

Commonwealth of Australia

*Higher Education Support Act 2003*

**COMMONWEALTH SCHOLARSHIPS GUIDELINES (EDUCATION) 2010**

I, JULIA GILLARD, Minister for Education, pursuant to section 238-10 of the *Higher Education Support Act 2003* ('the Act') make the attached Commonwealth Scholarships Guidelines (Education) 2010, which provide for matters under Part 2-4 of the Act.

Dated: 14 March 2010

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JULIA GILLARD  
Minister for Education

**1 CITATION**

These Guidelines may be cited as the Commonwealth Scholarships Guidelines (Education) 2010.

**2 AUTHORITY**

These Guidelines are made under section 238-10 of the *Higher Education Support Act 2003* for the purposes of Part 2-4 of the Act.

**3 DATE OF EFFECT**

These Guidelines take effect on the day after the day on which they are registered on the Federal Register of Legislative Instruments.

**4 REVOCATION**

The Commonwealth Scholarships Guidelines commencing 8 December 2008 and all subsequent amendments, are revoked.

**5 TRANSITIONAL ARRANGEMENTS**

- (1) The revocation of the Commonwealth Scholarships Guidelines that commenced on 8 December 2008 and all subsequent amendments, does not affect the validity of a payment or decision made under those guidelines.
- (2) A decision made under those Guidelines is taken to continue to have effect as if it were made under these Guidelines.

# Commonwealth Scholarships Guidelines (Education) 2010

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## CHAPTER 1 INTRODUCTION

### 1.1 PURPOSE

The purpose of these Guidelines is to provide additional guidance for Commonwealth Scholarships under section 46-20 of *the Act*.

#### Privacy Act 1988

In administering *the Act*, the *Department* is bound by the provisions of the *Privacy Act 1988*.

#### Freedom of Information

All documents in the possession of the *Department* including those in relation to the Commonwealth Scholarship program are subject to the *Freedom of Information Act 1982* (the FOI Act). The FOI Act provides general right to access to documents in possession of the Department, subject to certain exceptions and exemptions necessary for the protection of the essential public interests and the private and business affairs of third parties.

## 1.5 INTERPRETATION

1.5.1 Unless the contrary intention appears, the terms used in these Guidelines have the same meaning as in *the Act*.

1.5.5 In these Guidelines, unless the contrary intention appears:

|                                      |  |
|--------------------------------------|--|
| <i>the Act</i>                       | means the <i>Higher Education Support Act 2003</i>   |
| <i>the provider</i>                  | is the higher education provider that is administering the scholarship on behalf of the Commonwealth Government  |
| <i>AQF</i>                           | means the Australian Qualifications Framework which is a unified system of national qualifications which includes the higher education sector  |
| <i>ASGC Remoteness Areas</i>         | means the Australian Standard Geographical Classification Remoteness Areas as described in the Australian Institute of Health and Welfare 2004 publication, ' <i>Rural, Regional and Remote Health: A Guide to Remoteness Classifications</i> ' and is based on <i>Socio-Economic Indexes for Areas (SEIFA) 2006</i>   |
| <i>Associate Degree</i>              | is a two year qualification accredited against higher education requirements and able to be offered by providers meeting the requirements set by the higher education sector in accordance with the ( <i>MCEETYA National Protocols for Higher Education Approval Processes</i> ) and will be "grandfathered" until entitlement is consumed. From 1 January 2010 new Associate Degrees scholarships will be not be available for offer by higher education providers |
| <i>CAS</i>                           | means a Commonwealth Accommodation Scholarship including the categories of <i>CAS-Ordinary</i> ; a <i>CAS-Specialist</i> ; a <i>CAS-Associate Degree</i> , <i>Indigenous Enabling-CAS</i> ; and a <i>Indigenous Access Scholarship</i> , more fully described in paragraph 2.1.1 and paragraph 2.30.1 of these Guidelines and will be "grandfathered" until entitlement is consumed  |
| <i>CECS</i>                          | means a Commonwealth Education Costs Scholarship including the categories of <i>CECS-Ordinary</i> ; a <i>CECS-Priority Discipline</i> ; a <i>CECS- Associate Degree</i> and a <i>Indigenous Enabling-CECS</i> , more fully described in paragraph 2.1.1 and paragraph 2.30.1 of these Guidelines and will be "grandfathered" until entitlement is consumed   |
| <i>commencing scholarship holder</i> | means a student in their first <i>scholarship period</i>   |
| <i>commencing student</i>            | means a student undertaking a course at entry level for the first time with the <i>provider</i> . <i>From 1 January 2010 this will only apply to Indigenous students</i>   |

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| <i>Commonwealth Supported Student</i>           | has the same meaning given by Schedule 1 of <i>the Act</i> (see above)  |
| <i>continuing scholarship holder</i>            | means a student in their second or subsequent <i>scholarship period</i>   |
| <i>course of study</i>                          | has the same meaning given by Schedule 1 of <i>the Act</i> (see above)  |
| <i>course start date</i>                        | means for students commencing study at a tertiary institution, the start of the orientation period, or if students do not attend the orientation period, the actual day the course starts i.e. the first day of classes (see above)   |
| <i>cross-institutional programs</i>             | <p>A student is enrolled in a cross-institutional program if all of the following criteria are met:</p> <ul style="list-style-type: none"> <li>• a program of study comprising a unit or a set of units of study is being undertaken with one <i>provider</i> (the host provider) as part of a course of study for which the student is enrolled with another <i>provider</i> (the home provider); and</li> <li>• there is an arrangement for recognition between the two providers; and</li> <li>• the cost of providing the program of study at the host provider is met by the host provider; and</li> <li>• the home <i>provider</i> is not being funded for the program of study through student contributions or tuition fees paid by the student, through the CGS in the case of <i>Commonwealth supported students</i>, or through funding provided by an employer, an Australian Government, State or Territory department or agency, or any other individual or body</li> </ul> |
| CS  | means a Commonwealth Scholarship of the various categories specified in paragraphs 2.1.1 and 2.30.1 of these Guidelines   |
| <i>Department or DEEWR</i>                      | means the Australian Government Department of Education, Employment and Workplace Relations   |
| DIAC  | means the Australian Government Department of Immigration and Citizenship   |
| EFTSL   | has the same meaning given by Schedule 1 of <i>the Act</i>  |
| <i>eligible enabling course</i>                 | has the same meaning as “enabling course” as defined in Schedule 1 of <i>the Act</i> ; with the additional provisions that it must be the equivalent of at least 10 weeks full-time in duration; provide a pathway into an undergraduate course; and not be a course aimed at fast-tracking an undergraduate degree   |
| <i>eligible graduate or postgraduate course</i> | a graduate diploma (or equivalent graduate or postgraduate <i>course of study</i> ) in an area of <i>National</i>   |

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|   | <i>Priority</i> required for initial registration to practice in the chosen <i>National Priority</i> area  |
| <i>full-time student load</i>                   | in respect of a scholarship, is at least 75% of an <i>EFTSL</i> in the <i>scholarship period</i> for which the scholarship is being paid   |
| <i>HEIMS</i>                                    | means the Higher Education Information Management System   |
| <i>IAS</i>                                      | <i>Indigenous Access Scholarships</i>  |
| <i>Indigenous</i>                               | for the purposes of Chapter 2 of these Guidelines, means a person who is of Australian Aboriginal or Torres Strait Islander descent; identifies as an Australian Aboriginal or Torres Strait Islander; and is accepted as an Australian Aboriginal or Torres Strait Islander in the community in which he/she lives or has lived |
| <i>Indigenous Access Scholarships</i>           | is a one-off payment for Indigenous students when undertaking an <i>eligible enabling course</i> , undergraduate course or <i>eligible graduate or post graduate course</i> . This also referred to as an <i>Indigenous Access Payment</i>   |
| <i>Indigenous Education Unit</i>                | A unit located in a <i>provider</i> dedicated to the support of <i>Indigenous</i> students   |
| <i>IHEAC</i>                                    | means the <i>Indigenous</i> Higher Education Advisory Council  |
| <i>internal student</i>                         | means a student who, for the majority of units of study in which they are enrolled in the <i>scholarship period</i> , is required to attend, on a regular basis, the campus of the <i>provider</i> or the campus of a host provider approved by the <i>provider</i> through a cross-institutional arrangement                    |
| <i>ISS</i>                                      | means an <i>Indigenous</i> Staff Scholarship as outlined in Chapter 3 of these Guidelines  |
| <i>MCTEE</i>                                    | means the Ministerial Council for Tertiary Education and Employment  |
| <i>mixed-mode</i>                               | means a course delivered through a combination of distance education and face-to-face teaching (see above)   |
| <i>National Accommodation Scholarship (NAS)</i> | has the same meaning as <i>CAS-Specialist</i> . <i>CAS –Specialist</i> and will not be available for new offers from 2010 as specified in paragraph 2.30 and will be “grandfathered” until entitlement is consumed.  |
| <i>National Priority</i>                        | has the meaning given by section 30-20 of <i>the Act</i>   |

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|--|---|
| <i>National Priority Discipline</i>        | as defined in Schedule 1 of these Guidelines  |
| <i>National Priority Scholarship (NPS)</i> | has the same meaning as <i>CECS-Priority Discipline</i> and will not be available for new offers from 2010 as specified in paragraph 2.30.1 and will be “grandfathered” until entitlement is consumed           |
| <i>National Priority Student</i>           | means a <i>Commonwealth supported student</i> undertaking a course of <i>National Priority</i> as defined in section 30-20 of <i>the Act</i>  |
| <i>Relocation scholarship</i>              | means those accommodation scholarships administered by Centrelink   |
| <i>scholarship period</i>                  | in respect of a CS, means a six-month period from either 1 January to 30 June or 1 July to 31 December  |
| <i>Start-up scholarship</i>                | means those education scholarships administered by Centrelink   |
| <i>the Minister</i>                        | means the Minister for Education  |
| <i>the Secretary</i>                       | means the Secretary of the <i>Department</i>  |
| <i>specialist courses</i>                  | means courses identified by the <i>providers</i> through a competitive bidding process and for which the <i>Department</i> has allocated <i>CAS-Specialist</i> scholarships no change but being “grandfathered” |
| <i>suspension</i>                          | in respect of a scholarship, means a period of time during which a scholarship holder is not receiving scholarship payments   |
| <i>Table A provider</i>                    | has the same meaning given by Schedule 1 of <i>the Act</i>  |
| <i>undergraduate course of study</i>       | has the same meaning given by Schedule 1 of <i>the Act</i>  |

1.5.10 Any reference to a part, division or section of *the Act* is a reference to that part, division or section as in force from time to time.

