

Commonwealth of Australia

Higher Education Support Act 2003

COMMONWEALTH SCHOLARSHIPS GUIDELINES (EDUCATION) 2008

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) 2008, which provide for matters under Part 2-4 of the Act.

Dated 3rd December 2008.

JULIA GILLARD
Minister for Education

1 CITATION

These Guidelines may be cited as the Commonwealth Scholarships Guidelines (Education) 2008.

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 21 September 2005 and all subsequent amendments, are revoked.

5 TRANSITIONAL ARRANGEMENTS

(1) The revocation of the Commonwealth Scholarships Guidelines commencing 21 September 2005 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.

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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 created or held by the *Department* in relation to the Commonwealth Scholarship program are subject to the *Freedom of Information Act 1982* (the FOI Act). Unless a document falls under an exemption provision, it will be made available to the general public if requested under the FOI Act.

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:

the Act means the *Higher Education Support Act 2003*

the provider is the higher education provider that is administering the scholarship on behalf of the Commonwealth Government

AQF means the Australian Qualifications Framework which is a unified system of national qualifications which includes the higher education sector

ASGC *Remoteness Areas* means the Australian Standard Geographical Classification Remoteness Areas as described in the Australian Institute of Health and Welfare 2004 publication, '*Rural, Regional and Remote Health: A Guide to Remoteness Classifications* and is based on *Socio-Economic Indexes for Areas (SEIFA) 2006*

<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> .
CAS	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>CAS-Indigenous Enabling</i> ; and a <i>CAS-Indigenous Payment</i> , more fully described in paragraph 2.1.1 of these Guidelines
CECS	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>CECS-Indigenous Enabling</i> , more fully described in paragraph 2.1.1 of these Guidelines
<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>Commonwealth Supported Student</i>	has the same meaning given by Schedule 1 of <i>the Act</i>
<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>
<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
<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"> • a program of study comprising a unit or a set of units of study is being undertaken with one provider (the host provider) as part of a course of study for which the student is enrolled with another <i>provider</i> (the home <i>provider</i>); and • there is an arrangement for recognition between the two providers; and • the cost of providing the program of study at the host provider is met by the host provider; and

	<ul style="list-style-type: none"> • 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.
CS	means a Commonwealth Scholarship of the various categories specified in paragraph 2.1.1 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>full-time student load</i>	in respect of a scholarship, is at least 75% of an EFTSL in the <i>scholarship period</i> for which the scholarship is being paid
HEIMS	means the Higher Education Information Management System
IAS	<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; and 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>	has the same meaning as <i>CAS–Indigenous Payment</i> as specified in paragraph 2.1.1
IHEAC	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 <i>the 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 at Chapter 5 of these Guidelines
<i>MCEETYA</i>	means the Ministerial Council on Education, Employment, Training and Youth Affairs
<i>mixed-mode</i>	means a course delivered through a combination of distance education and face-to-face teaching
<i>National Accommodation Scholarship (NAS)</i>	has the same meaning as <i>CAS-Specialist</i> as specified in paragraph 2.1.1
<i>National Priority</i>	has the meaning given by section 30-20 of <i>the Act</i>
<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> as specified in paragraph 2.1.1
<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>scholarship period</i>	in respect of a <i>CS</i> , means a six-month period from either 1 January to 30 June or 1 July to 31 December
<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
<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> .

undergraduate course of study has the same meaning given by Schedule 1 of *the Act*.

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

2.1 PROGRAM OBJECTIVES

The objectives of the Commonwealth Scholarship (CS) Program are to facilitate choice in higher education and to increase higher education participation by students from low socio-economic backgrounds, particularly *Indigenous* students and students from regional and remote areas.

The primary aim of the *CAS–Indigenous Payment* 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 *CAS–Indigenous Payment* is targeted at eligible *commencing students*.

The introduction of two new CS categories in 2009 (*National Priority Scholarships* and *National Accommodation Scholarships*) will increase the number of CS available and facilitate students undertaking study in disciplines associated with Australian Government identified labour skill shortage disciplines and specialist courses not available near their own homes.

