programmes for international students at pre-arrival and post-arrival stages. This information and these programmes are flexible and adapted to the needs of different groups of students.**

## The Guidelines

### 4.2 Orientation and Induction

#### 4.2.1 Pre-Arrival Information

Advance information on studying in Ireland, academic culture, cost of living etc should be provided at the pre-arrival stage. International students should be further advised not to enter into any contracts or agreements especially tenancy agreements without first seeking advice from the HEI. International students should be provided with all essential information in advance of travel especially on visa requirements and immigration procedures on arrival. Advance information should also confirm a specific point of contact, preferably a named individual who is available to respond and offer advice should students encounter difficulty on arrival. The specific point of contact is particularly important where students are not met on arrival in or en route to Ireland.

#### 4.2.2 Post-Arrival Information

- a) After arrival, host HEIs provide targeted and comprehensive information, orientation and induction programmes to all new international students. At the end of the orientation, students should be aware of their rights and responsibilities and the services that are available in the institution and in particular they should be familiar with the institution's grievance policy and procedures. Specific course orientations are recommended and written information such as course handbooks for students are up-to-date and include curricula, reading lists, and information on academic procedures. The orientations are supplemented by opportunities to engage with staff and to raise queries.
- b) The orientation programme provides new students with opportunities to meet other students on campus. The institution actively welcomes students while also providing opportunities for students to familiarise themselves with other peer support activities especially those which involve international students themselves or student unions at an institutional level.
- c) Orientation is seen as an on-going activity and review processes to determine student satisfaction with the HEI performance in these areas are built into programmes as standard. The needs of completing students are also catered for through the provision of re-orientation material/programmes. The role of alumni networks as a means of easing international students' return to their home countries is also recognised.

## **Minimum Requirements**

### **4.3 Orientation and Induction – Minimum Requirements**

**HEIs provide international students with:**

- a) essential pre-arrival information including visa and immigration requirements,**
- b) pre-arrival information on cost of living and academic culture, as well as up-to-date course handbooks and course information,**
- c) comprehensive induction and orientation programmes at institutional and departmental levels in order that students are aware of their rights and responsibilities as well as the range of services on offer in the institution.**

# Chapter 5 Accommodation

## The Standard

### 5.1 Accommodation: The Standard

Because of linguistic and cultural barriers and geographical separation from family supports, international students can be particularly vulnerable in matters relating to student accommodation. HEIs therefore have a greater duty of care in regard to provision of accommodation for international students. This standard reflects that greater duty of care.

HEIs designate an appropriate person or unit as a resource for international students requiring assistance with accommodation. The existence and availability of this person or unit, that also hears any serious concerns relating to accommodation provision, is advised to students on enrolment. HEIs have systems in place for the selection and monitoring of host families and their residences, student residences, temporary accommodation and residential caregivers (parents, relatives or family friends).

## The Guidelines

### 5.2 Accommodation – Guidelines

#### 5.2.1 Provision for Communication with Families

Where HEIs arrange accommodation for international students aged 18 and over they provide facilities for regular communication between students and their families.

#### 5.2.2 Host Families

- a) HEIs have systems in place for the selection and monitoring of host families and host family residences which are applied also by any accommodation agent. These include, but are not limited to:
  - i) Determining that the host family residence is not a student residence.
  - ii) Assessing the suitability of the host family.
  - iii) An on-site assessment of the suitability of the residential facilities.
  - iv) An assessment of whether the host family will provide a safe physical and emotional environment.
- b) HEIs ensure that they hold at all times the following information for all host families:
  - i) Full name.
  - ii) Current address and contact phone number(s).
  - iii) Current occupation.
  - iv) Relationship to student(s).
- c) HEIs or their accommodation agents establish a support infrastructure for host families, and provide them with advice and information on best practice, so they can build their capability to provide high quality residential services to international students.

#### 5.2.3 Student Residences

Where HEIs operate student residences best practice norms in relation to the management of such residences are in place. These include, but are not limited to:

- a) Compliance with statutory provisions and requirements of local authorities.
- b) The suitability of the manager or other person with responsibility for the care of the international student/s at the student residence and that of employees.
- c) Suitability of the residential facilities.
- d) Ensuring the student residence continues to provide a safe physical and emotional environment.
- e) Monitoring and managing any risks which might pertain particularly to the safety of international students.
- f) Considering the special accommodation needs for International students in relation to cultural integration.

Where HEIs contract (or renew existing contracts) to external agencies to provide student residences or where they outsource (or renew existing contracts) for the management of their own student residences, HEIs ensure that the best practice norms as identified above are provided for within the terms of the contract and that they have a means of ensuring that the norms are being met.

#### **5.2.4 Temporary Accommodation**

HEIs which arrange temporary accommodation for international students have systems in place for determining that the accommodation arranged by the HEI is suitable, including, but not limited to:

- a) An assessment of the suitability of the accommodation.
- b) Monitoring and managing any risks to the safety of international students.

#### **5.2.5 Accommodation for Students under the age of 18**

HEIs have a special duty of care and attendant responsibilities to develop appropriate policies in relation to the provision of accommodation for students under the age of 18 attending courses at the HEIs and are referred to the Child Protection Guidelines and Procedures for Post-Primary Schools issued by the Department of Education and Science for guidance in this connection.

#### **5.2.6 Designated International Student Accommodation Support Person or Unit**

HEIs designate an appropriate person or unit as a resource for international students requiring assistance with accommodation. The existence and availability of this person or unit is advised to students on enrolment. Any serious concerns relating to accommodation provision is communicated to this designated person or unit.

## **Minimum Requirements**

### **5.3 Accommodation – Minimum requirements**

**HEIs designate an appropriate international student accommodation support person or unit and inform international students that serious concerns relating to student accommodation raised by them will be addressed by such person or unit.**

**HEIs operating student residences have systems in place to satisfy themselves on the matters set out in 5.2.3 above.**

**HEIs ensure that all host families have a full understanding of their obligations relating to the student, the HEI and any accommodation agent.**

# Chapter 6 Academic Matters

## The Standard

### 6.1 Academic Matters: The Standard

**The academic standards used by HEIs apply to all programmes and awards, and to all students on these programmes. These awards are underpinned by internationally recognised quality assurance mechanisms, and when validated by Irish awarding bodies, are included on the Irish National Framework of Qualifications, which is aligned to the Bologna Framework and is to be aligned to the European Qualifications Framework.**

**International students are selected for admission by suitably trained staff using selection criteria which maintain the HEI's academic standards and which maximise the students' prospects of academic success. Supports are in place for students and for staff which promote international student integration and their academic success.**

## The Guidelines

### 6.2 Academic Admission

An admitting HEI is satisfied that selected candidates are suitably qualified academically for their programme of choice. Irish HEIs are responsible for their own admission policies and procedures. Admission to an Irish HEI is through a competitive process, and the HEI may set quotas as part of this process.