1.5.15 Terms used in these Guidelines that are in italics have the meaning stated in paragraph 1.5.5 of these Guidelines.

## CHAPTER 2 COMMONWEALTH SCHOLARSHIPS

These Guidelines consist of two parts. Part A provides guidance for administrators and recipients of new Indigenous Commonwealth Scholarships from 1 January 2010. Part B provides guidance for administrators and recipients (including Indigenous recipients) on the arrangements to meet the commitment for Commonwealth Scholarships awarded prior to 31 December 2009, until the scholarship is consumed.

### 2.1 PROGRAM OBJECTIVES – PART A

The objectives of the Commonwealth Scholarships (CS) Program are to facilitate choice in higher education and to increase higher education participation for Indigenous students.

The primary aim of the *Indigenous Access Scholarship* is to improve higher education access for *Indigenous* people, particularly those who need to relocate from regional and remote areas, through a one-off payment to take up a higher education undergraduate or *eligible enabling course*. The Indigenous Access Scholarship is targeted at eligible *commencing students*.

#### 2.1.1 Description of Scholarships

- (1) Commonwealth Scholarships, which are standard scholarships, for the purposes of paragraph 46-10 (aa) of *the Act* are of two main types:
  - (a) Indigenous Commonwealth Education Costs Scholarships (*Indigenous-CECS*) which are generally to assist with education costs; and
  - (b) Indigenous Commonwealth Accommodation Scholarships (*Indigenous-CAS*) which are generally to assist with accommodation costs.
- (2) The *Indigenous-CECS* comprise two categories:
  - (a) *Indigenous-CECS* with funding for up to eight *scholarship periods* to assist *Indigenous* students enrolled in undergraduate courses (not limited to areas of *National Priority*) or a graduate diploma (or equivalent post graduate *course of study*) in an area of *National Priority* required for initial registration to practice in the chosen *National Priority*;
  - (b) Indigenous Enabling-CECS, with funding for up to two scholarship periods, to assist Indigenous students to undertake an eligible enabling course.
- (3) The *Indigenous-CAS* comprises three categories:
  - (a) *Indigenous-CAS* with funding for up to eight *scholarship periods* to assist *Indigenous* students with accommodation costs to undertake an undergraduate course (not limited to areas of *National Priority*) or a graduate diploma (or equivalent post graduate *course of study*) in an area of *National Priority* required for initial registration to practice in the chosen *National Priority*;
  - (b) *Indigenous Enabling-CAS*, with funding for up to two *scholarship periods*, to assist *Indigenous* students with accommodation costs to undertake an *eligible enabling course*;
  - (c) *Indigenous Access Scholarship (IAS)* which is a one-off scholarship payment, to assist *Indigenous* students to undertake an *eligible enabling course*, undergraduate course or graduate diploma (or equivalent post graduate course of study) in an area of *National Priority* required for initial registration to practice in the chosen *National Priority* field.



## 2.1.2 Class of Commonwealth Scholarship

A CS specified under these Guidelines is an indirectly-paid standard scholarship under paragraph 46-10 (aa) of *the Act*.

## 2.5 GRANTS

### 2.5.1 How Grant Amounts are to be Determined

The maximum amount of CS grant to be paid to a *provider* under section 46-15 of *the Act* for a year will equal the sum of the CECS grant amount. Grant amounts are calculated for each CS category specified in paragraph 2.1.1 of these Guidelines as follows:

$$\text{Grant Amount} = \text{Number of CS in the category allocated to the provider, as determined under paragraphs 2.5.5(1) to, 2.5.5(3) of these Guidelines} \times \text{Value of the CS for each category}$$

### 2.5.5 How the Allocation of CS to a Provider will be Determined

Allocation of *Indigenous-CECS*, *Indigenous Enabling-CECS*, *Indigenous-CAS* and *Indigenous Enabling-CAS* to individual *providers* in a given year will be determined by the number of IAS allocated to the *provider* in that year, the cap on each scholarship type and the commitment that the *provider* must meet based on previous years' awarding of scholarships.

The Department will undertake a competitive bidding process prior to 31 October of the calendar year for allocation in the following calendar year.

#### ***Indigenous Access Scholarship (IAS)***

- (1) The number of IAS allocated to a *provider* in a given year will be determined as follows:
  - (a) IAS will be allocated to eligible *providers* that offer *eligible enabling*, undergraduate course or graduate diploma (or equivalent post graduate course of study) in an area of National Priority required for initial registration to practice in the chosen National Priority field.

#### ***Indigenous-CECS and Indigenous Enabling-CECS***

- (2) The number of *Indigenous-CECS* and *Indigenous Enabling-CECS* allocated to an eligible scholarship provider in a given year will be determined as follows:
  - (a) *Providers* will be automatically allocated a number of *Indigenous-CECS* equal to the amount of previous year(s) *Indigenous Enabling-CECS* recipients who have indicated they will continue into full-time undergraduate study at the *provider* in the scholarship year (including those students who undertook their enabling course at a different *provider* but will enrol in full-time undergraduate study at the *provider* in question), subject to this information being supplied to DEEWR by the advised deadline.
  - (b) Additional *Indigenous-CECS* and *Indigenous-Enabling CECS* will be allocated to eligible *providers* following a competitive bidding process administered by DEEWR in accordance with identified selection criteria. The total number of *Indigenous-CECS* and *Indigenous-Enabling CECS* allocated to a *provider* in a given year will equal the number of IAS allocated in that year where possible and in accordance with 2.15.5(3) below.

### ***Indigenous-CAS and Indigenous Enabling-CAS***

- (3) The number of *Indigenous-CAS* and *Indigenous Enabling-CAS* allocated to an eligible *provider* in a given year will be determined as follows:
- (a) *Providers* will be automatically allocated a number of *Indigenous-CAS* equal to the amount of previous year(s) *Indigenous Enabling-CAS* recipients who have indicated they will continue into full-time undergraduate study in the scholarship year at the *provider* (including those students who undertook their enabling course at a different *provider* but will enrol in full-time undergraduate study at the *provider* in question), subject to this information being supplied to DEEWR by the advised deadline.
  - (b) Additional *Indigenous-CAS* and *Indigenous Enabling-CAS* will be allocated to eligible *providers* following a competitive bidding process administered by DEEWR in accordance with identified selection criteria. The number of *Indigenous-CAS* must not exceed the number of *Indigenous-CECS*, and the number of *Indigenous Enabling-CAS* must not exceed the number of *Indigenous Enabling-CECS* allocated to a *provider* in a given year where possible and in accordance with 2.15.5(4) below.

### **2.5.10 Actions for Unawarded CS**

- (1) By 30 April in any given year, a *provider* should assess the status of unawarded CS for that same year and determine a course of action for each category of CS. Wherever possible, *the provider* should undertake action so as to award the maximum number of CS within that year.
- (2) If a *provider* has insufficient student demand for a particular category of CS initially allocated for that same calendar year, they must consider one of the following courses of action:
  - (a) conversion across CS type in accordance with paragraph 2.5.10(3)-(6)
  - (b) return unspent funds to the *Department* in accordance with paragraphs 2.5.10(8)-(9).

### **Conversion across CS type**

- (3) A *provider* may convert unawarded *Indigenous-CECS* to *Indigenous-CAS* or vice versa to better match student demand.
- (4) A *provider* may convert unawarded *Indigenous Enabling-CECS* to *Indigenous Enabling-CAS* or vice versa to better match student demand.
- (5) Such conversions must be approved in writing by the *Department* before they can be effected.
- (6) *Indigenous-CECS* cannot be converted into *Indigenous-Enabling CECS* or vice versa, and *Indigenous CAS* cannot be converted into *Indigenous-Enabling CAS* or vice versa.
- (7) The *provider* must seek approval for conversions from the *Department* by 31 May of the year in which the CS were allocated by the *Department*.

### **Rollover and offset of funds against allocation**

- (8) By 31 October in any given year, any unawarded *Indigenous-CECS*, *Indigenous-CAS*, *Indigenous Enabling-CECS*, *Indigenous Enabling-CAS* or *Indigenous Access Scholarships* will be rolled over pursuant to a determination made by the *Secretary* or a delegate of the *Secretary* under section 46-35 of *the Act*. *Providers* must report to the *Department* no later than 10 working days prior to 31 October which scholarships they require to be rolled over.

- (a) The *Department* will make the appropriate adjustment in the next year by offsetting the number of unawarded scholarships from the allocations made in accordance with paragraphs 2.5.5(1)-(3) of these Guidelines against the next calendar year's allocation.
- (b) *the Secretary* may determine other conditions that would apply to the unspent grant amount pursuant to paragraph 46-35(2)(b) of *the Act*.

#### **Return of unawarded CS funds to the *Department***

- (9) If a *provider* does not wish to award or convert unawarded scholarships to another CS category with demonstrated unmet student demand *the provider* must return unawarded CS funds to the *Department* by 31 May in that calendar year.
- (10) The Minister or a delegate of the Minister may reallocate any CS that are returned by *providers* under paragraph (8) above.

### **2.10 STUDENT ELIGIBILITY REQUIREMENTS**

Under paragraph 46-20(2)(c) of *the Act*, student eligibility requirements may be specified for indirectly-paid CS.

