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National Liaison Committee For International Students

Submission to: The Senate Standing Committee on Education, Employment and Workplace Relations

**Inquiry into the Higher Education Legislation Amendment
(Student Services and Amenities, and Other Measures) Bill 2009**

Submitted by

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Introduction

National Liaison Committee for International Students, more widely known as NLC, is the peak representative body for all International Students in Australia.

NLC was formed in 1986 through the amalgamation of various state-based international student organisations across Australia to combat the introduction of the Overseas Student full-fee paying program.

Affiliated under NLC, Overseas Students Association (OSA) serves as a common platform for campus based Overseas Students representative organisations with operations at major Australian Universities, TAFE Colleges, Government Schools and Private Institutions.

NLC is the central platform to serve our NLCommunity: the International Students Community with over 500,000 students from all around the world.

On national level, NLC continues to be the voice of the International Students Community for advocacy and lobbying.

On campus level, NLC fully supports the operation of OSA to provide much-needed student services and organise event-based activities for International Students.

For the past 23 years, NLC has been working with all stakeholders: education institutions, government agencies and relevant organisations in the Australian international education industry to build a strong International Students Community.

NLC welcomes the opportunity to contribute to the Senate Standing Committee on Education, Employment and Workplace Relations' Inquiry into the *Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill 2009*, aimed at providing universities with the option to implement a services fee from 1 July 2009.

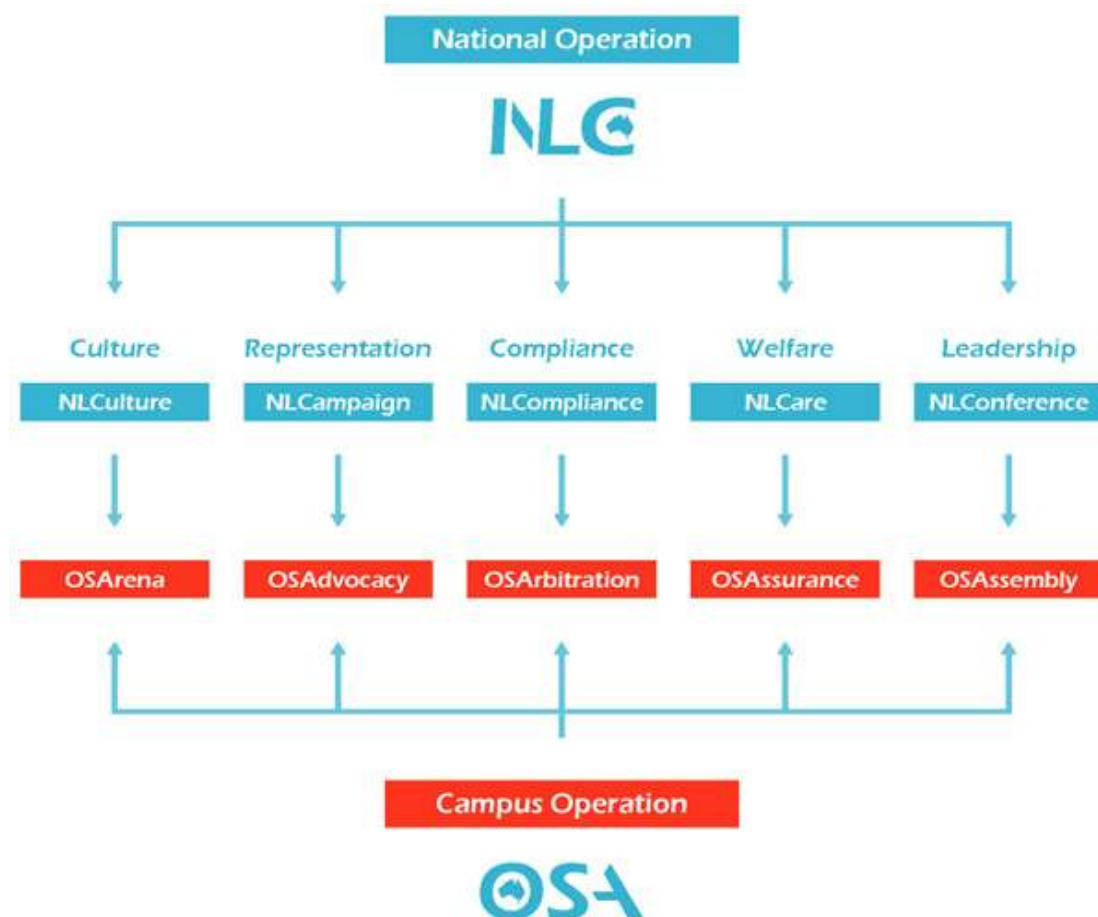
NLC is prepared to address the Committee in relation to this submission if required.