HEIs publish the selection criteria for admission of international students, including specific criteria for particular courses, and where possible recognition of prior learning and credit transfer arrangements.

All staff required to make judgments about student admissions have the appropriate skills to participate in the selection of prospective students, including the evaluation of international academic qualifications, the undertaking of interviews or the assessment of an applicant's practical/vocational skills. The assessment of applications from international applicants follows the guidelines laid down in section 1.7 of this document.

All staff involved in the evaluation of the equivalence of foreign entrance qualifications are provided with the training and support necessary to perform this task and liaise with the NQAI Qualifications Recognition Service ([www.qualificationsrecognition.ie](http://www.qualificationsrecognition.ie))<sup>1</sup>.

All staff involved in the admissions process, and particularly those involved in making selection and recruitment decisions, have an understanding of educational and cultural differences, which exist for international students.

### 6.3 Promoting the Academic Success, English language skills and Integration of International Students

International Students who may have particular needs for learning support, or who have a need to enhance specific skills, have these needs identified at an early stage so that the necessary support can be provided.

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<sup>1</sup> Qualifications Recognition - Ireland is the Irish centre for the recognition of international qualifications established under the aegis of The National Qualifications Authority of Ireland. The Authority represents Ireland in a European Network of centres known as ENIC/NARIC (European National Information Centre/National Academic Recognition Information Centre) and NRP (National Reference Point) which promote the recognition of international qualifications throughout Europe and further afield.

Some international students may require the provision of preliminary 'access' courses or bridging programmes to provide a means of transition from one academic culture to another together with language training and discipline related study to the required level.

HEIs develop appropriate support services for international students to assist them to resolve problems which could impede successful completion of their study programmes. Support services include:

- a) adequate provision of additional assistance with English language or other language where necessary,
- b) additional assistance with study skills, including assistance in developing computer literacy.

HEIs have clear, well-established guidelines on their English, or other, language requirements and include details of such requirements in publicity and promotional materials.

Where a course requires a level of English oral and written competency, the HEI assesses the prospective international student and is satisfied on reasonable grounds that these competencies are met before making an offer of a place to the student or accepting the student for enrolment.

Supplementary and appropriate English language training is offered if required especially in instances where discipline specific training may be necessary.

HEIs develop appropriate mechanisms to monitor the academic progress of international students and ensure appropriate student appeal mechanisms are in place.

Adequate academic staffing norms and departmental/school procedures allow for the meaningful and effective provision of support (e.g. tutors or mentors) for international students at department/school level.

International students are made aware of the educational culture in Ireland through the induction and orientation process. International students should be aware of and observe differences that may exist between Ireland and their home country in this regard. Examples of potential differences might be found in areas of staff-student relations, examination procedures, academic integrity and plagiarism, participation in students feedback and quality assurance activities.

Training programmes, including cross-cultural programmes, are developed which are appropriate to the different levels of involvement and responsibility among staff. Specifically, diversity training is included in the portfolio of training courses offered to all staff (academic, administrative, technical and support staff) with staff encouraged to think in terms of inclusiveness at all levels (publicity material, course design, social activities, etc.).

Academic staff induction and training includes full and comprehensive familiarisation with all of the Student Support Services available in the institution, so that staff can encourage international students, to make appropriate use of the services. It is recognised that some cultures place a particular importance on the student-teacher relationship. This is emphasised in the training provided to teachers and academic tutors.

#### **6.4 Sponsors, Work Placement and Postgraduate Research**

Appropriate resources are made available to meet the greater administrative demands, in terms of reporting and monitoring, required by sponsors and externally-funded mobility programmes.

Where a programme involves work placement, the HEI ensures that:

- a) there is a designated contact person at the HEI and another at the workplace who is responsible for all matters pertaining to the work placement. These contacts are made known to the student with the responsibilities of each clearly outlined,

- b) sufficient provision is made to support the placement host in understanding the educational and cultural differences that exist for international students. This support could be provided in a written format,
- c) if for any reason there are possible restrictions regarding participation in international work placements, e.g. linked to visas, which apply to international students, the HEI highlights these and informs the students concerned.

Before admitting international students to postgraduate research degree programmes, HEIs clarify the proposed research area with the student and undertake to provide appropriate supervision and facilities for the duration of the project and make appropriate arrangements for access to ancillary support (laboratory, computing and library facilities). The nature of supervision and facilities is communicated to the student in the offer of candidature as far as possible.

Postgraduate students at Irish HEIs are often given supervisory, tutoring laboratory duties with undergraduate students, as an integral part of their postgraduate experience. HEIs ensure that adequate advance notice is given of the nature and extent of such duties, and that postgraduate students given such duties are supported in these functions, and are given the necessary training required.

HEIs ensure that supervisors of international students are supported at all stages during recruitment, registration and throughout their studies. The academic department/unit makes efforts to ensure that the international research student is integrated into the student research community of the department and/or the faculty, given the fact that the student: supervisor relationship is the primary means of interaction at departmental level. International students may also have fewer opportunities for integration than their Irish counterparts and ordinarily do not have the same family networks and supports at hand. Cultural differences may also have an effect.

## **Minimum Requirements**

### **6.5 Academic Matters - Minimum Requirements**

**The selection/admission criteria and procedures for international students used by HEIs:**

- a) **maintain the institutions' academic standards,**
- b) **ensure international students have every chance of success and are capable of benefiting from the course.**

**All staff involved in the admission of international students are provided with appropriate training and support to ensure an informed decision making process and to increase their understanding of the particular cultural and educational needs of international students.**

**The academic support and advisory systems of HEIs ensure that:**

- a) **sufficient support for international students in their first year is available,**
- b) **international students have the necessary language skills to meet the linguistic demands of their programme,**
- c) **successful integration of international students is promoted.**

**Requirements of sponsors and of externally-funded mobility programmes are met.**

**Work placements organized as part of academic programmes are carefully managed and adequate support and liaison are provided between the placement provider and the institution.**

**International students who enrol on research degree programmes are supported in their studies and efforts are made to integrate the international students into the student research community of their associated department and/or faculty.**

# Chapter 7 Student Support Services

## The Standard

### 7.1 Student Support Services: The Standard

**HEIs have a full range of student support and welfare services in place that recognise and make adequate provision for the additional needs of international students.**