- (1) Concurrent Scholarships
  - (a) A student can hold an *IAS* concurrently with another category of *CAS* in accordance with paragraph 2.5.5(1) above.
  - (b) A student can hold an *IAS* concurrently with a *Student Start-up scholarship* and/or *Relocation scholarship*.
  - (c) A student may NOT concurrently hold an *Indigenous-CECS* and an *Indigenous Enabling-CECS*.
  - (d) A student may NOT concurrently hold an *Indigenous-CAS* and an *Indigenous Enabling-CAS*.
  - (e) A student may NOT concurrently hold CS scholarships with different providers even if the CS are of different scholarship types.
  - (f) A student may NOT concurrently hold an *Indigenous-CECS* or *Indigenous Enabling-CECS* and a *Student Start-up scholarship*.
  - (g) A student may NOT concurrently hold an *Indigenous-CAS* or *Indigenous Enabling-CAS* and a *Relocation scholarship*.
- (2) The maximum duration a student can have access to one or more scholarships described in paragraph 2.1.1 is for a total of eight *scholarship periods*.
  - (a) The exception to this provision is where when a student accessing a *Indigenous Enabling-CECS* or a *Indigenous Enabling-CAS* scholarship progresses to an undergraduate course. In that case, the student will have access to one or more scholarships described in paragraph 2.5.5 for a total of ten *scholarship periods* (being two periods of an enabling scholarship and eight periods of another CS type).
- (3) A scholarship holder who undertakes a program of study:
  - (a) overseas, or
  - (b) with a host provider approved by their *provider* through a cross institutional arrangement as a Commonwealth supported student,

will not be precluded from continuing to access a CS during this period, so long as the program of study is approved by their scholarship *provider*, and counts toward the requirements for the *course of study* in which the student is enrolled. All CS student

eligibility criteria must be maintained by a recipient during this period with the scholarship *provider*.

#### **2.10.1 Basic Eligibility Requirements**

- (1) A student is not eligible for an *Indigenous-CECS* if they have already received an *Indigenous-CECS* for the maximum duration of eight semester periods.
- (2) A student is not eligible for an *Indigenous Enabling-CECS* if they have already received a *CECS-Indigenous Enabling* for the maximum duration of two semester periods.
- (3) A student is not eligible for an *Indigenous-CAS* if they have already received an *Indigenous-CAS* for the maximum duration of eight semester periods.
- (4) A student is not eligible for a *CAS-Indigenous Enabling* if they have already received a *CAS-Indigenous Enabling* for the maximum duration of two semester periods.
- (5) A student is not eligible for an *IAS* if they have previously received payment, in part or in whole, of an *IAS*, or part thereof.
- (6) During the eight *scholarship periods*, a student may be in receipt of an Indigenous *CECS* and an Indigenous *CAS* scholarship concurrently depending upon eligibility for the type of *CS*.

#### ***Indigenous-CECS and Indigenous-CAS***

- (7) To be eligible for an *Indigenous-CECS* or *Indigenous-CAS* a student must, by the first census date (as determined in accordance with section 169-25 of *the Act*) of the *scholarship period*:

(a) be an Australian citizen; and

(b) be an *Indigenous* person:

A student's declaration of their Aboriginality or Torres Strait Islander status during the *CS* application process should normally be accepted as sufficient evidence of their *Indigenous* status. However, where this status is unclear or uncertainty exists as to the Aboriginality or Torres Strait Islander status of the student, the *provider's Indigenous Education Unit* (if the *provider* has one) should be consulted where possible. Evidence may be required to establish that he or she is an Aboriginal or Torres Strait Islander person. The following documentation is acceptable in confirming a student's status as an *Indigenous* person: an affirmation signed by the student, declaring that he/she identifies as an Australian Aboriginal or Torres Strait Islander; and a letter signed by the Chairperson of an Aboriginal and Torres Strait Islander incorporated organisation in a community in which the student lives or has previously lived; and

- (c) meet the low socio-economic status requirements specified in paragraph 2.10.5 of these Guidelines; and
- (d) be enrolled in or undertaking a *course of study* (for the purposes of cross-institutional studies) with an eligible scholarship *provider* as a *Commonwealth supported student* in an undergraduate course not limited to areas of *National Priority*) or a graduate diploma (or equivalent post graduate *course of study*) in an area of *National Priority* required for initial registration to practice in the chosen *National Priority*; and
- (e) meet the full-time student requirements specified in paragraph 2.10.10 of these Guidelines; and
- (f) not already have completed the requirements of a *course of study* (with any *provider*) regarded by the scholarship *provider* to be equivalent to or higher than an Australian bachelor's award, unless each such award is a prerequisite to their current

undergraduate *course of study* (Note: CS are intended primarily for students undertaking an initial qualification); and

- (g) meet other eligibility requirements as specified in paragraphs 2.10.10 of these Guidelines; and
- (h) in the case of the *Indigenous-CAS*, meet the additional eligibility requirements as specified in paragraph 2.10.15 of these Guidelines.

### ***Indigenous Enabling-CECS and Indigenous Enabling-CAS***

- (8) To be eligible for an *Indigenous Enabling-CECS* or *Indigenous Enabling-CAS*, a student must:
  - (a) meet the eligibility requirements stated at 7(a) to (h) above; and
  - (b) be enrolled in or undertaking an *eligible enabling course* with a *provider* as a *Commonwealth supported student*, as defined in *the Act*; and
  - (c) undertake the course on a full-time or part-time basis, noting that:
    - (i) a student who is in receipt of an *Indigenous Enabling-CECS* scholarship while studying part-time, and who wishes to progress to another form of CS, must meet the full-time eligibility requirements as outlined in paragraph 2.10.10 of these Guidelines for the new CS; and
    - (ii) a student who undertakes an enabling course on a part-time basis will not be eligible to receive an *IAS* or a *Indigenous Enabling-CAS* while enrolled in an enabling course; and
  - (d) in the case of *Indigenous Enabling-CAS* meet the additional CAS eligibility requirements as specified in paragraph 2.10.15 of these Guidelines.

### ***IAS***

- (9) To be eligible for an *IAS* a student must:
  - (a) meet the eligibility requirements stated at 7(a) to (g) above; and
  - (b) be a *commencing student* who has:
    - (i) accepted the offer of a place; or
    - (ii) been enrolled; or
    - (iii) is undertaking a course;in an undergraduate course or graduate diploma (or equivalent post graduate course of study) in an area of National Priority required for initial registration to practice in the chosen National Priority field as a *Commonwealth supported student*; and
  - (c) in exceptional circumstances, if a continuing student is required as part of their course to undertake study in a location distant from their previous place of study, *providers* may give consideration to these students when awarding an *IAS*.

### **2.10.5 Low Socio-Economic Status Requirements**

- (1) A student is not eligible for an *Indigenous CS* unless *the provider* is satisfied that the student is able to demonstrate low socio-economic status either:
  - (a) through being in receipt of a means-tested Commonwealth income support payment (such as Austudy, ABSTUDY, Youth Allowance, etc); or
  - (b) on the basis of an assessment conducted by or on behalf of the eligible scholarship *provider*.

Where a student is unable to demonstrate eligibility under (1) (a) above, the *provider* must give the student the option of undergoing an assessment of low socio-economic status to determine eligibility.

- (2) In assessing low socio-economic status to determine eligibility for *Indigenous-CECS*, *Indigenous-CAS*, *Indigenous Enabling-CECS*, *Indigenous Enabling-CAS* and IAS, *providers* should consider the range of disadvantages which may affect the immediate financial status of *Indigenous* students accessing higher education. Such factors may include geographical isolation, stability of financial status, as well as family circumstances, such as illness or bereavement, which may affect the level of family financial support. In making this assessment, *providers* should consult with *the provider's Indigenous Education Unit* where one exists.

#### **2.10.10 Full-time Student Requirements**

- (1) Generally, a student undertaking or intending to undertake less than a *full-time student load* is not eligible for a CS unless there are exceptional circumstances which prevent the student from studying full-time.
  - (a) The exception to this requirement is for *Indigenous* students undertaking or intending to undertake an *eligible enabling course* - refer paragraph (4) below.
- (2) The decision that a person cannot study full-time due to exceptional circumstances is to be made by the *provider*. A *provider* may take into account factors such as disability, significant family care responsibilities, *Indigenous* community responsibilities, and course constraints outside a student's control, in determining a student's inability to undertake a *full-time student load*.
- (3) A student whose course load falls below a *full-time student load* must have their CS eligibility status reviewed, in accordance with the ongoing eligibility requirements under paragraph 2.25 of these Guidelines, and will be ineligible to retain their CS unless the *provider* determines that there are exceptional circumstances which prevent the student from continuing to study on a full-time basis.
- (4) *Indigenous* students who enrol in an *eligible enabling course* are eligible to receive an *Indigenous Enabling-CECS* if they undertake the course on a part-time basis. However, to be eligible for another category of CS upon completion of the enabling course, the students must enrol in the further *course of study* as a full-time student. Such students are not automatically entitled to the relevant CS on enrolment in full-time *course of study* as full-time *Indigenous Enabling-CECS* recipients would be, but are subject to a competitive process as are other eligible commencing students.

#### **2.10.15 Additional Eligibility Requirements for *Indigenous-CAS* and *Indigenous Enabling-CAS***

- (1) In determining a student's eligibility for an *Indigenous-CAS* or a *Indigenous Enabling-CAS*, the *provider* must determine whether the student has lived in a regional or remote area consistent with paragraph 2.10.15(2)(a) below.

*Providers* should be guided by the ASGC *Remoteness Areas* classification as described in the Australian Institute of Health and Welfare 2004 publication, 'Rural, Regional and Remote Health: A Guide to Remoteness Classifications'. The classifications are:

|                           |          |
|---------------------------|----------|
| Major Cities of Australia | (MC),    |
| Inner Regional Australia  | (IR),    |
| Outer Regional Australia  | (OR),    |
| Remote Australia          | (R), and |
| Very Remote Australia     | (VR).    |

A *provider* must deem a student ineligible if they have come from a locality belonging to the MC classification. The remaining classifications may assist in assessing students' applications for CAS.