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) Commonwealth Education Costs Scholarships (CECS) which are generally to assist with education costs; and
 - (b) Commonwealth Accommodation Scholarships (CAS) which are generally to assist with accommodation costs.
- (2) The Commonwealth Education Costs Scholarships (CECS) comprise four categories:
 - (a) *CECS–Ordinary*, with funding for up to eight *scholarship periods* 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*, 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*, to assist with general education costs for *Associate Degrees*; and
 - (d) *CECS–Indigenous Enabling*, with funding for up to two *scholarship periods*, to assist *Indigenous* students to undertake an *eligible enabling course*.

- (3) The Commonwealth Accommodation Scholarships (CAS) comprises five 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*;
 - (d) CAS–*Indigenous Enabling*, with funding for up to two *scholarship periods*, to assist *Indigenous* students with accommodation costs to undertake an *eligible enabling course*; and
 - (e) CAS–*Indigenous Payment*, a one-off scholarship payment, to assist *Indigenous* students to undertake either an *eligible enabling course* or an undergraduate course. This scholarship category is commonly referred to as *Indigenous Access Scholarships (IAS)*.

2.1.5 Class of Commonwealth Scholarship

A CS specified under these Guidelines is an indirectly-paid standard scholarship under subsection 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 and the CAS grant amount as well as the CAS–*Indigenous Payment* amount. Grant amounts are calculated for each CS category specified in paragraph 2.1.1 of these Guidelines as follows:

$$\text{Grant Amount} = \text{Number of CS in the category allocated to the provider, as determined under paragraphs 2.5.5(1), 2.5.5(2) and 2.5.5(6) to (10) of these Guidelines} \times \text{Value of the CS for each category}$$

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

CECS–*Ordinary*

- (1) The number of CECS–*Ordinary* allocated to an eligible *provider* will be determined as follows:

$$\text{Number of CECS–Ordinary to be allocated to the provider} = \text{Number of CECS–Ordinary allocated to the provider over the previous three years} + \text{Total number of new CECS–Ordinary} \times (\text{Ax30\%} + \text{Bx50\%} + \text{Cx20\%}) \text{ or as determined in accordance with paragraph (2) below}$$

Where: **A** is the average over the most recent two years for which data are available of *the provider's* proportion of all

Commonwealth supported, full-time, undergraduate students who are enrolled at all eligible scholarship *providers*;

- B** is the average over the most recent two years for which data are available of *the provider's* proportion of all Commonwealth supported, full-time undergraduate students from a low socio-economic status background who are enrolled at all eligible scholarship *providers*; and
- C** is the average over the most recent two years for which data are available of *the provider's* proportion of all Commonwealth supported, full-time undergraduate, *Indigenous* students who are enrolled at all eligible scholarship *providers*.

- (2) Where the data referred to in paragraphs 2.5.5(1) above, is not available in relation to a *provider* that is not a *Table A provider*, a number of *CECS–Ordinary* may be allocated to *the provider* by the *Department*.
- (3) A number of *CECS–Ordinary* may be withheld from the allocation process set out in paragraphs 2.5.5(1) above and allocated to *providers* that are allocated *CAS-Indigenous Payments* to enable *CAS-Indigenous Payment* recipients to receive a *CECS* in line with the requirements set out in paragraphs 2.15.5(10) to (14) of these Guidelines.

CECS–Priority Discipline (National Priority Scholarship)

- (4) The number of *CECS–Priority Discipline* allocated to an eligible *provider* will be determined as follows:

Number of <i>CECS–Priority Discipline</i> to be allocated to <i>the provider</i>	=	Number of <i>CECS–Ordinary</i> allocated to <i>the provider</i> over the previous three years in <i>National Priority Disciplines</i>	+	Total number of new <i>CECS–Priority Discipline</i> x (A x20% + B x60% + C x20%) or as determined in accordance with paragraph (5) below
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- Where:
- A** is the average over the most recent two years for which data are available of *the provider's* proportion of all Commonwealth supported, full-time undergraduate students who are enrolled at all *providers*;
 - B** is the average over the most recent two years for which data are available of *the provider's* proportion of all Commonwealth supported, full-time undergraduate students from low socio-economic status backgrounds who are enrolled in priority disciplines at all eligible scholarship *providers*; and
 - C** is the average over the most recent two years for which data are available of *the provider's* proportion of all Commonwealth supported, full-time undergraduate, *Indigenous* students who are enrolled in priority disciplines at all eligible scholarship *providers*.

- (5) Where the data referred to in paragraphs 2.5.5 (1) and (2), above, is not available in relation to a *provider* that is not a *Table A provider*, a number of *CECS–Priority Disciplines* may be allocated to *the provider* by the *Department*.