**HEIs develop strategies and policies that promote integration and inclusion of international students in all aspects of HEI life and in the wider community.**

**Services provided to international students are clearly communicated, properly co-ordinated and quality driven.**

**HEIs have transparent and efficient welfare arrangements available to students in hardship and emergency cases.**

## The Guidelines

### 7.2 Counselling, Health and Spiritual Support

- a) International students are given specially targeted advice and information on the health services available while they are in Ireland both on and off the campus. This information covers both physical and mental health services including health promotion elements such as advice on diet, alcohol and substance abuse, sexual health and what to do in emergency situations.
- b) International students are made aware and given advice on essential Irish law governing matters such as tenancy, age of consent, use of drugs and alcohol and driving while in Ireland.
- c) When planning services, institutions take account of the needs of students from minority cultures and religions who may have special requirements in relation to diet and spiritual support.
- d) The health facilities and other services made available by the institution are sensitised to differing cultural approaches to health and wellbeing and are aware of the particular needs of international students who may experience additional difficulties such as coping with culture shock and face greater exposure to the risk of isolation.

### 7.3 Mentoring, Tutoring, Careers and Scholarship Support

- a) Mentoring and tutoring services recognise and make adequate provision for the extra support that may be required for international students who are unfamiliar with the Irish higher education system.
- b) Career and industrial placement services are familiar with Irish law in relation to working rights of non-EEA students and develop strategies to maintain an international perspective in terms of careers advice so as to ensure relevance to their international student and graduate client group.
- c) Information as to scholarships available from the HEI should be available to students on request.

## 7.4 Clubs, Societies & Students' Unions

- a) HEIs work with Students Unions to encourage and support student activity including clubs and societies which demonstrate policies and practices to promote integration and inclusion of all students including students from different cultural backgrounds.
- b) HEIs encourage peer support systems and groups such as international student societies which promote self-help. International students are made aware of and encouraged to access the full range of non-governmental agencies, religious, sports or other organisations available in the local community which could contribute to their integration and general wellbeing.

## 7.5 Service Delivery

- a) Institutions designate and provide adequate resources to a person or an office which has specific competencies and responsibilities for the pastoral care of international students. The existence of this service and its responsibility is clearly communicated to international students and other service providers in the institution. International students are encouraged to access available services as appropriate.
- b) Cross-cultural sensitivity training is built into training provision for all student support staff and training provided is appropriate to staff levels of responsibility and involvement with international students.
- c) Mechanisms for review of services take into account the need to obtain genuine feedback from all service users including international students.

## 7.6 Hardship and Emergency Policies and Provision

- a) HEIs have special protocols and plans in place to respond to the needs of international students in crisis situations. Crisis management plans should outline appropriate responses to the range of crisis events that can affect international students from individual emergencies to natural disasters and crises caused by war and conflict in the student's country of origin.
- b) HEIs have available means to support international students in emergency and/or crisis situations.
- c) The conditions under which support is made available are transparent.
- d) Ways to access the HEI's services as well as related support services in the community are made clear to international students.
- e) Where certain support funds available to the HEI are designated for EU students only, non-EU students should be informed of the reasons for their exclusion from those benefits.

# Minimum Requirements

## 7.7 Student Support Services - Minimum Requirements

**Welfare arrangements for international students embracing targeted advice on health services available and Irish law are in place. Such health services are culturally sensitised.**

**Extra support for international students unfamiliar with the Irish higher education system is provided.**

**Integration and self help of international students is promoted.**

**Methods of access to student support services are clearly stated and co-ordinated with other services in the institution and the community.**

**Student support staff dealing with international students have cross cultural competence.**

**Accessible and clearly communicated means of supporting international students in hardship, emergency or crisis situations, including emergency protocols are available.**

# Chapter 8 Student Protection

## The Standard

### 8.1 Student Protection: The Standard

**Students are protected by academic or financial bonding arrangements against course discontinuance and by robust quality assurance arrangements as regards course quality. These arrangements apply whether the course is delivered in Ireland or elsewhere.**

**In the case of “for-profit” HEIs, the Higher Education and Training Awards Council (HETAC) and the Further Education and Training Awards Council (FETAC) observe the bonding, registration, support and information requirements of Irish law as applicable to each institution.**

## The Guidelines

### 8.2 Student Protection – Guidelines

#### 8.2.1 Circumstances where student protection may be required

- a) Student protection (also known in Ireland as Learner Protection) is concerned with two types of situation:

- i) Protection in the event of course discontinuance,
- ii) Protection as regards course quality.

The former is normally provided through bonding arrangements whereas the latter is provided through quality assurance arrangements.

- b) Student Protection: Course Continuity

There are a number of circumstances which may result in the requirement of student protection against course discontinuance. These circumstances can occur regardless of whether the institution is a “for-profit” or a “not-for-profit” institution. Examples include:

- i) Closure of the HEI due to financial insolvency.
- ii) Abrupt course cessation without provision for completion by existing students.
- iii) Course disruption due to staffing shortages.
- iv) Course disruption or cessation due to natural disaster.
- v) Withdrawal by the appropriate validating body of validation of a programme before completion of that programme.

The statutory requirements for learner protection against course discontinuity provided by Section 43 of the Qualifications (Education and Training) Act 1999 apply only to “for-profit” institutions. Accordingly paragraphs 8.2.3 to 8.2.6 below apply only to “for-profit” institutions.

- c) Student Protection: Course Quality

Students need to be protected from the risks of misinformation, low-quality provision and qualifications of limited validity. Robust quality assurance and accreditation systems which extend their coverage to cross-border and commercial provision and non-traditional delivery modes, should guarantee that students are safeguarded from rogue providers and are acquiring qualifications that are meaningful, valid and fairly assessed.

#### 8.2.2 “Not-For-Profit” Institutions

- a) HETAC Validated Institutions

The legislative provisions under Section 43 of the Qualifications (Education and Training) Acts, 1999 and 2006 do not apply to State-aided institutions or charities. However, it is expected that such higher education providers take all reasonable steps to ensure course continuity.

- b) University sector  
The universities publish their academic prospectuses approximately 12 months in advance of the start of each academic year. The programmes which feature in these prospectuses are provided except in the most exceptional circumstances. Where these arise, students affected are offered appropriate options including the provision of suitable alternative programmes, or the refunding in full of any fees paid.
- c) Dublin Institute of Technology (DIT)  
The Dublin Institute of Technology guarantees that any programme of study once commenced will be completed irrespective of the number of students enrolled.