- (2) In addition to the eligibility requirements defined in paragraph 2.10 of these Guidelines, the *provider* must be satisfied that:
- (a) within the four years immediately preceding the commencement of the current *course of study* (including study within another program or at another provider, where the student has transferred):
    - (i) the student has lived in a regional or remote area of Australia for a total of at least three years; or
    - (ii) the student completed the final two years of schooling in a high school or college in a regional or remote area; or
    - (iii) it was necessary for the student to live away from their regional or remote home to complete the whole or the majority of their secondary schooling at a high school or college in a major city; or
    - (iv) the student has lived in a regional or remote area of Australia for a total of at least two years, and the student has relocated from the regional or remote area of Australia to undertake vocational education and training (eg TAFE) for a maximum of two years duration immediately preceding the commencement of their undergraduate course; and
  - (b) it was necessary for the student to move from the regional or remote area in order to undertake a higher education *course of study*; and
  - (c) as a result of paragraph (b), the student will incur additional accommodation costs; and
  - (d) the student is enrolled as an *internal student* in units of study that form part of the *course of study* the student is undertaking unless the student can demonstrate the need to move, in accordance with paragraph 2.10.15(2)(b).
- (3) For the purpose of determining under paragraph 2.10.15(2)(b) the necessity for the student to move, a student should normally be enrolled as an *internal student* to be deemed eligible for CAS unless the student can demonstrate that there are exceptional circumstances preventing them from doing so, including, but not limited to the following:
- (a) the need for the student to attend classes or access other study related facilities on the campus at which the student is enrolled with the eligible scholarship *provider* or a host provider approved by the eligible scholarship *provider* through a cross-institutional arrangement;
  - (b) the distance between the student's home and the relevant campus;
  - (c) the availability and quality of transport infrastructure between the student's home and the relevant campus; and
  - (d) limitations on the student's mobility due to disability and/or carer responsibilities.

## **2.15 APPLICATION, SELECTION AND OFFER PROCESSES AND POLICIES**

Eligible scholarship *providers* are responsible, in conjunction with their *Indigenous Education Units*, for the CS application, selection and offer processes and must make information about the processes, policies and conditions of scholarship readily and publicly available.

### 2.15.1 Applications

- (1) Applications for CS must be submitted in the form approved by the relevant *provider* and by the date determined by the *provider*. A provider should include on their application form advice to the student that they are to advise Centrelink that they have applied for a Commonwealth Scholarship.
- (2) *Providers* must include the following statement in the application form, immediately prior to the applicant's signature block: "Giving false or misleading information is a serious offence under the *Criminal Code Act 1995* (Commonwealth)".
- (3) A provider's CS application form may contain information advising students that they may incur a debt to the Commonwealth if they make a claim, and receive payments, for a scholarship to which they are not entitled.

### 2.15.5 Selection Policy

- (1) A *provider* must maintain a CS selection policy which accords with these Guidelines and the fairness requirements in subdivision 19-D of Part 2-1 of *the Act*. Each *provider* must select students for a CS in accordance with its selection policy.
- (2) A *provider's* selection policy must specify that a student is not to be selected for a CS unless the *provider* is satisfied that the student meets or, by the first census date (as determined in accordance with section 169-25 of *the Act*) or *course start date* (for *Indigenous enabling* students), of the *scholarship periods* and before any CS payment is made, will meet, the eligibility criteria as set out in paragraph 2.10 of these Guidelines.

### Scholarship Interactions

- (3) A *provider* must provide those students who are awarded an IAS with either an *Indigenous-CECS* or *Indigenous Enabling-CECS* (as determined by the student's program of study) unless the student is in receipt of a *Student Start-up Scholarship*. If an *Indigenous-CECS* or *Indigenous Enabling-CECS* is unavailable the student should be referred to Centrelink for assessment for a Student Start Up Scholarship.
- (4) Where eligible, and subject to availability, a *provider* will provide those students who are awarded an IAS with either an *Indigenous-CAS* or *Indigenous Enabling-CAS* (as determined by the student's program of study) unless the student is in receipt of a *Relocation Scholarship*. If an *Indigenous-CAS* or *Indigenous Enabling-CAS* is unavailable the student should be referred to Centrelink for assessment for a Relocation Scholarship.
- (5) Before making an offer of an IAS to an eligible applicant, a *provider* should ascertain if the applicant has been judged eligible for a *Start-up Scholarship*. Detailed information on the benefits of the IAS and *Start-up Scholarship* should be available to assist the student make an informed choice as to which scholarships are of the most beneficial according to the students particular circumstances.
- (6) If a student is assessed to be eligible for an available *Indigenous-CAS* or *Indigenous Enabling-CAS*, the provider must ensure that the student is not in receipt of a *Relocation Scholarship*, and make information available on the benefits of the *Indigenous-CAS* or *Indigenous Enabling-CAS* and the *Relocation Scholarship* to the student to assist the student to make an informed choice as to which scholarship is of the most benefit according to the students particular circumstances, before awarding the student the *Indigenous-CAS* or *Indigenous Enabling-CAS*.
- (7) A student cannot be in receipt of an *Indigenous-CAS* without also being in receipt of either an *Indigenous-CECS* or *Student Start-up Scholarship*.
- (8) A student cannot be in receipt of an *Indigenous Enabling-CAS* without also being in receipt of either an *Indigenous Enabling-CECS* or *Student Start-up Scholarship*.



- (9) If a *provider* offers a student an *Indigenous Enabling-CECS* without a *IAS*, then the *provider* must also award that student an *Indigenous-CECS* or, if eligible, an *Indigenous-CAS* relevant to the student's level of study, if the student has successfully completed the *enabling* course and progresses as a *full-time* student to an undergraduate course offered by the *provider*.
- (10) If a *provider* offers a student an *Indigenous Enabling-CECS* then the *provider* must also award that student an *Indigenous-CECS* if the student has successfully completed the *enabling* course and progresses as a *full-time* student to an undergraduate course offered by the *provider*. Note: this entitlement is not automatic if the student undertook the enabling course on a part-time basis.
- (11) If a *provider* offers a student an *Indigenous Enabling-CAS* then the *provider* must also award that student an *Indigenous-CAS* if the student has successfully completed the *enabling* course and progresses as a *full-time* student to an undergraduate course offered by the *provider*.
- (12) If a student receives an *Indigenous Enabling-CECS* and, if eligible, an *Indigenous Enabling-CAS*, but, after successful completion of the *enabling* course, chooses to progress as a full-time student to an undergraduate *course of study* offered by another *provider*, that *provider* must give the student priority when allocating its *Indigenous-CECS* and *Indigenous-CAS*.
- (13) Where a student is made an offer of a Commonwealth Scholarship, and/or a Relocation Scholarship and/or a Student Start-Up Scholarship, the student is to advise the relevant provider of their choice in writing.
- (14) A student who is made an offer of a Governor General's Indigenous Student Teacher Scholarship and is receiving an *Indigenous CECS* or *Indigenous CAS*, the student is to advise the relevant provider of their choice in writing.

#### **Priority for the offer of *Indigenous Access Scholarships (IAS)***

- (15) In determining the allocation of the *IAS* to eligible students under paragraph 2.10.1 above, the *provider* must consult with the *provider's Indigenous Education Unit*, where possible.
- (16) In determining the allocation of *IAS* to eligible students under paragraph 2.10.1, the *provider* should give priority in its allocation to students who have to relocate from a regional or remote area to attend their *course of study*, and who meet the additional *CAS* eligibility requirements as outlined in paragraph 2.10.15 of these Guidelines.
- (17) If a *provider* has a number of *IAS* remaining after awarding to students under paragraph 2.10.15 above, the *provider* may offer those *IAS* to other eligible students who do not meet the additional *CAS* requirements under paragraph 2.10.15. However, a student awarded an *IAS* who does not meet the additional *CAS* requirements under paragraph 2.10.15 is only eligible to receive the *Indigenous-CECS* (or *Indigenous Enabling-CECS*) and not the *Indigenous-CAS* (or *Indigenous Enabling-CAS*) in addition to the *IAS*.

#### **2.15.10 Offer Process**

- (1) Where there are sufficient eligible applicants, a *provider* must, in any given year, offer the number of *CS* it is allocated in accordance with paragraph 2.5.5 of these Guidelines.
- (2) Prior to finalising an offer of a *CS*, the *provider* must ensure compliance with the Scholarship Interactions at paragraph 2.15.5 (3)-(17).
- (3) When making an offer of a *CS*, the *provider* must notify the applicant in writing and advise the applicant of the assistance to which they are entitled and the conditions of the *CS* as specified at paragraph 2.25 of these Guidelines. A *provider* should include on

their offer letter advice to the student that they are to advise Centrelink that they have been offered a Commonwealth Scholarship.

- (4) Where there are sufficient eligible applicants, a *provider* must make the offer of a CS to eligible applicants within 10 working days of offering such applicants a Commonwealth-supported place. Such offers must be made on the condition that the student is eligible to receive payment of a CS on the student's first census date for the *scholarship period*.
- (5) A *provider* must notify the Department, as directed by the Department, of the personal information referred to in paragraph 2.15.15, in relation to:
  - (a) the *IAS* recipients it understands to be in receipt of *Student Start-up scholarships*;
  - (b) *Indigenous-CECS* and *Indigenous Enabling-CECS* recipients who are hence ineligible for *Student Start-up scholarships*; and
  - (c) *Indigenous-CAS* and *Indigenous Enabling-CAS* recipients who are hence ineligible for *Relocation scholarships*.

by 22 January for the first semester and, for second semester offers by 15 June, of the calendar year.

- (6) Where a number of CS offers are not accepted by students, *providers* may make second and subsequent round offers to students who were deemed eligible through the *provider's* assessment process.
- (7) *Providers* may offer mid year scholarships where such scholarships can be supported through their CS allocation. If this involves a student being required to repay part of an existing *Relocation scholarship*, the *provider* must ensure both the student and Centrelink are aware of this before finalising the offer.
- (8) *Providers* must ensure that students, at the time of accepting an offer of a CS:
  - (a) accept the conditions of the CS; and
  - (b) agree to provide personal information to the *provider* upon request in order to assess the student's ongoing eligibility for a CS and facilitate the issuing of a letter and commemorative certificate to *commencing scholarship holders* in a form approved by the Minister and issued by DEEWR.

#### **2.15.15 Collection of personal information**

- (1) DEEWR is bound by the *Privacy Act 1988*. *Providers* must ensure that they and any other person acting for and on their behalf comply with the Information Privacy Principles (IPPs) under section 14 of the *Privacy Act 1988* when handling students' personal information. *Providers* and any other person acting for and on behalf of *providers* must ensure when collecting personal information from students that students are notified (consistent with IPP 2) that their personal information will be used for the purposes of administering the CS program and that their personal information will be disclosed to DEEWR for the Department's purposes of administering the CS program, and disclosed by DEEWR to Centrelink to be used for Centrelink's purposes of administering the Relocation scholarships and Student Start-up scholarships. Personal information to be collected by *providers* includes:
  - (a) the student's name;
  - (b) date of birth;
  - (c) address; and
  - (d) scholarship type.