CECS-Associate Degrees

- (6) The number of *CECS-Associate Degrees* allocated to an eligible scholarship *provider* will be determined as follows:
- (a) Scholarships will be allocated to *providers* that offer eligible *associate degree* courses, following a competitive bidding process administered by *DEEWR* in accordance with identified selection criteria.

CECS-Indigenous Enabling

- (7) The number of *CECS-Indigenous Enabling* allocated to an eligible scholarship *provider* will be determined as follows:
- (a) Scholarships will be allocated to *providers* that offer *eligible enabling courses*, following a competitive bidding process administered by *DEEWR* in accordance with identified selection criteria.

CAS–Ordinary

- (8) The number of *CAS-Ordinary* allocated to an eligible scholarship *provider* will be determined as follows:

$$\begin{array}{l} \text{Number of CAS-} \\ \text{Ordinary to be} \\ \text{allocated to the} \\ \text{provider} \end{array} = \begin{array}{l} \text{Number of CAS-} \\ \text{Ordinary allocated to the} \\ \text{provider over the} \\ \text{previous three years} \end{array} + \begin{array}{l} \text{Total number of new} \\ \text{CAS-Ordinary} \times (\mathbf{A} \times 30\% \\ + \mathbf{B} \times 50\% + \mathbf{C} \times 20\%) \text{ or as} \\ \text{determined in} \\ \text{accordance with} \\ \text{paragraph (8) below} \end{array}$$

- Where:
- A** is the average over the most recent two years for which data are available of *the provider’s* proportion of all Commonwealth supported, full-time, undergraduate students who are enrolled internally at all *providers*;
 - B** is the average over the most recent two years for which data are available of *the provider’s* proportion of all Commonwealth supported, full-time, undergraduate students with a low socio-economic status background, from regional and remote areas who are enrolled internally at all *providers*; and
 - C** is the average over the most recent two years for which data are available of *the provider’s* proportion of all Commonwealth supported, full-time, undergraduate, *Indigenous* students who are enrolled internally at all *providers*.

- (9) Where the data referred to in paragraphs 2.5.5 (1) and (2), above, is not available in relation to a *provider* that is not a *Table A provider*, a number of *CAS–Ordinary* may be allocated to *the provider* by the *Department*.
- (10) A number of *CAS-Ordinary* may be withheld from the allocation process set out in paragraphs 2.5.5(7) above and allocated to *providers* that are allocated *CAS-Indigenous Payments* to enable *CAS-Indigenous Payment* recipients to receive a *CAS* in line with the requirements set out in paragraphs 2.15.5(10) to (14) of these Guidelines.

CAS–Specialist (National Accommodation Scholarships)

- (11) The number of CAS-Specialist allocated to a *provider* will be determined as follows:
- (a) Scholarships will be allocated to *providers* that offer *specialist courses*, following a competitive bidding process administered by DEEWR in accordance with identified selection criteria.

CAS Associate Degrees

- (12) The number of CAS-Associate Degrees allocated to a *provider* will be determined as follows:
- (a) Scholarships will be allocated to eligible *providers* that offer *eligible associate degree courses*, following a competitive bidding process administered by DEEWR in accordance with identified selection criteria.

CAS–Indigenous Enabling

- (13) The number of CAS-Indigenous Enabling allocated to a *provider* will be determined as follows:
- (a) Scholarships will be allocated to *providers* that offer *eligible enabling courses*, following a competitive bidding process administered by DEEWR in accordance with identified selection criteria.

CAS–Indigenous Payment (Indigenous Access Scholarship (IAS))

- (14) The number of CAS-Indigenous Payment allocated to a *provider* will be determined as follows:
- (a) Scholarships will be allocated to eligible *providers* that offer *eligible enabling* or undergraduate courses, following a competitive bidding process administered by DEEWR in accordance with identified selection criteria.
 - (b) A *provider* will provide those students who are awarded a CAS-Indigenous Payment, with a CECS and, where eligible, a CAS, relevant to the student's program of study, from *the provider's* allocation of CECS and CAS scholarships.

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 within CS type in accordance with paragraph 2.5.10 (3); or
 - (b) conversion across CS type in accordance with paragraph 2.5.10 (4) and (5); or
 - (c) return unspent funds to the *Department* in accordance with paragraphs 2.5.10 (8) to (11) inclusive.