In the event of a programme not forming due to insufficient student numbers the DIT guarantees either to refund in full any fees paid by applicants or offer an alternative programme of study, with the applicant having the right to choose which option he/she wishes to exercise.

### **8.2.3 Types of Bonding Required of “For-Profit” Institutions**

Learner protection against course discontinuance in the form of academic or financial bonding is required under Section 43 of the Qualifications (Education and Training) Act 1999 of “for-profit” institutions.

- a) Academic Bonding  
The provider of the programme concerned has arrangements in place with at least two other providers which allow a student to transfer to similar programmes provided by those other providers.
- b) Financial Bonding  
If (subject to agreement by HETAC or FETAC) it is not practicable for a provider to have academic bonding arrangements in place, arrangements are put in place which enable the provider to refund to a student, or to the person who paid the moneys concerned on behalf of the student, the moneys most recently paid to the provider in respect of that programme.

HETAC/FETAC shall not validate a programme (of 3 months duration or longer) or grant an award for such a programme which is to be provided on a “for-profit” basis, unless HETAC/FETAC is satisfied that the provider concerned has academic or financial bonding in place.

### **8.2.4 Registers to be maintained by HETAC and FETAC**

HETAC and FETAC each maintain a register of programmes of education and training in respect of which there are arrangements in place in accordance with paragraph 8.2.3. Details of this register may from time to time be published, in such form and manner as HETAC/FETAC consider appropriate. The requirement to provide information may include information in respect of arrangements which a provider is required to have in place in accordance with Section 43, Qualifications (Education and Training) Act 1999.

### **8.2.5 Obligation of HETAC and FETAC to Support Student Transfer**

Where a “for-profit” provider ceases to provide a HETAC or FETAC programme, HETAC or FETAC (as the case may be) make all reasonable efforts to assist the students concerned to find an appropriate programme of education and training with another provider which will enable them to complete that education and training. This applies without prejudice to the duties and obligations of the provider of a programme of education and training to the students concerned. (Section 44, Qualifications (Education and Training) Act 1999).

### **8.2.6 Information to be given to Students by Providers**

- a) In the case of all courses of 3 months duration or longer (HETAC, FETAC or otherwise validated), which are not funded by the State, providers, before taking fees, inform students in writing:
  - i) whether bonding arrangements under Section 43 of the Qualifications (Education and Training) Act 1999 apply and nature of bonding chosen,
  - ii) of other arrangements (if any) provided by the provider for learner protection against course discontinuance. (Section 45, Qualifications (Education and Training) Act 1999).
  
- b) In the case of all courses of 3 months duration or longer (HETAC, FETAC or otherwise validated), providers inform students in writing before taking fees or before the commencement of the programme:
  - i) whether the programme concerned is accommodated through the procedures for access, transfer or progression and the extent of such accommodation,
  - ii) of the name of the awarding body which shall make the award where the student successfully completes the programme concerned and the title of that award. (Section 46, Qualifications (Education and Training) Act 1999).

## **Minimum Requirements**

### **8.3 Student Protection – Minimum Requirements**

**Students are protected in the event of the course discontinuance through bonding arrangements.**

**Students are protected as regards course quality through robust quality assurance and/or accreditation systems.**

**Students of “for-profit” HEIs are protected against course discontinuance by academic bonding or failing that by financial bonding.**

**HETAC and FETAC maintain a register of programmes of education and training in respect of which there are academic or financial bonding arrangements.**

**In the event of the discontinuance of a HETAC or FETAC programme, the programme provider and HETAC or FETAC as appropriate shall make all reasonable efforts to assist the student to find an appropriate programme with another provider to allow them to complete that education and training.**

**Students are informed by a “for-profit” HEI before it takes fees of all arrangements provided by the HEI for student protection against course discontinuance.**

**Students are informed before taking fees or before the commencement of the programme whether the programme concerned is accommodated through the procedures for access, transfer or progression and the extent of such accommodation and of the name of the awarding body which shall make the award.**

# Chapter 9 Grievance and Appeal Procedures

## The Standard

### 9.1 Grievance and Appeal Procedures: The Standard

**HEIs address student complaints and grievances promptly in a transparent and consistent manner. These procedures are confidential (unless legally permitted otherwise) and should the complainant be dissatisfied with the outcome proposed by the decision-maker, the complainant is entitled to appeal the decision to a higher internal body or an appropriate external agency. The grievance and appeal procedures applying to international students are the same as those applying to Irish students already provided by statute.**

## The Guidelines

### 9.2 Grievance and Appeal Procedures – Guidelines

#### 9.2.1 Grievance & Appeals Policy

HEIs are committed to providing students with an education of the highest possible quality. However, from time to time, students may raise concerns, complaints or grievances about matters or issues relating to their experiences in the HEI. Effective student grievance resolution procedures depend on the following principles:

- a) The procedures used to review and resolve complaints or grievances are fair and transparent.
- b) It is good practice for institutions to ensure a clearly identifiable internal point of contact for students in cases of complaints or grievances.
- c) Confidentiality is respected for all parties, unless the use of the information is authorised by law.
- d) Staff involved in resolving complaints or grievances act fairly at all times and ensure that conclusions will be based on a fair hearing of each point of view.
- e) There are no adverse consequences or disadvantage arising as a result of a student making a complaint or grievance in good faith.
- f) Complaints or grievances are handled in a timely manner with achievable deadlines specified for each stage in the resolution process.
- g) Any student who makes a complaint or grievance and any staff member or student on whom the complaint or grievance has a direct impact, is regularly informed of the progress of the matter.
- h) Where the complainant is not satisfied with the outcome proposed by the decision-maker, the complainant is entitled to seek a review, either on procedural or substantive grounds, by a higher internal body or an appropriate external agency.
- i) It is good practice for a HEI to nominate a staff member who will act as internal ombudsman in regard to student complaints or grievances.

#### 9.2.2 Types of Student Grievances

##### a) Academic Grievances

These are usually complaints or appeals against academic decisions. They include but are not limited to:

- i) Academic progress decisions.
- ii) Assessment matters.
- iii) A decision of a member of academic staff that affects an individual or groups of students.
- iv) Selection or admission decisions.

- v) Content or structure of academic programmes, nature of teaching, or assessment.
- vi) Supervision issues for research degree students.

HEIs have in place clear policies for the internal resolution of such complaints and appeals.

b) Issues relating to authorship and intellectual property.

c) Administrative Grievances.