- (2) Subject to paragraph (4) below, *providers* must provide to the *Department* the personal information specified in subparagraph (1) above, no later than 15 working days after the *commencing scholarship holder's* first census date.
- (3) For *commencing scholarship holders* in receipt of an *Indigenous Enabling-CECS* or *Indigenous Enabling-CAS*, the personal information must be provided within 15 working days after the *commencing scholarship holder's* first census date.
- (4) In relation to *IAS* recipients, providers or persons acting for and on behalf of providers must provide to the *Department* the personal information specified in paragraph (1) above to *DEEWR* no later than 15 working days after the student has accepted the scholarship.
- (5) Personal information pertaining to *continuing scholarship holders* must be submitted to the *Department* no later than required in the standard reporting requirements provided by *HEIMS*.
- (6) The *provider* must seek approval for conversions from the *Department* by 31 May of the year in which the *CS* were allocated by the *Department*.

## 2.20 PAYMENTS TO STUDENTS

- (1) A *provider* must pay the value of a *CS* to a student who is awarded a *CS* in accordance with these Guidelines.
- (2) A *provider* must spend *Indigenous-CECS* grant amounts only on the making of *Indigenous CECS* payments to students awarded an *Indigenous-CECS* who are undertaking an *eligible course of study*
- (3) A *provider* must spend *Indigenous-CAS* grant amounts only on *Indigenous-CAS* payments to students awarded an *Indigenous-CAS* who are undertaking an *eligible course of study*
- (4) A *provider* must spend *IAS* grant amounts only on *IAS payments* to students awarded a *IAS* who are undertaking an *eligible enabling course of study* or undergraduate *course of study*, undergraduate course or graduate diploma (or equivalent post graduate course of study) in an area of National Priority required for initial registration to practice in the chosen National Priority field with the provider.
- (5) Where a student is undertaking an approved cross-institutional *course of study*, the home *provider* and not the host *provider* is responsible for the awarding and payment of the *CS*.
- (6) *CS* grants may only be used for *CS* payments.
- (7) Students must state if they have consumed any entitlement of a *CS* with the *provider*, or any other *provider* upon enrolment. Prior to payment of an *IAS*, the student must sign a declaration stating that they have not accepted the offer of an *IAS* at any other *provider*.
- (8) Prior to payment of an *Indigenous-CECS* or *Indigenous Enabling-CECS*, the student must sign a declaration stating that they have not accepted a *Student Start-up scholarship* or that they have notified Centrelink that they wish to rescind that acceptance, and where applicable, repay any funds that may have been paid to them under that scholarship.
- (9) Prior to payment of an *Indigenous-CAS* or *Indigenous Enabling-CAS*, the student must sign a declaration stating either that they have not accepted a *Relocation scholarship*, or that they have notified Centrelink that they wish to rescind that acceptance, and where applicable, return the relevant funds.

- (10) For the *IAS*, the *provider* must ensure that a student that has been offered a scholarship meets the eligibility criteria referred to in paragraph 2.10.1 of these Guidelines at the time the student accepts the scholarship offer in order for the student to receive the first payment of this scholarship.
- (11) For the *IAS*, students that receive the first payment of this scholarship, but for legitimate and genuine reasons, do not meet the eligibility requirements at the student's first census date, may not be required to repay the first scholarship payment. It is the responsibility of the *provider* to determine if a student's reasons are legitimate and genuine.

#### **2.20.1 Value of Scholarships and Indexation Arrangements**

- (1) The scholarship values will be indexed annually in accordance with Part 5-6 of *the Act*.
- (2) The Australian Government will advise the value of the next year's scholarships by 1 August each year.

#### **2.20.5 Payment Arrangements**

- (1) An eligible scholarship *provider* will make payments directly to eligible students who have accepted the scholarship.
- (2) The payments will be made as follows:
  - (a) for *Indigenous-CECS* and *Indigenous-CAS* offered to students before the census date, payment totalling 50% of the annual value of the *CS* will be made in each six-month period as soon as practicable after the student's first census date or within six weeks after the student's first census date, for study being undertaken in that *scholarship period*. The census date must be determined in accordance with section 169-25 of the *Act*.
  - (b) for *Indigenous-CECS* and *Indigenous-CAS* offered to students on or after the census date, payment totalling 50% of the annual value of the *CS* will be made within six weeks of the student accepting the *CS*. Thereafter, one payment totalling 50% of the annual value of the *CS*, will be made in each six-month period as soon as practicable after the student's first census date or within six weeks after the student's first census date for study being undertaken in that *scholarship period*.
  - (c) for *Indigenous Enabling-CECS* and *Indigenous Enabling-CAS*, payment totalling 50% of the value of the scholarship will be made as soon as practicable after the student's first *course start date*, or within six weeks after the student's first *course start date*. The remaining 50% payment will be made in the six-month period following the student's first *course start date* provided the student meets all of the relevant eligibility criteria in paragraph 2.10 of these Guidelines at the time of payment. For enabling courses that are six-months or less in duration, the student will only receive 50% of the value of the scholarship. The *provider* may award the remaining 50% of the scholarship to another eligible student undertaking a six-month enabling course, keeping in mind that in so doing the *provider* will be committing two *Indigenous-CECS* (and where relevant *Indigenous-CAS*) from one *Indigenous Enabling-CAS* (subject to eligibility conditions listed at paragraph 2.10 of these Guidelines) and should be confident of its ability to meet this commitment.
  - (d) for *IAS* payment totalling 50% of the value of the scholarship will be made as soon as practicable after the student has accepted the offer of the scholarship. The *provider* will pay the remaining amount as soon as practicable after the student's first census date, or within six weeks after the student's first census date, provided the student maintains enrolment and meets the other eligibility criteria at the student's first census date.

## **2.25 CONDITIONS OF SCHOLARSHIP**

### **2.25.1 Ongoing Eligibility Requirements**

- (1) Each *provider* is responsible for monitoring the ongoing eligibility of its students to ensure that each student continues to meet the eligibility requirements for a CS as set out in paragraph 2.10 and, where applicable, any further selection criteria specified by the eligible scholarship *provider* under paragraph 2.15.5(2) of these Guidelines. A *provider* must confirm a student's eligibility for a CS prior to making a CS payment.

### **2.25.5 Suspension of a CS**

- (1) An eligible scholarship *provider* may approve requests for periods of *suspension* of a CS in accordance with the eligible scholarship *provider's* own policies.
- (2) For student's progressing from an *Indigenous Enabling-CECS* or *Indigenous Enabling-CAS* to an *Indigenous-CECS* or *Indigenous-CAS*, the maximum *suspension* a *provider* can allow between courses is one year.

### **2.25.10 Termination of a CS**

- (1) An eligible scholarship *provider* must terminate a CS:
  - (a) if the student ceases to meet the eligibility criteria specified in paragraph 2.10 or 2.25.1 or, where applicable, any criteria specified by the eligible scholarship *provider* under paragraph 2.15.5(2) of these Guidelines, other than during a period of approved *suspension*; or
  - (b) once the maximum scholarship entitlement period has been reached; or
  - (c) if the eligible scholarship *provider* determines that the student:
    - (i) has failed to maintain satisfactory academic progress and there are no extenuating circumstances for such failure; or
    - (ii) has, after investigation by the *provider*, committed serious misconduct during a *course of study* whilst doing a course at an *eligible scholarship provider* including, but not limited to, the provision of false or misleading information within paragraph 2.25.15 of these Guidelines

*Providers* are encouraged to consult with their *Indigenous Education Units* in such cases where possible.

- (2) An eligible scholarship *provider* may not terminate a student's CS for any other reason.

### **2.25.15 Provision of False or Misleading Information**

- (1) If an eligible scholarship *provider* or a person acting for and on behalf of an eligible scholarship *provider* or the *Department* knows or has reason to believe that a student in receipt of a CS has provided false or misleading information to *the provider* or a person acting for and on behalf of the *provider* in relation to the CS, *the provider* or a person acting for and on behalf of the *provider* must immediately:
  - (a) re-assess the student's entitlement to the CS; and
  - (b) notify *DEEWR* of the suspected offence and provide to *DEEWR* the student's application and where possible, the original copies of any other relevant information requested by *DEEWR*.
- (2) In such circumstances *the provider* or the person acting for and on behalf of the *provider* should not communicate with or alert the student to the investigation of the possible

offence. Contact will be made in due course by a member of staff of the *Department's* Investigations Branch.

## **2.30 PROGRAM OBJECTIVES – PART B**

The objectives of Part B of these Guidelines is to provide guidance for administrators and recipients (including Indigenous recipients) on the arrangements to meet the commitment for Commonwealth Scholarships awarded prior to 31 December 2009, until the scholarship is consumed. Providers will be responsible for the continued administration of continuing CS students until the entitlement is consumed.

As from 1 January 2010, providers will not be able to award new CS to non-Indigenous students.

### **2.30.1 Description of Scholarships**

- (1) Commonwealth Scholarships, which are standard scholarships, for the purposes of paragraph 46-10 (aa) of *the Act* are of two main types:
  - (a) *CECS*, which are generally to assist with education costs; and
  - (b) *CAS*, which are generally to assist with accommodation costs.
- (2) *CECS* comprise three categories:
  - (a) *CECS–Ordinary*, with funding for up to eight *scholarship periods* from time of awarding to assist students enrolled in undergraduate courses (not limited to areas of *National Priority*) or a graduate diploma (or equivalent post graduate *course of study*) in an area of *National Priority* required for initial registration to practice in the chosen *National Priority*;
  - (b) *CECS–Priority Discipline*, with funding for up to eight *scholarship periods* from time of awarding, to assist students enrolled in *National Priority* disciplines as defined in Schedule 1 in these Guidelines. This is commonly referred to as *National Priority Scholarships (NPS)*;
  - (c) *CECS–Associate Degree*, with funding for up to four *scholarship periods*, from time of awarding to assist with general education costs for *Associate Degrees*; and
- (3) *CAS* comprises three categories:
  - (a) *CAS–Ordinary*, with funding for up to eight *scholarship periods*;
  - (b) *CAS–Specialist*, with funding for up to eight *scholarship periods*, to assist students who have to relocate to undertake a specialist course not available near their home. This scholarship category is commonly referred to as *National Accommodation Scholarships (NAS)*;
  - (c) *CAS–Associate Degree*, with funding for up to four *scholarship periods*, to assist with general accommodation costs for an *Associate Degree*;

### **2.30.5 Class of Commonwealth Scholarship**

A CS specified under these Guidelines is an indirectly-paid standard scholarship under paragraph 46-10 (aa) of *the Act*.