Conversion within CS type

- (3) A *provider* may convert unawarded *CECS-Ordinary* to *CECS-Priority Discipline* or vice versa to enable *the provider* to better match student demand providing that the latter is awarded to a student enrolled in a priority discipline as specified in Schedule 1 of these Guidelines.

Conversion across CS type

- (4) A *provider* may convert unawarded *CAS-Ordinary* to *CECS-Ordinary* or *CECS-Priority Discipline* or vice versa to enable *the provider* to better match student demand providing that the latter is awarded to a student enrolled in a *priority discipline* as specified in Schedule 1 of these Guidelines.
- (5) A *provider* may convert *CECS-Associate Degrees* to *CAS-Associate Degrees* or vice versa to enable the provider to better match student demand.
- (6) A provider may convert *CECS-Indigenous Enabling* to *CAS-Indigenous Enabling* or vice versa (refer to paragraph (2.15.15 (9)) to enable *the provider* to better match student demand.

Rollover and offset of funds against allocation

- (7) By 31 October in any given year, any *CECS-Ordinary*, *CAS-Ordinary* or *CECS-Priority Discipline* that remain unawarded for that year 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*.
 - (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), (4) and (8) 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*.
- (8) By 31 October in any given year any unawarded *CAS-Specialist*, *CECS-Indigenous Enabling*, *CAS-Indigenous Enabling* and *CAS-Indigenous Payment* 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 *providers' next year's* allocations made in accordance with paragraph 2.5.5 (7), (11), (13) and (14) of these Guidelines against the next calendar year's allocation.
 - (b) Under paragraph 46-35(2)(b) of *the Act* *the Secretary* may determine other conditions that would apply to the unspent grant amount.

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.

- (11) By 31 October in any given year, if more than 20% of a *provider's* allocation of each category of CS remains unawarded in that year, the unspent grant amount in respect of the unawarded CS will be rolled over, pursuant to a determination made by the Secretary or a delegate of the Secretary, to the following calendar year.
- (a) The *Department* will make the appropriate adjustment in the next year by deducting the number of unawarded scholarships from the allocations made in accordance with paragraph 2.5.5 of these Guidelines.
 - (b) Under section 46-35 of *the Act* the Secretary may determine other conditions that would apply to the unspent grant amount.
- (12) For *providers* that have been unable to award their full allocation of a particular category of CS including *CECS-Ordinary* or *CAS-Ordinary*, in the previous two years, a corresponding number of that category of scholarship may be withheld from that *provider* and may be reallocated to other *providers* in accordance with the allocation process referred to in paragraphs 2.5.5 (1) and (8) of these Guidelines.

2.10 STUDENT ELIGIBILITY REQUIREMENTS

Under paragraphs 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*. The exception is that a student can hold a *CAS-Indigenous Payment* concurrently with another category of *CAS* in accordance with paragraph 2.5.5 (14)(b) above.
 - (b) a student may NOT concurrently hold scholarships with different providers even if the CS are of different scholarship types.
- (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 student is entitled to a total of four *scholarships periods* if undertaking a *CECS-Associate Degree*. If a student moves from a *CECS-Associate Degree* to a *CECS-Ordinary* or *CECS-Priority Discipline*, the student is entitled to a further four *scholarship periods*. A student undertaking a *CAS-Associate Degree* is also entitled to four *scholarship periods*. If the student then moves to a *CAS-Ordinary* or *CAS-Specialist*, the student is entitled to a further four *scholarship periods*.
- (a) The exception to this provision is where when a student accessing a *CECS-Indigenous Enabling* or a *CAS-Indigenous Enabling* scholarship progresses to an undergraduate course. In that 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).
- (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 a *CECS-Ordinary* if they have already received a *CECS-Ordinary* or a *CECS-Priority Discipline* for the maximum duration, as defined in paragraph 2.25.10 of these Guidelines.
- (2) A student is not eligible for a *CECS-Priority Discipline* if they have already received a *CECS-Priority Discipline* or a *CECS-Ordinary* for the maximum duration, as defined in paragraph 2.25.10 of these Guidelines.
- (3) A student is not eligible for a *CECS-Associate Degree* if they have already received a *CECS-Associate Degree* for the maximum duration, as defined in paragraph 2.25.10 of these Guidelines.
- (4) A student is not eligible for a *CECS-Indigenous Enabling* if they have already received a *CECS-Indigenous Enabling* for the maximum duration, as defined in paragraph 2.25.10 of these Guidelines.
- (5) A student is not eligible for a *CAS-Ordinary* if they have already received a *CAS-Ordinary* or a *CAS-Specialist* for the maximum duration, as defined in paragraph 2.25.10 of these Guidelines.
- (6) A student is not eligible for a *CAS-Specialist* if they have already received a *CAS-Specialist* or a *CAS-Ordinary* for the maximum duration, as defined in paragraph 2.25.10 of these Guidelines.
- (7) A student is not eligible for a *CAS-Associate Degrees* if they have already received a *CAS-Associate Degrees* for the maximum duration, as defined in paragraph 2.25.10 of these Guidelines.
- (8) A student is not eligible for a *CAS-Indigenous Enabling* if they have already received a *CAS-Indigenous Enabling* for the maximum duration, as defined in paragraph 2.25.10 of these Guidelines.
- (9) A student is not eligible for a *CAS-Indigenous Payment* if they have previously received payment, in part or in whole, of a *CAS-Indigenous Payment*, or part thereof, as defined in paragraph 2.25.10 of these Guidelines.