These relate to decisions and actions associated with administrative or academic services. They include but are not limited to:

- i) Administration of policies, procedures and rules by central administrative and student support services, faculties and departments.
- ii) A decision by an administrative staff member that affects an individual or groups of students.
- iii) Access to the HEI's resources and facilities.

### 9.2.3 Discrimination

a) Discrimination is described in the Equal Status Act 2000 as the treatment of a person in a less favourable way than another person is, has been or would be treated on nine distinct grounds. These are gender; marital status; family status; age; disability; race; sexual orientation; religious belief; and membership of the Traveller Community.

The following Acts exist within Ireland to protect people from discrimination:

- i) Employment Equality Act, 1998.
- ii) Equality Act, 2004.
- iii) Equal Status Act, 2000.
- iv) Disability Act, 2005.

b) The Equal Status Act, 2000 came into operation on 25th October 2000.

The Act deals with discrimination outside the employment context, including education, provision of goods, services and accommodation and disposal of property on nine grounds listed at (a) above.

c) The grievance and appeal procedures applying to international students are the same as those applying to Irish students already provided by statute. In the event of conflict with the provisions herein provided the statutory provisions referred to shall apply<sup>1</sup>.

### 9.2.4 Grounds for Complaint or Grievance

Without limiting the circumstances which may give rise to a complaint or grievance, a student has valid grounds for making a complaint or grievance or lodging an appeal against a decision made in relation to a complaint or grievance, where the student considers he or she has been adversely affected by one or more of the following:

- a) Improper, irregular or negligent conduct by a staff member of the HEI.
- b) Failure by a HEI staff member to act fairly.
- c) A decision that has been made without sufficient consideration to facts, evidence or circumstances of specific relevance to the student.
- d) Failure by the HEI to make a decision within a timely manner.
- e) A penalty that, where applied, is or would be too harsh.

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<sup>1</sup> Section 26, Universities Act, 1997 and Section 22, Institutes of Technology Act, 2006

### **9.2.5 Students' Right of Attendance and Representation at Disciplinary, Complaints and Appeal Hearings**

- a) A student or staff member who is a party to a disciplinary, complaint or appeal proceeding has the right to attend the hearing convened for the purpose of adjudicating the complaint, to be represented, to hear the evidence presented, to challenge the evidence on cross examination and to present his/her own evidence.
- b) A representative at a hearing may be a fellow student/staff member, a relative, a friend, an adviser or a legal representative.
- c) A representative may speak on behalf of the student/staff member.
- d) A student or staff member may choose to be accompanied by a translator provided by the HEI or to appoint a translator of their choosing.
- e) A student or staff member who chooses not to be represented is requested at the hearing to confirm in writing that he/she has been informed of his/her right of representation and has declined to exercise it.
- f) If a student or staff member fails to attend the hearing, it proceeds in the absence of the student or staff member.

### **9.2.6 Appeals**

If, after the initial complaint, the student does not believe that the grievance has been adequately resolved, then he or she is entitled to make an appeal under the HEI's internal appeals procedures.

### **9.2.7 External Avenues of Appeal**

- a) In addition to these internal procedures students have the right to lodge grievances with an appropriate external body. This includes the Irish Council for International Students ([www.icosirl.ie](http://www.icosirl.ie)), The Ombudsman's Office ([www.ombudsman.gov.ie](http://www.ombudsman.gov.ie)), The Equality Authority ([www.equality.ie](http://www.equality.ie)), the Equality Tribunal or The Diversity and Equality Division of the Department of Justice Equality and Law Reform. ([www.justice.ie/en/JELR/Pages/Diversity & Equality](http://www.justice.ie/en/JELR/Pages/Diversity_&_Equality)).
- b) Grievances are resolved by mediation with the appropriate department or faculty and failing that an independent arbitrator is utilised. The decision of the independent arbitrator should be final except in the event that Irish Law is contravened in which case students may have course to resort to the legal process.
- c) A charter of student rights and obligations is clearly set out in the Students Handbook and specific references should also be made to bullying, sexual harassment and discrimination.

### **9.2.8 Withdrawal of Complaints or Grievances**

A student may withdraw a complaint or grievance at any time during the grievance resolution process and in this case the matter is concluded and deemed to be resolved. If the original complaint or grievance was made in writing then the withdrawal should also be in writing to the relevant staff member who is handling the matter at the time the withdrawal is being effected.

## **Minimum Requirements**

### **9.3 Grievance and Appeals Procedures – Minimum Requirements**

**HEIs address student complaints and grievances promptly in a transparent and consistent manner. Grievance and appeals procedures are confidential (unless legally permitted otherwise) and should the complainant be dissatisfied with the outcome proposed by the decision-maker, the complainant is entitled to appeal the decision to a higher internal body or an appropriate external agency. The grievance and appeal procedures applying to international students are the same as those applying to Irish students already provided by statute.**

## Section 3 Summary of Standards & Minimum Requirements

### The Standards & Minimum Requirements Seriatim

#### Standard 1 - Marketing and Recruitment

Irish higher education is promoted and marketed accurately and honestly in terms of its quality, standing and availability. HEIs provide prospective international students with accurate, up-to-date and comprehensive information.

#### Marketing and Recruitment – Minimum Requirements

Full information in either written or electronic format is provided in relation to the following:

- a) Programmes and facilities.
- b) Details of the programme award including award body, National framework level of the award and progression possibilities.
- c) Minimum entry requirements, to include academic prerequisites, English language proficiency and admission procedures.
- d) Amounts of application fees and whether they are refundable or non-refundable.
- e) Cost of tuition and all other programme-related costs.
- f) Conditions of acceptance and refund conditions.
- g) Insurance requirements.
- h) Estimated current cost of living including accommodation costs.
- i) Work prospects and casual employment.

All material truthfully and accurately describes the education services, including the nature of programmes, facilities and opportunities available to international students.

HEIs approve all promotional materials, including those produced by recruitment agents.

In selecting recruitment agents, HEIs make reasonable efforts to ensure that agents are competent, well informed, and reputable.

HEIs develop contracts with recruitment agents which include a termination clause in case of breach of contract.

Where applicable, fees charged by agents to students are clearly outlined to students in advance.

HEIs regularly monitor the activities of their agents. Training support is provided.

Student satisfaction with agents' level of service and HEI promotional materials are carefully reviewed.

#### Standard 2 - Enrolment Processes

HEIs provide to students on a timely basis full, accurate and relevant:

- a) course information on application for the course,
- b) information as to the terms of the offer of a course, related support services and fee conditions,
- c) information relating to the visa application and associated appeal processes,
- d) necessary pre-arrival information.