## **2.40 GRANTS**

### **2.40.1 How Part B Grant Amounts are to be Determined**

The maximum amount of CS grant to be paid to a *provider* under section 46-15 of *the Act* for a year will equal the sum of the *CECS* grant amount and the *CAS* grant amount. Grant amounts

are calculated for each CS category specified in paragraph 2.30.1 of these Guidelines as follows:

$$\text{Grant Amount} = \text{Number of CS in the category allocated to the provider, as determined under paragraphs 2.40.5(1) - 2.40.5(6) of these Guidelines} \times \text{Value of the CS for each category}$$

## **2.40.5 How the Allocation of CS to a Provider will be Determined**

### **CECS—Ordinary**

- (1) The number of *CECS—Ordinary* allocated to an eligible *provider* will be the number of continuing students maintaining eligibility and entitlement reported by the provider by 15 October of each calendar year.

### **CECS—Priority Discipline (National Priority Scholarship)**

- (2) The number of *CECS—Priority Discipline* allocated to an eligible *provider* will be the number of continuing students maintaining eligibility and entitlement reported by the provider by 15 October of each calendar year.

### **CECS—Associate Degrees**

- (3) The number of *CECS—Associate Degrees* allocated to an eligible scholarship will be the number of continuing students maintaining eligibility and entitlement reported by the provider by 15 October of each calendar year.

### **CAS—Ordinary**

- (4) The number of *CAS—Ordinary* allocated to an eligible scholarship *provider* will be the number of continuing students maintaining eligibility and entitlement reported by the provider by 15 October of each calendar year.

### **CAS—Specialist (National Accommodation Scholarships)**

- (5) The number of *CAS—Specialist* allocated to a *provider* will be determined by the number of continuing students maintaining eligibility and entitlement reported by the provider by 15 October of each calendar year.

### **CAS Associate Degrees**

- (6) The number of *CAS—Associate Degrees* allocated to a *provider* will be will be the number of continuing students maintaining eligibility and entitlement reported by the provider by 15 October of each calendar year.

### **Notification of Continuing Student Numbers**

- (7) Providers are required to electronically notify the Department of items 2.40.5 (1) – 2.40.5 (6) via the [scholarships@deewr.gov.au](mailto:scholarships@deewr.gov.au) inbox.

### **Conversion within CS type**

- (8) There are no provisions for conversion of CS within type.

### **Conversion across CS type**

- (9) There are no provisions for conversion of CS across CS type.

### **Return of CS funds to the *Department***

- (10) (a) A provider may in writing to the Secretary request roll-overs of any or all of its unspent scholarships funds from 2009, and from any previous year, into the 2010 calendar year under section 46-35 of the Act. If a provider does not by 31 March 2010, or as soon as practicable thereafter, request the roll-overs, or if the Secretary does not accede to a request for any particular roll-over, then the provider must return all of the unspent scholarships funds that are not rolled-over to the Department by *31 December 2010*.

If the Secretary accedes to a request for a roll-over, then:

- (i) without limiting the Secretary's power to determine conditions under paragraph 46-35(2)(b) of the Act, the provider must use the rolled-over funds only to make CS payments in 2010; and
  - (ii) the *provider's* 2010 allocation will be reduced by the amount of funds rolled over.
- (10) (b) A *provider* must notify the *Department* in writing of the unused amount of the unspent scholarship funds by 15 October 2010, and for each subsequent calendar year.
- (10) (c) A *provider* must return any unspent CS to the *Department* by 31 December of each calendar year.

### **2.50 STUDENT ELIGIBILITY REQUIREMENTS**

Under paragraph 46-20(2)(c) of *the Act*, student eligibility requirements may be specified for indirectly-paid CS.

- (1) Concurrent Scholarships
- (a) a student may hold only one type of scholarship from each of the respective *CECS* and *CAS* categories, at any one time from any one provider. For example, a student can hold a *CECS-Ordinary* and a *CAS-Specialist* concurrently but they cannot, however, be in receipt of a *CECS-Ordinary* and *CECS-Priority Discipline*;
  - (b) a student may NOT concurrently hold scholarships with different providers even if the CS are of different scholarship types; and
  - (c) a student may NOT concurrently hold a Student Start up scholarship with any *CECS* or a Relocation Scholarship with a *CAS*.
- (2) The maximum duration a student can have access to one or more scholarships described in paragraph 2.30.1 is for a total of eight *scholarship periods*. A student is entitled to a total of four *scholarships periods* if undertaking a *CECS-Associate Degree*.
- (3) A scholarship holder who undertakes a program of study:
- (a) overseas; or
  - (b) with a host provider approved by their *provider* through a cross institutional arrangement as a Commonwealth supported student,
- will not be precluded from continuing to access a CS during this period, so long as the program of study is approved by their scholarship *provider*, and counts toward the requirements for the *course of study* in which the student is enrolled. All CS student eligibility criteria must be maintained by a recipient during this period with the scholarship *provider*.



## 2.50.1 Basic Eligibility Requirements

### **CECS—Ordinary and CAS—Ordinary**

- (1) To continue to be eligible for a *CECS—Ordinary* or *CAS—Ordinary* a student must, by the first census date (as determined in accordance with section 169-25 of *the Act*) of the *scholarship period*:
  - (a) be an Australian citizen or the holder of a permanent humanitarian visa; and
  - (b) be enrolled in or undertaking a *course of study* (for the purposes of cross-institutional studies) with an eligible scholarship *provider* as a *Commonwealth supported student* in an undergraduate course not limited to areas of *National Priority*) or a graduate diploma (or equivalent post graduate *course of study*) in an area of *National Priority* required for initial registration to practice in the chosen *National Priority*; and
  - (c) meet the low socio-economic status requirements specified in paragraph 2.50.5 of these Guidelines; and
  - (d) meet the full-time student requirements specified in paragraph 2.50.10 of these Guidelines; and
  - (e) meet other eligibility requirements as specified in paragraph 2.50.1(1) or (5) above; and
  - (f) not already be in receipt of a CS from any other *provider*.
- (2) Transitional arrangements for students currently in receipt of *CECS—Ordinary* or *CAS—Ordinary* while enrolled in a *course of study* in *National Priority* areas (as described in section 30-20 of *the Act*) are that if:
  - (a) a person is in receipt of a *CECS—Ordinary* or a *CAS—Ordinary*, awarded prior to 1 January 2009 for a post-graduate *course of study* in which the student is enrolled; and
  - (b) the person remains eligible for the *CECS—Ordinary* or *CAS—Ordinary*; and
  - (c) the person has not exhausted the maximum duration of their CS (as defined in paragraph 2.30.1 of these Guidelines); and
  - (d) the person has neither:
    - (i) discontinued his or her enrolment in the course since that commencement (except on receipt of an official leave of absence from the scholarship *provider*); nor
    - (ii) completed the requirements of the course for which the *CECS—Ordinary* or *CAS—Ordinary* was awarded;then the person is taken for the purposes of these Guidelines to remain eligible for the *CECS—Ordinary* or *CAS—Ordinary* until the CS is terminated.

### **CECS—Priority Discipline**

- (3) A *National Priority Discipline* is one of the priority disciplines as covered by the broad degrees related to the Fields of Education outlined in Schedule 1 of these Guidelines. To maintain qualification for a *CECS—Priority Discipline*, students must undertake either:
  - (a) a National Priority Discipline course of study in one of the broad degrees related to the Fields of Education (under Schedule 1); or
  - (b) a major (in a National Priority Discipline area) within the student's degree structure as part of the student's chosen course of study.

- (4) To be eligible for a *CECS-Priority Discipline* a student must, by the first census date (as determined in accordance with section 169-25 of *the Act*) of the *scholarship period*:
- (a) be an Australian citizen or the holder of a permanent humanitarian visa; and
  - (b) be enrolled in or undertaking a *course of study* with an eligible scholarship *provider* as a *Commonwealth supported student*, as defined in *the Act* in:
    - (i) an undergraduate *course of study*; or
    - (ii) a post-graduate *course of study* required for initial registration for the purposes of practicing in the relevant profession as per Schedule 3 of Determination of Education Institutions and Courses under Subsections 3(1) and 5D(1) of the *Student Assistance Act 1973*;

Providers seeking to award a *CECS-Priority Discipline* scholarship to students undertaking courses outside of these disciplines must seek prior approval from the *Department*; and
  - (c) meet the low socio-economic status requirements specified in paragraph 2.50.5 of these Guidelines; and
  - (d) meet the full-time student requirements specified in paragraph 2.50.10 of these Guidelines; and
  - (e) not already have completed the requirements of a *course of study* (with any *provider*) regarded by the scholarship *provider* to be equivalent to or higher than an Australian bachelor's award:
    - (i) unless the award is a prerequisite to their current undergraduate or post-graduate *course of study*; or
    - (ii) was not in a priority discipline area as identified in Schedule 1; and
  - (f) meet other eligibility requirements as specified in paragraph 2.50.1(2) above; and
  - (g) not already be in receipt of the same CS, from any *provider*.
- (5) Any student who is in receipt of a *CECS-Priority Discipline* who has met the ongoing CAS eligibility criteria as per paragraph 2.50.5 and 2.50.10 below must continue to be eligible to receive a *CAS-Ordinary* in addition to a *CECS-Priority Discipline*.

#### ***CECS Associate-Degree and CAS-Associate Degree***

- (6) To continue to be eligible for a *CECS-Associate Degree* or *CAS-Associate Degree*, a student must:
- (a) meet the basic eligibility requirements of 2.50.1; and
  - (b) be enrolled in a *Associate Degree* course; and
  - (c) 2010 will be the final year of allocation of funding for *CECS-Associate Degree* and *CAS-Associate Degree* scholarships.