CECS–Ordinary and CAS–Ordinary

- (10) 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 2.10.5 of these Guidelines; and
 - (d) meet the full-time student requirements specified in paragraph 2.10.10 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, 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);
 - (i) the exception to this requirement is for students in receipt of a *CECS-Priority Discipline* scholarship who are undertaking post-graduate study in accordance with sub-paragraph 2.10.1 (13) of these Guidelines who may be eligible to also receive a *CAS-Ordinary* – refer 2.10.1 (13) below; and
 - (f) meet other eligibility requirements as specified in paragraph 2.10.1(1) or (5) above; and
 - (g) in the case of *CAS-Ordinary*, meet the additional eligibility requirements as specified in paragraph 2.10.15 of these Guidelines; and
 - (h) not already be in receipt of a CS from any other *provider*.
- (11) 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 2.25.10 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 2013.

CECS-Priority Discipline

- (12) 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 qualify 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.

- (13) 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 2.10.5 of these Guidelines; and
 - (d) meet the full-time student requirements specified in paragraph 2.10.10 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 2.10.1(2) above; and
 - (g) not already be in receipt of the same *CS*, from any *provider*.
- (14) Any student who is in receipt of a *CECS-Priority Discipline* who meets the additional CAS eligibility criteria as per paragraph 2.10.15 below will be eligible to receive a *CAS-Ordinary* in addition to a *CECS-Priority Discipline*.
- If a *CECS-Priority Discipline* is not available, a *provider* may offer the student a *CECS-Ordinary*.

CECS Associate-Degree and CAS-Associate Degree

- (15) To be eligible for a *CECS-Associate Degree* or *CAS-Associate Degree*, a student must:
- (a) meet the basic eligibility requirements of 2.10.1 (10) with the exception of 2.10.1(10) (b); and
 - (b) be enrolled in a *Associate Degree* course; and
 - (c) meet the other eligibility requirements as specified 2.10.1 (3) or (7); and
 - (d) in the case of *CAS-Associate Degrees* meet the additional CAS eligibility requirements as specified in paragraph 2.10.5.

CECS–Indigenous Enabling and CAS–Indigenous Enabling

- (16) To be eligible for a *CECS-Indigenous Enabling* or *CAS-Indigenous Enabling*, a student must:
- (a) be an Australian citizen; and
 - (b) be an *Indigenous* person - refer to paragraph 2.10.1(19)(b) below; and
 - (c) be enrolled in or undertaking an *eligible enabling course* with a *provider* as a *Commonwealth supported student*, as defined in *the Act*; and
 - (d) meet the low socio-economic status requirements specified in paragraph 2.10.5 of these Guidelines; and
 - (e) undertake the course on a full-time or part-time basis, noting that:
 - (i) A student who is in receipt of a *CECS-Indigenous Enabling* 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 a *CAS-Indigenous Payment* or a *CAS-Indigenous Enabling* while enrolled in an enabling course.
 - (f) meet other eligibility requirements as specified in paragraph 2.10.1(4) or (8) above; and
 - (g) in the case of *CAS-Indigenous Enabling* meet the additional CAS eligibility requirements as specified in paragraph 2.10.15 of these Guidelines.