**The ability of the HEI to discharge its responsibilities in this connection will be dependent upon the student also providing full, accurate and timely information appropriate to each stage in the enrolment process.**

### **Enrolment Processes – Minimum Requirements**

The minimum requirement necessary to attain the standard set out above is the provision of the information by the HEI to students and students to the HEI as set out in Table 1 attached to Chapter 2. Table 1 indicates the stage in the enrolment process at which the relevant information shall be provided. It should be noted that there is also an obligation on students to provide relevant information on a stage by stage basis as set out in Table 1, without which the HEI cannot fulfil its own information provision obligations.

### **Standard 3 – Fees: Clarity, Support, Payment and Refunds**

**HEIs provide students with accurate information prior to their application for courses, to enable them to make advance payment of fees compliant with Irish visa regulations and budget with reasonable accuracy their total tuition and maintenance costs over the period of the course for which they are applying.**

**Any financial assistance available is transparent, well publicised, efficient and timely. HEIs have welfare arrangements available to students in hardship and emergency situations.**

**HEIs inform students:**

- a) of the nature of sanctions for non-payment of fees,**
- b) of the circumstances in which full or partial refunds apply and the proportion thereof of the total fee and those in which no refund applies.**

**Refunds to students are made on a timely basis. HEIs ensure that there is a clearly defined appeals process related to refund of fees.**

### **Fees: Clarity, Support, Payment and Refunds – Minimum Requirements**

**HEIs inform students as to:**

- a) the fees chargeable in the forthcoming year,**
- b) the approximate rate of fee increases anticipated over the duration of the intended course,**
- c) the average maintenance cost (including accommodation and subsistence) in the forthcoming academic year,**
- d) the current rate of inflation per annum of maintenance cost.**

**HEIs have:**

- a) student welfare and other arrangements in place to meet the changing needs of students,**
- b) good communication between offices involved and students,**
- c) assistance/welfare committees,**
- d) details of support available on web.**

**Students are informed in advance by the HEIs of the sanctions applying in the event of failure to pay fees by the due date.**

**Refunds due are paid within four weeks of production of qualifying evidence.**

**There is a clearly defined appeals process relating to refunds of fees of which students are informed.**

## **Standard 4 - Orientation and Induction**

HEIs ensure that arrangements and resources are in place to provide comprehensive information, orientation and induction programmes for international students at pre-arrival and post-arrival stages. This information and these programmes are flexible and adapted to the needs of different groups of students.

### **Orientation and Induction – Minimum Requirements**

HEIs provide international students with:

- a) essential pre-arrival information including visa and immigration requirements,
- b) pre-arrival information on cost of living and academic culture, as well as up-to-date course handbooks and course information,
- c) comprehensive induction and orientation programmes at institutional and departmental levels in order that students are aware of their rights and responsibilities as well as the range of services on offer in the institution.

## **Standard 5 – Accommodation**

Because of linguistic and cultural barriers and geographical separation from family supports, international students can be particularly vulnerable in matters relating to student accommodation. HEIs therefore have a greater duty of care in regard to provision of accommodation for international students. This standard reflects that greater duty of care.

HEIs designate an appropriate person or unit as a resource for international students requiring assistance with accommodation. The existence and availability of this person or unit, that also hears any serious concerns relating to accommodation provision, is advised to students on enrolment. HEIs have systems in place for the selecting and monitoring of host families and their residences, student residences, temporary accommodation and residential caregivers (parents, relatives or family friends).

### **Accommodation – Minimum Requirements**

HEIs designate an appropriate international student accommodation support person or unit and inform international students that serious concerns relating to student accommodation raised by them will be addressed by such person or unit.

HEIs operating student residences have systems in place to satisfy themselves on the matters set out in 5.2.3 above.

HEIs ensure that all host families have a full understanding of their obligations relating to the student, the HEI and any accommodation agent.

## **Standard 6 - Academic Matters**

The academic standards used by HEIs apply to all programmes and awards, and to all students on these programmes. These awards are underpinned by internationally recognised quality assurance mechanisms, and when validated by Irish validation bodies, are included on the Irish National Framework of Qualifications, which is aligned to the Bologna Framework and is to be aligned with the European Qualifications Framework.

International students are selected for admission by suitably trained staff using selection criteria which maintain the HEI's academic standards and which maximise the students' prospects of academic success. Supports are in place for students and for staff which promote international student integration and their academic success.

## **Academic Matters – Minimum Requirements**

The selection/admission criteria and procedures for international students used by HEIs:

- a) maintain the institutions' academic standards,
- b) ensure international students have every chance of success and are capable of benefiting from the course.

All staff involved in the admission of international students are provided with appropriate training and support to ensure an informed decision making process and to increase their understanding of the particular cultural and educational needs of international students.

The academic support and advisory systems of HEIs ensure that:

- a) sufficient support for international students in their first year is available,
- b) international students have the necessary language skills to meet the linguistic demands of their programme,
- c) successful integration of international students is promoted,

Requirements of sponsors and of externally-funded mobility programmes are met.

Work placements organized as part of academic programmes are carefully managed and adequate support and liaison are provided between the placement provider and the institution.

International students who enrol on research degree programmes are supported in their studies and efforts are made to integrate the international students into the student research community of their associated department and/or faculty.

## **Standard 7 - Student Support Services**

**HEIs have a full range of student support and welfare services in place that recognise and make adequate provision for the additional needs of international students.**

**HEIs develop strategies and policies that promote integration and inclusion of international students in all aspects of HEI life and in the wider community.**

**Services provided to international students are clearly communicated, properly co-ordinated and quality driven.**

**HEIs have transparent and efficient welfare arrangements available to students in hardship and emergency cases.**

## **Student Support Services – Minimum Requirements**

Welfare arrangements for international students embracing targeted advice on health services available and Irish law are in place. Such health services are culturally sensitised.

Extra support for international students unfamiliar with the Irish higher education system is provided.

Integration and self help of international students is promoted.

Methods of access to student support services are clearly stated and co-ordinated with other services in the institution and the community.

Student support staff dealing with international students have cross cultural competence. Accessible and clearly communicated means of supporting international students in hardship, emergency or crisis situations, including emergency protocols are available.

## **Standard 8 - Student Protection**

**Students are protected by academic or financial bonding arrangements against course discontinuance and by robust quality assurance arrangements as regards course quality. These arrangements apply whether the course is delivered in Ireland or elsewhere.**

**In the case of “for-profit” HEIs, the Higher Education and Training Awards Council (HETAC) and the Further Education and Training Awards Council (FETAC) observe the bonding, registration, support and information requirements of Irish law as applicable to each institution.**

### **Student Protection – Minimum Requirements**

Students are protected in the event of the course discontinuance through bonding arrangements.