#### ***CAS-Specialist***

- (7) A *specialist course* (for purposes of *CAS-Specialist scholarships*), are those courses identified by *providers* through a competitive bidding process, and for which the *Department* has allocated *CAS-Specialist* scholarships.
- (8) To be eligible for a *CAS-Specialist* scholarship a student must, by the first census date (as determined in accordance with section 169-25 of *the Act*) of the *scholarship period*:
- (a) be an Australian citizen or the holder of a permanent humanitarian visa; and

- (b) be enrolled as an *internal student* in a *specialist course* and undertaking such a course with an eligible scholarship *provider* as a *Commonwealth supported student* in:
  - (i) an undergraduate *course of study*; or
  - (ii) a post-graduate *course of study* required for initial registration for the purposes of practicing in the relevant profession as per Schedule 3 to Determination of Education Institutions and Courses under subsections 3(1) and 5D(1) of the *Student Assistance Act 1973*.
- (c) meet the low socio-economic status requirements specified in paragraph 2.50.5 of these Guidelines; and
- (d) meet the full-time student requirements specified in paragraph 2.50.10 of these Guidelines; and
- (e) relocate a distance greater than 100kms from their home to take up the study in the *specialist course* and incur additional accommodation costs.

### **2.50.5 Low Socio-Economic Status Requirements**

- (1) A student is not eligible for a CS unless the *provider* is satisfied that the student is able to demonstrate continued low socio-economic status either:
  - (a) through being in receipt of a means-tested Commonwealth income support payment (such as Austudy, ABSTUDY, Youth Allowance, etc); or
  - (b) on the basis of a comprehensive assessment conducted by or on behalf of the eligible scholarship *provider*.

Where a student is unable to demonstrate eligibility under (1) (a) above, the *provider* must give the student the option of undergoing a comprehensive assessment of low socio-economic status to determine ongoing eligibility.

### **2.50.10 Full-time Student Requirements**

- (1) A student whose course load falls below a *full-time student load* must have their CS eligibility status reviewed, in accordance with the ongoing eligibility requirements under paragraph 2.80.1 of these Guidelines, and will be ineligible to retain their CS unless *the provider* determines that there are exceptional circumstances which prevent the student from continuing to study on a full-time basis.
- (2) A CAS may continued to be paid for the need for the student to attend classes or access other study related facilities on the campus at which the student is enrolled with the eligible scholarship *provider* or a host provider approved by the eligible scholarship *provider* through a cross-institutional arrangement.

## **2.60 GRANDFATHERING ARRANGEMENT AND STUDENT INFORMATION**

Eligible scholarship *providers* are responsible for the ongoing reporting and payment of eligible continuing CS to recipients where that CS was awarded prior to 1 January 2010 until the entitlement is consumed and must make information about the processes, policies and conditions of scholarship readily and publicly available.

### **2.60.1 Provider's liability**

- (1) *The provider* is responsible for managing and funding any liabilities above their allocation when that liability is created by the provider awarding a CS beyond its allocated CS.

### **2.60.5 Student information**

- (1) *DEEWR* is bound by the *Privacy Act 1988*. *Providers* must ensure that they and any other person acting for and on their behalf comply with the Information Privacy Principles under section 14 of the *Privacy Act 1988* when handling students' personal information.
- (2) Personal information pertaining to *continuing scholarship holders* must be submitted to the *Department* no later than required in the standard reporting requirements provided by *HEIMS*.

### **2.70 PAYMENTS TO STUDENTS**

- (1) A provider must pay the value of a CS to a student who has been awarded a CS in accordance with these Guidelines.
- (2) A provider must spend CECS grant amounts only on the making of CECS payments to students in receipt of a CECS who are undertaking an *eligible course of study*
- (3) A provider must spend CAS grant amounts only on CAS payments to students who have been awarded a CAS who are undertaking an *eligible course of study*
- (4) Where a student is undertaking an approved cross-institutional *course of study*, the home provider and not the host provider is responsible for the continued payment of the CS.
- (5) CS grants may only be used for CS payments.

#### **2.70.1 Value of Scholarships and Indexation Arrangements**

- (1) The scholarship values will be indexed annually in accordance with Part 5-6 of *the Act*.
- (2) The Australian Government will advise the value of a scholarship by 1 August each year.

#### **2.70.5 Payment Arrangements**

- (1) An eligible scholarship provider will make payments directly to eligible students who are in receipt of the scholarship.
- (2) The payments will be made as follows:
  - (a) for *CECS–Ordinary*, *CECS–Priority Discipline*, *CAS–Ordinary*, *CAS–Specialist* and *CECS–Associate Degree* offered to students before census date, payment totalling 50% of the annual value of the CS will be made in each six-month period as soon as practicable after the student's first census date or within six weeks after the student's first census date, as determined in accordance with section 169-25 of *the Act*, for study being undertaken in that *scholarship period*.
  - (b) for *CECS–Ordinary*, *CAS–Ordinary*, *CECS–Priority Discipline*, *CAS–Specialist* and *CAS–Associate Degrees* offered to students on or after census date, payment totalling 50% of the annual value of the CS will be made within six weeks of the student accepting the CS. Thereafter, one payment totalling 50% of the annual value of the CS, will be made in each six-month period as soon as practicable after the student's first census date or within six weeks after the student's first census date, as determined in accordance with section 169-25 of *the Act*, for study being undertaken in that *scholarship period*.

### **2.80 CONDITIONS OF SCHOLARSHIP**

#### **2.80.1 Ongoing Eligibility Requirements**

- (1) Each provider is responsible for monitoring the ongoing eligibility of its students to ensure that each student continues to meet the eligibility requirements for a CS as set

out in paragraph 2.50 of these Guidelines. A *provider* must confirm a student's eligibility for a CS prior to making a CS payment.

#### **2.80.5 Suspension of a CS**

- (1) An eligible scholarship *provider* may approve requests for periods of *suspension* of a CS in accordance with the eligible scholarship *provider's* own policies.
- (2) For student's progressing from a *CECS–Indigenous Enabling* or *CAS–Indigenous Enabling* to another form of *CECS* or *CAS*, the maximum *suspension* a *provider* can allow between courses is one year.

#### **2.80.15 Maximum Duration of a CS**

- (1) An eligible student can be in receipt of a CS for up to eight *scholarship periods* only;
  - (a) the exception to this provision is for a student accessing a *CECS–Indigenous Enabling* or a *CAS–Indigenous Enabling* scholarship who progresses to an undergraduate course. In this case the student will have access to one or more scholarships described in paragraph 2.1.1 for a total of ten *scholarship periods* (being two periods of an enabling scholarship and eight periods of another CS type).
- (2) During the eight *scholarship periods*, a student may be in receipt of a *CECS* and a *CAS* scholarship concurrently or separately, depending on *the provider's* internal CS application and selection policy.
- (3) The maximum duration of each CS is as follows:
  - (a) a *CECS–Ordinary*, *CECS–Priority Discipline*, *CAS–Ordinary* and *CAS–Specialist* is eight *scholarship periods*;
  - (b) a *CECS–Associate Degree* or a *CAS–Associate Degree* is four *scholarship periods*;
- (4) A student should not be in receipt of a CS from more than one *provider* at any one time.

#### **2.80.20 Termination of a CS**

- (1) An eligible scholarship *provider* must terminate a CS:
  - (a) if the student ceases to meet the eligibility criteria specified in paragraph 2.50 or 2.80 of these Guidelines, other than during a period of approved *suspension*; or
  - (b) once the maximum scholarship entitlement period has been reached; or
  - (c) if the eligible scholarship *provider* determines that the student:
    - (i) has failed to maintain satisfactory academic progress and there are no extenuating circumstances for such failure; or
    - (ii) has, after investigation by the *provider*, committed serious misconduct during a *course of study* whilst doing a course at an *eligible scholarship provider* including, but not limited to, the provision of false or misleading information within paragraph 2.80.20 of these Guidelines
- (2) An eligible scholarship *provider* may not terminate a student's CS for any other reason.

#### **2.80.25 Provision of False or Misleading Information**

- (1) If an eligible scholarship *provider* or a person acting for and on behalf of an eligible scholarship *provider* or the *Department* knows or has reason to believe that a student in receipt of a CS has provided false or misleading information to *the provider* or a person acting for and on behalf of the *provider* in relation to the CS, the *provider* or a person acting for and on behalf of the *provider* must immediately:

- (a) re-assess the student's entitlement to the CS; and
  - (b) notify *DEEWR* of the suspected offence and provide to *DEEWR* the student's application and where possible, the original copies of any other relevant information requested by *DEEWR*.
- (2) In such circumstances the *provider* or the person acting for and on behalf of the *provider* should not communicate with or alert the student to the investigation of the possible offence. Contact will be made in due course by a member of staff of the *Department's* Investigations Branch.

### **Schedule 1**

The following Fields of Education will be accepted for the purposes of *CECS–Priority Discipline scholarships*:

- Natural & Physical Science (01 - broad field)
- Information Technology (02 - broad field)
- Engineering & Related Technologies (03 - broad field)
- Architecture & Building (04 – broad field)
- Medical Studies (0601)
- Nursing (0603)
- Pharmacy (0605)
- Dental Studies (0607)
- Education (07 - broad field)
- Optical Science (0609)
- Indigenous Health (061305)
- Radiography (0615)
- Physiotherapy (061701)
- Occupational Therapy (061703)
- Chiropractic & Osteopathy (061705)
- Speech Pathology (061707)
- Audiology (061709)
- Podiatry (061713)
- Nutrition & Dietetics (069901)
- Paramedical Studies (069905)
- Accounting (0801)

## CHAPTER 3 *INDIGENOUS STAFF SCHOLARSHIPS*

### 3.1 PROGRAM OBJECTIVES

- (1) The objective of the *Indigenous* Staff Scholarship (*ISS*) Program is to develop *Indigenous* leadership in the higher education sector through the provision of opportunities for professional development, with priority given to:
  - (a) people undertaking postgraduate awards, and
  - (b) people who have not previously been in receipt of an *ISS*.

#### 3.1.1 Description of Scholarship

- (1) *ISS* are awarded nationally under the Program to enable *Indigenous* staff (academic or general) of a *provider* to take leave from their *employment* to undertake 12 months full-time higher education study in their chosen academic or professional area. The *ISS* are directed towards *Indigenous* staff who have actively encouraged *Indigenous* students to participate in higher education and complete their studies.
- (2) Five *ISS* will be awarded each year.