CAS–Specialist

- (17) 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.
- (18) 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 2.10.5 of these Guidelines; and
 - (d) meet the full-time student requirements specified in paragraph 2.10.10 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; or
- (f) a provider may offer a *CAS-Specialist* when a student has been unsuccessful in attending an institution of first choice and receives another offer and the alternative offer will result in the student meeting 2.10.1(18) (e).

CAS–Indigenous Payment (IAS)

(19) To be eligible for a *CAS-Indigenous Payment*, a student must:

- (a) be an Australian citizen; and
- (b) be an *Indigenous* person:
A person will be considered to be an *Indigenous* person for the purpose of a CS where the person:
 - (i) is of Australian Aboriginal or Torres Strait Islander descent; and
 - (ii) identifies as an Australian Aboriginal or Torres Strait Islander; and
 - (iii) is accepted as an Australian Aboriginal or Torres Strait Islander in the community in which he/she lives or has lived.

(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 disputed or uncertainty exists as to the Aboriginality or Torres Strait Islander status of the student, evidence will 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) 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 of study* or an *eligible enabling course* with a provider as a *Commonwealth supported student*.
- (d) meet the low socio-economic status requirements specified in paragraph 2.10.5 of these Guidelines, with particular reference to the provisions of sub-paragraph 2.10.5 (2); and
- (e) meet, or intend to 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 eligible scholarship provider to be equivalent to or higher than an Australian bachelor’s award, unless the *course of study* is a prerequisite to their current undergraduate *course of study*; and

(g) 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 a *CAS-Indigenous Payment*.

2.10.5 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 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 eligibility.

- (2) In assessing low socio-economic status to determine eligibility for *CECS-Indigenous Enabling*, *CAS-Indigenous Enabling* and *CAS-Indigenous Payment*, *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/support centre, where one exists.

2.10.10 Full-time Student Requirements

- (1) Generally, a student undertaking or intending to undertake, for the purpose of *CAS-Indigenous Payment*, 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, 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 2.25.1 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.
- (4) *Indigenous* students who enrol in an *eligible enabling course*, are eligible to receive a *CECS-Indigenous Enabling*, 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.

2.10.15 Additional Eligibility Requirements for CAS-Ordinary, CAS-Associate Degrees and CAS-Indigenous Enabling (does not apply to IAS)

- (1) In determining a student's eligibility for a *CAS-Ordinary*, *CAS-Associate Degree* or a *CAS-Indigenous Enabling* scholarship, 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 and, where applicable, any further criteria specified by the *provider* under paragraph 2.15.5(4), for a student to be eligible for a *CAS*, 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 (3).
- (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 from the student's home to 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 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) A *provider* may only offer a student a *CS* as a result of an application lodged by the student as part of a competitive application process, with the exception of:
 - (a) those students who, further to the offer of a *CAS–Indigenous Payment*, are offered a *CECS*, and where eligible, a *CAS* under paragraphs 2.15.5 (10) to (14) below; or
 - (b) those students who, having been in receipt of either a *CECS–Indigenous Enabling* or a *CAS–Indigenous Enabling* scholarship, upon successful completion of the enabling course, progress to receive another category of *CECS* or *CAS*.
- (2) With the agreement of *DEEWR*, *providers* may wish to quarantine a proportion (no more than 25% in any calendar year) of their *CS* allocation for students who are identified by *the provider* as coming from a disadvantaged background and who participate in a scheme to facilitate access to *the provider* for students from a low socio-economic status background. *Providers* must ensure that these students meet the eligibility criteria before making payment of a *CS*. This process will enable *providers* to award these quarantined scholarships outside of the competitive application process in that given year to encourage disadvantaged students to enter higher education through special access schemes.
- (3) Applications for *CS* must be submitted in the form approved to the relevant *provider* and by the date determined by *the provider*.
- (4) *Providers* must include the following statement on 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)".