Students are protected as regards course quality through robust quality assurance and/or accreditation systems.

Students of “for-profit” HEIs are protected against course discontinuance by academic bonding or failing that by financial bonding.

HETAC and FETAC maintain a register of programmes of education and training in respect of which there are academic or financial bonding arrangements.

In the event of the discontinuance of a HETAC or FETAC programme, the programme provider and HETAC or FETAC as appropriate shall make all reasonable efforts to assist the student to find an appropriate programme with another provider to allow them to complete that education and training.

Students are informed by a “for-profit” HEI before it takes fees of all arrangements provided by the HEI for student protection against course discontinuance.

Students are informed before taking fees or before the commencement of the programme whether the programme concerned is accommodated through the procedures for access, transfer or progression and the extent of such accommodation and of the name of the awarding body which shall make the award.

## **Standard 9 - Grievance and Appeal Procedures**

**HEIs address student complaints and grievances promptly in a transparent and consistent manner. These procedures are confidential (unless legally permitted otherwise) and should the complainant be dissatisfied with the outcome proposed by the decision-maker, the complainant is entitled to appeal the decision to a higher internal body or an appropriate external agency. The grievance and appeal procedures applying to international students are the same as those applying to Irish students already provided by statute.**

### **Grievance and Appeals Procedures – Minimum Requirements**

HEIs address student complaints and grievances promptly in a transparent and consistent manner. Grievance and appeals procedures are confidential (unless legally permitted otherwise) and should the complainant be dissatisfied with the outcome proposed by the decision-maker, the complainant is entitled to appeal the decision to a higher internal body or an appropriate external agency. The grievance and appeal procedures applying to international students are the same as those applying to Irish students already provided by statute.

## SECTION 4

### Appendix 1 - The Policy Context

#### A1.1 The Internationalisation of Irish Education Services

In 2003, the Irish Government agreed to a proposal by the Minister for Education and Science to establish an interdepartmental group with the remit of considering:

- a) the most effective way of promoting Ireland as a centre of educational excellence for international students and for the promotion of Irish education abroad,
- b) the promotion of a 'Quality Mark' specifying required educational and student support standards to which all education providers in Ireland, seeking to attract foreign students, would adhere,
- c) the range of issues which arise from the intention to promote and expand the internationalisation of education services including, inter alia, the possibility of establishing a single agency for the promotion of Ireland as a centre of educational excellence.

The report of the interdepartmental group "Internationalisation of Irish Education Services" was published in November 2004. It reviewed the existing landscape in Irish higher education and noted the impact of changing demographics. It foresaw spare capacity with the HEIs having regard to the projected decline in the school leaving age cohort initially by 23% by 2013 with some recovery to a 13% decline by 2018. However, the interdepartmental group identified key advantages in Ireland and its relationship with international students, including:

- a) Ireland is seen by many as a "safe" country more attractive for students from a number of countries, who traditionally studied in the UK or USA.
- b) Increasing the numbers of foreign third level students obviously generates substantial revenues for the institutions and for the Exchequer but it also has wider social benefits.

#### A1.2 Interdepartmental Group's Recommendations

The group considered a range of issues associated with international student services including quality assurance, immigration and visa issues, the need for better regulation, future marketing and promotion arrangements, academic and institutional supports for international students and scholarships. The main recommendations of the Report included:

- a) The establishment of a code of conduct for the pastoral care of international students and the certification of schools delivering English as a Foreign Language (EFL).
- b) In recognition of the importance of the development of quality educational services for international students in Ireland, the Department of Justice, Equality and Law Reform should have discretion to establish accelerated visa application procedures for those applying to pursue their studies in a recognised school.
- c) The right to work should be confined to students on full-time courses, of at least one year's duration, leading to a qualification recognised by the Minister for Education and Science.

These policy objectives were reaffirmed in the government document 'Building Ireland's Smart Economy' in December 2008.

## Appendix 2

### Quality Assurance Arrangements

#### A2.1 Introduction

There are in place three separate, but linked, systems for quality assurance in Irish higher education for each of the following:

- a) The universities and associated HEIs.
- b) The Higher Education and Training Awards Council and the associated institutes of technology and providers within the independent sector.
- c) The Dublin Institute of Technology.

#### A2.2 Universities and Associated HEIs

The legislative basis of quality assurance systems in these institutions emanates from Section 35 of the Universities Act 1997. The autonomy of each university to determine its own quality assurance procedures under the Act encourages and facilitates an emphasis on quality improvement, in line with the requirement that quality assurance procedures be established with the aim of improving the quality of education and all related activities. The quality framework in the Irish universities is the result of close collaboration between the universities and reflects the commitment of the Irish Universities Association (IUA) <sup>1</sup> to collective action in this important strategic area.

In 2002, the Irish Universities Quality Board was established by decision of the governing authorities of the Irish Universities in order to increase the level of inter-university co-operation in developing quality assurance procedures and processes, in line with best international systems. The governing authorities of the seven Irish universities voluntarily devolved to the IUQB the function, as defined under the Universities Act 1997 Section 35 (4), of arranging for the review of the effectiveness of the quality assurance procedures they have put in place.

#### A2.3 Higher Education and Training Awards Council

The Higher Education and Training Awards Council (HETAC) was established in 2001 under the Qualifications (Education and Training) Act 1999. HETAC is the qualifications awarding body for the Institutes of Technology and other HEIs outside the university sector. Within this broad function, HETAC has particular responsibilities for setting standards for higher education and training awards; for validating higher education and training programmes; for ensuring that student assessment procedures are fair and consistent; and for ensuring that arrangements are in place in for-profit education and training institutions to protect students where programmes validated by HETAC cease to be provided. Under the Act, HETAC may also delegate the authority to make awards to the Institutes of Technology. With regard to quality assurance, the Act requires providers of education and training programmes validated by HETAC, or to which the Council has delegated power to make awards, to establish quality assurance procedures and to agree those procedures with the Council. These procedures are monitored by HETAC on an ongoing basis, and the Council is also required to review their effectiveness periodically.

Linked to this, the Higher Education Colleges Association (HECA) as the representative body of independent HEIs in Ireland recognised by the Department of Education and Science also promotes the interests of member HEIs and cooperation between members in the fields of quality assurance, student protection and consultation with government as regards education regulatory policy.