#### 3.1.5 Class of Commonwealth Scholarship

An *ISS* specified under these Guidelines is an indirectly-paid standard scholarship under subsection 46-10 (aa) of *the Act*.

### 3.5 GRANTS

#### 3.5.1 Total Grant Amounts and Indexation

The total grant amounts allocated for *ISS* for 2010 will be up to \$181,000. This amount will be indexed in subsequent years in accordance with Part 5-6 of *the Act*.

#### 3.5.5 How Grant Amounts are to be Determined

The amount of grants to *providers* in 2010 for the *ISS* will be equal to the value of the stipend (\$24 200) plus up to \$12 000 for payment of the student's tuition fees and/or student contribution amounts for each *ISS* student who is studying with the *provider*.

### 3.10 STUDENT ELIGIBILITY REQUIREMENTS

#### 3.10.1 Basic Eligibility Requirements

- (1) To be eligible for an *ISS*, the applicant must:
  - (a) be an *Indigenous* person; and
  - (b) be employed by a *provider*; and
  - (c) be enrolled in a full-time *course of study* leading to a higher education award with an eligible scholarship *provider* upon commencement of the *ISS*; and
  - (d) have a Letter of Support from their *employing provider*. The Letter of Support must include an undertaking by the *employing provider* that it will hold the applicant's position of *employment* for 12 months while the applicant undertakes full-time study.

The undertaking must include holding the applicant's position open where the applicant has:

- (i) changed their *course of study*; or
  - (ii) transferred their enrolment to another eligible scholarship *provider* since accepting the *ISS* where this change or transfer has been approved by *DEEWR* in accordance with paragraphs 3.25.25 and 3.25.30 of these Guidelines.
- (2) A person will be considered to be an *Indigenous* person for the purposes of *ISS*, where the person:
- (a) is of Australian Aboriginal or Torres Strait Islander descent; and
  - (b) identifies as an Australian Aboriginal or Torres Strait Islander; and
  - (c) is accepted as an Australian Aboriginal or Torres Strait Islander in the community in which he/she lives or has lived.
- (3) The following documentation is acceptable as evidence of being *Indigenous*:
- (a) an affirmation signed by the applicant, declaring that they identify as an Australian Aboriginal or Torres Strait Islander; and
  - (b) confirmation in writing with the corporate seal from the chairperson of the Aboriginal or Torres Strait Islander incorporated organisation in a community in which the applicant lives or has previously lived.

### **3.15 APPLICATION, SELECTION AND OFFER PROCESSES AND POLICIES**

#### **3.15.1 Application Process**

- (1) Applications for *ISS* must be made to *DEEWR* according to the published application form. Application forms are available at [http://www.dest.gov.au/sectors/indigenous\\_education/programs\\_funding/program\\_categories/support\\_for\\_education\\_providers\\_staff/indigenous\\_staff\\_scholarships.htm](http://www.dest.gov.au/sectors/indigenous_education/programs_funding/program_categories/support_for_education_providers_staff/indigenous_staff_scholarships.htm).
- (2) The *Indigenous* Higher Education Advisory Council (*IHEAC*) will advise *the Minister* on the applicants the *IHEAC* determines are most suitable.

#### **3.15.5 Selection Policy**

- (1) *ISS* will be awarded by *the Minister* who may accept advice from the *IHEAC* and who may take into account any other relevant matter.
- (2) The primary considerations in assessment of applications by *IHEAC* will be:
  - (a) the extent to which applicants have actively encouraged *Indigenous* students to participate in higher education and complete their course; and
  - (b) the extent to which applicants have demonstrated leadership with regard to *Indigenous* issues within the higher education sector.
- (3) Additional criteria for assessment of applications for the *ISS* may be published in these Guidelines from time to time.



### **3.15.10 Offer Process**

- (1) A Letter of Offer will be forwarded to successful applicants. The conditions in accepting the *ISS* are outlined in paragraph 3.25 of these Guidelines. In accepting an *ISS*, the applicant is agreeing to abide by the conditions of the *ISS*. A Letter of Acceptance must be received by the successful applicant before the *ISS* can commence (refer to paragraph 3.25.10(2)).
- (2) An *ISS* offer is made on the condition that the successful applicant enrolls in a full-time *course of study* leading to a higher education award with a *provider*. The Letter of Acceptance from the successful applicant must include evidence of being enrolled full-time.

## **3.20 CONDITION OF GRANTS TO PROVIDERS**

### **3.20.1 Payments to Providers**

- (1) The Commonwealth will grant amounts for *ISS* to the *provider*, in accordance with approved payment arrangements made under *the Act*.
- (2) Grant amounts must only be used for the purpose of making *ISS* payments to students and for the payment of student's tuition fees and/or student contribution amounts, otherwise funds will be recovered under *the Act*.

### **3.20.5 Payment of Stipend to Students**

The stipend for 2009 of \$23,200 (indexed annually) for each *ISS* must be paid in advance to students, each fortnight in 26 equal payments.

### **3.20.10 Payment of tuition fees and/or student contribution amounts**

The *provider* will be paid \$12,000 in 2010 (indexed annually) for each *ISS* it administers. This amount is made available for payment of tuition fees and/or student contribution amounts. Each scholarship holder is entitled to up to \$12,000 and any unspent funds will be recovered from the *provider* under *the Act*.

### **3.20.15 Recovery of Funds on Termination or Transfer of ISS**

Where an *ISS* has been terminated, or *DEEWR* has approved a transfer under paragraph 3.25.30 of these Guidelines, any overpayments or unspent grant amounts will be recovered from the *provider* at which the student is transferring under section 164-15 of *the Act*.

### **3.20.20 Provider Reporting and Notice Requirements**

#### **(1) General Final Report**

A grant to the *provider* to pay an *ISS* is made on the condition that the *provider* submits a report to *DEEWR* one month after the completion of the tenure of the *ISS*. The report must:

- (a) comment on the Program and advise whether the *provider* considers the Program is achieving its objectives (as specified in paragraph 3.1) and, if not, where in the *provider's* opinion improvements may be made; and
- (b) include a statement from the student's supervisor, or a relevant academic authority employed by the *provider*, outlining the studies undertaken and including a copy of the academic record for the period.

(2) General Notice Requirements

The *provider* must give notification in writing to *DEEWR* immediately:

- (a) if, in the *provider's* opinion, the student is not carrying out the conditions of the *ISS* in accordance with the conditions set out in these Guidelines; or
- (b) if the student has *suspended* the *ISS*, in accordance with paragraph 3.25.15 of these Guidelines; or
- (c) if the student no longer meets the eligibility requirements under paragraph 3.10.1 of these Guidelines.

(3) Audited Financial Statement

*Providers* are required to submit a Financial Statement to *DEEWR* within three months of completion of the *ISS*. The Financial Statement must cover the period of payments showing final expenditure against total funds provided, and a declaration made by the *provider* stating that all funds were expended for the purposes for which they were granted.

The Financial Statement must be signed by the Chief Executive Officer or Chief Internal Auditor of the *provider*.

### **3.25 CONDITIONS OF SCHOLARSHIP**

A grant to a *provider* is made on the condition that *ISS* payments are made to students in accordance with the following Conditions of Scholarship.

#### **3.25.1 Value of the *ISS***

- (1) Students will be paid a stipend of \$24,200 in 2010 (indexed annually).
- (2) *Providers* will receive up to \$12,000 in 2010 (indexed annually) to cover tuition fees and/or student contribution amounts for the *course of study* in which the student is enrolled.

#### **3.25.5 Duration of the *ISS***

The *ISS* are for a period of 12 months from the *course start date* of the *course of study*.

#### **3.25.10 Commencement of the *ISS***

- (1) The *ISS* must begin the year following the acceptance of the *ISS* and the student must be enrolled in a full-time *course of study* with a *provider* in that year.
- (2) The *ISS* and payment to the *provider* cannot commence until *DEEWR* receives the signed Letter of Acceptance.

#### **3.25.15 Suspension of the *ISS***

- (1) After commencement of the *ISS*, a student may seek to suspend the remainder of the *ISS* by applying in writing to *DEEWR*.
- (2) Unless otherwise specified in writing to the student by *DEEWR*, the maximum period of a *suspension* will be six months.

#### **3.25.20 Withdrawal from Course**

If a student withdraws from or completes the *course of study* in which they are enrolled, they must immediately advise *DEEWR* in writing.

### **3.25.25 Change of Course of study**

A student may change to another *course of study* with the *provider* during the tenure of the *ISS* with the approval of *DEEWR*. Students must apply in writing to *DEEWR* for approval.

### **3.25.30 Transfer of a Scholarship**

- (1) *DEEWR* may approve transfer to another *provider* of an *ISS* during the tenure of the *ISS*.
- (2) Any request to transfer an *ISS* requires the written support of both the student's current and proposed *providers*. Transfer is subject to the student being offered a higher degree place with the new *provider*.
- (3) Once *DEEWR* approves a transfer, written advice will be provided to the student, the original *provider* and the new *provider*, indicating the commencement date of the approved transfer. Grant amounts provided for the purposes of *ISS* which are unspent by the original *provider* will be transferred to the new *provider*.

### **3.25.35 Eligibility for Concurrent Scholarships or Awards**

A student may receive a concurrent award or scholarship separate to the *ISS* to assist in their *course of study* where the concurrent award or scholarship is not for the purposes of tuition fees.

### **3.25.40 Work**

There is no limit on the income a student may receive from work. However, the *provider* must be satisfied that a student's work does not interfere with their studies.

### **3.25.45 Leave**

Students shall be entitled to leave from study in accordance with the usual practices of the *provider*.

### **3.25.50 Student Reporting Requirements**

- (1) A month after completion of the first six month period of study, the student must provide a Statement of Progress to *DEEWR* from the student's supervisor or a relevant academic authority employed by the *provider*.
- (2) A month after completion of the *ISS*, the student must provide a final report to *DEEWR* including a copy of their academic transcript.

### **3.25.55 Termination**

- (1) The *Minister* may terminate an *ISS* if:
  - (a) the student fails to comply with any condition of the *ISS* as identified in these Guidelines; or
  - (b) the *provider* determines that the student has failed to maintain satisfactory academic progress.