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.
- (3) A *provider's* selection policy must specify that special consideration will be given to *Indigenous* students applying directly for a CECS or CAS, who are not awarded a CAS–*Indigenous Payment*, to ensure that a fair proportion of *the provider's* CS are awarded to *Indigenous* students. A fair proportion means that the proportion of scholarships to be awarded to *Indigenous* students should be at least equal to the proportion of all eligible *Indigenous* applicants. That is, if there are 100 total eligible applicants for 20 scholarships and 20 eligible applicants are *Indigenous*, a minimum of four *Indigenous* applicants (20% of total *Indigenous* eligible applicants) should be awarded scholarships.
- (4) A *provider's* selection policy may preclude students who are in receipt of other types of scholarships and awards from selection for a CS. However, as a CAS–*Indigenous Payment* is a one-off scholarship intended to assist *commencing students* with the costs of accessing higher education, a provider should not deem a student ineligible for a CAS–*Indigenous Payment*, even if *the provider's* selection policy precludes the student from receiving another type of CS, as a result of being in receipt of other scholarships or awards.

Priority for the offer of a CS for students progressing from a CECS–*Indigenous Enabling* and/or CAS–*Indigenous Enabling*

- (5) If a provider offers a student a CECS–*Indigenous Enabling* and/or CAS–*Indigenous Enabling* scholarship, then *the provider* must award that student a CECS or 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*.
- (6) If a student receives a CECS–*Indigenous Enabling* and/or CAS–*Indigenous Enabling* scholarship, 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 these students priority when allocating its CECS and CAS scholarships relevant to the level of study.

Priority for the offer of CAS–*Indigenous Payments (IAS)*

- (7) In determining the allocation of the CAS–*Indigenous Payment* to eligible students under paragraph 2.10.1(19) above, *the provider* must consult with *the provider's Indigenous* support unit/education centre, if one exists.
- (8) In determining the allocation of CAS–*Indigenous Payments* to eligible students under paragraph 2.10.1(19), *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.

- (9) If a *provider* has a number of *CAS–Indigenous Payments* remaining after awarding to students under paragraph 2.15.5(8) above, *the provider* may offer the *CAS–Indigenous Payment* to other eligible students who do not meet the additional *CAS* requirements under paragraph 2.10.15. However, a student awarded a *CAS–Indigenous Payment*, who does not meet the additional *CAS* requirements under paragraph 2.10.15 or who is not eligible for a *CAS–Specialist*, is only eligible to receive a form of *CECS* relevant to the student's *course of study*, in addition to the *CAS–Indigenous Payment*.

Link between *CAS–Indigenous Payment (IAS)* and *CECS* and *CAS*

- (10) If a *provider* offers a *CAS–Indigenous Payment* to an eligible student who relocates to undertake their studies and who meets the additional *CAS* requirements under paragraph 2.10.15 then *the provider* must also award the student a *CECS* and a *CAS* relevant to the student's *course of study*.
- (11) If a *provider* offers a *CAS–Indigenous Payment* to an eligible student who relocates to take up their studies, but who does not meet the additional *CAS* eligibility requirements under paragraph 2.10.15, *the provider* must also award the student a *CECS* relevant to the student's *course of study*.
- (12) If a *provider* offers a *CAS–Indigenous Payment* to an eligible student who does not relocate to take up their studies, *the provider* must also award the student a *CECS* relevant to the student's *course of study*.
- (13) If a *provider* offers a *CAS–Indigenous Payment* to an eligible student who is eligible to receive a *CAS–Specialist* scholarship, then *the provider* must also award the student a *CECS* relevant to the student's *course of study*.
- (14) If a *provider* offers a *CAS–Indigenous Payment* to an eligible student who is in receipt of the ABSTUDY Residential Costs Option, or assistance under ABSTUDY Away-From-Base *mixed-mode* delivery allowance where students are enrolled in an eligible *mixed-mode* course, then *the provider* must also award the student a *CECS* only relevant to the student's *course of study*.

2.15.10 Offer Process

- (1) Where there are sufficient eligible applicants, a *provider* must, in any given year, offer at least the number of *CS* it is allocated in accordance with paragraph 2.5.5 of these Guidelines.
- (2) A *provider* may offer additional *CS* where such offers can be supported through its *CS* allocation, taking into account any liabilities arising from additional scholarship offers and the *suspension* of scholarships by its students. *The provider* is responsible for managing and funding any liabilities above their allocation.
- (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.
- (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) All *providers* must meet the conditions specified in paragraph 2.15.10(4) above in 2010. If a *provider* cannot make scholarship offers within the

timeframe specified in paragraph 2.15.10(4) in 2009, it must notify *the Minister* in writing by 19 December 2008 that it will be delaying compliance with paragraph 2.15.10(4) until 2010.