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<sup>1</sup> Formerly known as the Conference of Heads of Irish Universities (CHIUI)

## **A2.4 Dublin Institute of Technology**

The Dublin Institute of Technology was established as an autonomous institution under the Dublin Institute of Technology Act 1992. Under the provisions of this Act, the Institute has vested in it the statutory authority to make its own teaching and research awards up to and including doctoral degrees. The responsibility for standards and quality assurance – as set out in Section 11 of the Dublin Institute of Technology Act 1992 – resides with the Institute's Academic Council which advises the Governing Body in the planning, co-ordination, development and overseeing of the educational work of the Institute. Under Section 39(1) of the Qualifications (Education and Training) Act 1999, the Institute is also required to agree its quality assurance procedures with the National Qualifications Authority of Ireland (NQAI). Section 39 (3) of the Act requires the Authority to consider annually the findings arising out of the application of the Institute's quality assurance procedures, while section 39 (4) requires the Authority to review periodically their effectiveness. The first such quality review, which was commissioned jointly by the DIT and the NQAI, was undertaken by the European University Association in 2005.

## **A2.5 Irish Higher Education Quality Network**

In 2004, reflecting the increased emphasis on quality assurance, Irish stakeholders established the Irish Higher Education Quality Network to:

- a) provide a forum for discussion of quality assurance issues amongst the principal national stakeholders involved in the quality assurance of higher education and training in Ireland,
- b) provide a forum for the dissemination of best practice in quality assurance amongst practitioners and policy makers involved in the Irish higher education and training sector,
- c) endeavour, where appropriate, to develop common national principles and approaches to quality assurance in Irish higher education and training.

The membership consists of the principal stakeholders - practitioners, policy makers and students - involved in quality assurance in Irish higher education and training, as set out below:

- a) Union of Students in Ireland.
- b) Irish Universities Quality Board.
- c) Council of Directors of the Institutes of Technology.
- d) Irish Universities Association.
- e) Dublin Institute of Technology.
- f) Higher Education Colleges Association.
- g) Higher Education Authority.
- h) Higher Education and Training Awards Council.
- i) National Qualifications Authority of Ireland.
- j) Department of Education and Science.

The Network reviewed the legislative requirements and procedures for quality assurance for the different institutions in the Irish higher education sector and in May 2005 identified a set of common underpinning principles of Good Practice. The principles are agreed by the Network as consonant with the legislative arrangements which govern quality assurance in the Irish Higher Education sector, and as conforming to the principles outlined in the Berlin Communiqué, and to the 'Standards and Guidelines for Quality Assurance in the European Higher Education Area', as developed by the European Association for Quality Assurance in Higher Education (ENQA) and adopted by Ministers at Bergen in May 2005. The principles incorporate the arrangements in each of the three separate, but linked, systems for quality assurance in Irish higher education for:

- a) Internal assessment.
- b) External review.
- c) Publication of results.

These elements are statutory requirements in the Universities Act 1997 and the Qualifications (Education and Training) Act 1999 and are available on the IHEQN website at [www.iheqn.ie/publications](http://www.iheqn.ie/publications).

## **A2.6 Student involvement in Quality Assurance**

Students nominate/elect members to the Governing Bodies of HEIs established in statute, the Higher Education Authority (HEA), the National Qualifications Authority of Ireland (NQAI), the Higher Education and Training Awards Council (HETAC) and the Irish Universities Quality Board (IUQB).

Student involvement is also a key part of the quality assurance procedures of third-level institutions. These elements are statutory requirements in the Universities Act 1997 and the Qualifications (Education and Training) Act 1999. In addition, stakeholders are working together in the Irish Higher Education Quality Network to identify the means to deepen the extent of student engagement in the implementation of quality assurance procedures in higher education and a sub-group has been established to lead this work.

Those with a student perspective were also included in the teams appointed by the Qualifications Authority to review HETAC and the DIT and in the High level Reference Panel which had an overseeing role in the context of the HEA/IUQB commissioned review of QA processes in the university sector, which was carried out by the European University Association.

## **A2.7 Development in Quality Assurance in Ireland**

The Higher Education and Training Awards Council has incorporated the European Standards and Guidelines in its policies and criteria for setting the standards of awards, for making awards, for delegating authority to make awards and for quality assurance. Furthermore, in July 2006, a review of the performance by the Higher Education and Training Awards Council of its functions, incorporating the extent to which the Council complies with the Standards and Guidelines for Quality Assurance in the European Higher Education Area, was completed by the Qualifications Authority. Further information is available at: [www.nqai.ie/en/Review](http://www.nqai.ie/en/Review) and [www.hetac.ie/publications](http://www.hetac.ie/publications). HETAC is the first European agency to meet the European Standards and Guidelines.

The Dublin Institute of Technology has incorporated the European Standards and Guidelines into its quality assurance procedures. In June 2006, a review of the effectiveness of the quality assurance procedures of the Institute was completed by the European University Association, on behalf of the Qualifications Authority. Further information is available at: [www.nqai.ie/en/PoliciesandProcedures/](http://www.nqai.ie/en/PoliciesandProcedures/).

The Qualifications Authority in 2007 undertook a Quality Review commissioned by the Department of Education and Science, in association with the Department of Enterprise, Trade and Employment and which evaluated:

- (a) how effectively the Qualifications Authority has performed its principal statutory functions since its establishment,
- (b) the suitability of the organisational structures and processes of the executive of the Qualifications Authority for the performance of its functions in the future,
- (c) the extent to which the Qualifications Authority, in the performance of its relevant functions, complies with the Standards and Guidelines for Quality Assurance in the European Higher Education Area.

The Irish Universities Quality Board (IUQB) and the Irish Universities Association (IUA) has updated the Framework for Quality in Irish Universities including the formal incorporation of the European Standards and Guidelines. This information is available here: [www.iuqb.ie](http://www.iuqb.ie). In 2006 the HEA commissioned an external review of IUQB. One element of this review will determine the extent to which IUQB complies with the European Standards and Guidelines.

On 14<sup>th</sup> October 2008, the Minister for Finance announced the amalgamation of the National Qualifications Authority of Ireland, the Higher Education and Training Awards Council and the Further Education and Training Awards Council. It is also envisaged that the new organisation will take responsibility for the external quality assurance review of the universities, a function which is currently performed by the Irish Universities Quality Board and the Higher Education Authority. In seeking to ensure a coherent approach to qualifications and quality assurance, there will also be discussions with the National University of Ireland around the possibility of including some of the related functions of the NUI in the new organisation. The Department of Education and Science is currently working with these organisations on this matter.