- (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.
- (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 Letters and Certificates

- (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* at the time *providers* or any other person acting for and on behalf of *providers* collect students' personal information. *Providers* and any other person acting for and on behalf of *providers* must also ensure that students consent to disclosure to *DEEWR* and use of their personal information for the purposes of administering the CS program. Personal information to be collected by *providers* includes:
 - (a) the student's name;
 - (b) address; and
 - (c) 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 a *CECS-Indigenous Enabling* or *CAS-Indigenous Enabling* scholarship, the personal information must be provided within 15 working days after the *commencing scholarship holder's* first census date .
- (4) In relation to *CAS-Indigenous Payment* 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) Conversion within CS type. A *provider* may convert unawarded *CECS-Ordinary* to *CECS-Priority Discipline* or vice versa to enable *the provider* to better match student demand. In doing so, *the provider* must advise the *Department* of any conversions resulting from this action by 1 October of the year for which the CS were allocated by the *Department*.

- (7) Conversion across CS type. Where *the provider* has demonstrated unmet student demand *the provider* must seek approval from the *Department* to convert unawarded CAS-Ordinary to CECS-Ordinary or CECS-Priority Discipline or vice versa or a *provider* may convert CECS-Associate Degrees to CAS-Associate Degrees or vice versa to enable the provider to better match student demand.
- (8) *The provider* must seek approval for such conversion from the *Department* by 31 May of the year in which the CS were allocated by the *Department*.
- (9) Where *the provider* has demonstrated unmet student demand *the provider* must seek approval from the *Department* to convert unawarded CECS-Indigenous Enabling to CAS Indigenous Enabling or vice versa.
- (10) *The provider* must seek approval for such conversion 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 CECS grant amounts only on the making of CECS payments to students awarded a CECS who are undertaking an *eligible course of study*
- (3) A *provider* must spend CAS grant amounts only on CAS payments to students awarded a CAS who are undertaking an *eligible course of study*
- (4) A provider must spend CAS-Indigenous Payment grant amounts only on CAS-Indigenous Payments to students awarded a CAS-Indigenous Payment who are undertaking an *eligible enabling course of study* or undergraduate *course of study*, 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 a CAS-Indigenous Payment, the student must sign a declaration stating that they have not accepted the offer of a CAS-Indigenous Payment at any other *provider*.
- (8) For the CAS-Indigenous Payment, *the provider* must ensure that a student that has been offered a scholarship meets the eligibility criteria referred to in paragraph 2.10.1 (19) 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.
- (9) For the CAS-Indigenous Payment, 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 a scholarship 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 *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*.
 - (c) For *CECS–Indigenous Enabling* and *CAS–Indigenous Enabling*, 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.
 - (d) For *CAS–Indigenous Payment* scholarships, 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.
 - (e) For students awarded a *CAS–Indigenous Payment* who are in receipt of a *CECS–Indigenous Enabling* or *CAS–Indigenous Enabling* scholarship, payment totalling 50% of the value of the *CAS–Indigenous Payment* 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 *course start date*, or within six weeks after the student's first *course start date*, provided the student maintains enrolment and meets the other eligibility criteria at the student's first *course start 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(4) 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 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.

2.25.10 Maximum Duration of a CS

- (1) An eligible student can be in receipt of a CS for up to eight *scholarship periods* only (also refer to paragraph 2.10 (1) to (3)).
 - (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*;
 - (c) a *CECS–Indigenous Enabling* or *CAS–Indigenous Enabling*, or *CAS–Indigenous Payment* is two *scholarship periods*; and
 - (d) a *CAS–Indigenous Payment* is a one-off payment.
- (4) A student should not be in receipt of a CS from more than one *provider* at any one time.

2.25.15 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(4) 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 2.25.20 of these Guidelines

In the case of students in receipt of *Indigenous CS*, providers are encouraged to consult with their *Indigenous* education/support centres where possible.

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

2.25.20 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 2009 will be up to \$174,000. 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 2009 for the *ISS* will be equal to the value of the stipend (\$23,200) plus up to \$11,600 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.
- (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 \$11,600 (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 \$11,600 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 \$23,200 in 2009 (indexed annually).
- (2) *Providers* will receive up to \$11,600 in 2009 (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.