A handwritten signature in black ink, appearing to read 'Singh Dolores', is positioned above the printed name.

SINGH Dolores
National President



NLCCommunity



NLC Vision

The vision of NLC is to uplift the spirits of International Students for self awareness and cultural identity by demanding equal rights & respect and maximising fair share of representation & influence in all relevant education institutions.

OSA Mission

The mission of OSA is dedicated to the advancement of the social, cultural and economic well-being of Overseas Students by sponsoring and engaging in various OSAactivities for the benefit of the International Students community.



NLC's Position on VSU

NLC has previously stated in its submission paper for The Impact of Voluntary Student Unionism on Services, Amenities and Representation for Australian University Students review that full-fee paying Overseas Students be excluded from the reintroduction of any form of Service & Amenities fees.

With international education contributing \$13.7 billion to the Australian economy last financial year, it has now become the largest service export for Australia. Particularly in this current global financial crisis, increasing Overseas Students' fees will decrease Australia's competitiveness in the international education market.

It is important to stress the point that there is no justification for charging any additional student services fees or student union fees on Overseas Students, as Overseas Student full-fees are already subsidising services.

"Unless otherwise proven different, it is NLC's belief that overseas students have been subsidising domestic students in funding the provision of many services through payment of their extremely high tuition fees, which are higher than domestic student full fees and HECS fees which are currently subsidised by the Australian government. NLC bases this understanding on the fact that although universities have been unable to charge a fee or use any tuition fee or government funding to provide services such as accommodation, employment, health or counseling services, these are still being provided on university campuses" – NLC submission page 13

The ESOS Act also contains an existing inclusion of a services fee condition,

"In 2004, the Australian Government asserted that the provision of education to overseas students should be entirely self funded... Through the ESOS Act, we have already determined that international students are paying a services fee and it is compulsory and not deferrable. " – NLC submission page 14

On the national level, NLC has long been working together with National Union of Students (NUS) and Council of Australian Postgraduate Associations (CAPA), the other two peak bodies representing undergraduate and postgraduate students in the Higher Education Sector respectively.

However this model has never been translated to the campus level. NLC fully supports the independent and autonomous campus operations of Overseas Students Associations (OSA) which are affiliated under NLC National Office.



Student union fees should not apply to International Students as student unions do not adequately represent International Students. Funding allocation has always been decided by the Student Representative Council (SRC), with International Students representation being given low priority.

In summary, International Students are already paying student services fees, and there is no justification for additional student services fees under VSU legislation amendments. Although International Students are able to make use of campus services and facilities they are already paying for, they are not given their fair share of representation and advocacy. NLC will fully support an independent and autonomous OSA, to guarantee the voice for International Students on campus.

1. Exempting NLCommunity from services fees

International Students face a long and arduous task of leaving behind our homes and families, and starting alone in a new country at an Australian education provider, without the networking and life support systems we would otherwise have at home. NLCommunity is exposed to this situation whilst having to pay exorbitant fees to study and live in Australia, for example at the University of Sydney a domestic student pays \$8,408 per year for a Bachelor of Commerce 2009 course, while an international student pays \$23,940 for the same course.¹

NLC demands that the Australian Government seeks to ensure NLCommunity is given our fair share of cultural, representation, compliance, welfare, and leadership support and services on university campuses.

An amendment was made to the Education Services for Overseas Students (ESOS) Act in December 2005 to enable the use of tuition fees to provide services required by the National Code to International Students. However, despite NLC's calls for a more transparent system of charging students for these services, this amendment was made with very little consideration given to the real needs of NLCommunity.

While it is understood that NLCommunity has remained recipients of many support services, this submission will argue that the services required under the ESOS Act are inadequately provided because of resources being allocated away from providing NLCommunity with services and instead used to subsidise services for the domestic student population.

This submission will argue for the exemption of International Students from the implementation of services fees. It will highlight the importance of Australia's competitiveness as an International Education destination, explain

¹ University of Sydney, 2009



that NLCommunity is already paying existing service fees under the ESOS Act, and describe the lack of university and student union support and services targeting NLCommunity needs.

This submission will include NLC programs and OSA services that provide our NLCommunity with the necessary support and services, and recommend the Australian Government recognise and support the independence and autonomy of International Student organisations.

2. Decreasing Australia's competitiveness as an International Education destination

The International Education industry plays a pivotal role in supporting the Australian economy. In the *International Goods and Services* December 2008 trade data from the Australian Bureau of Statistics, education was confirmed as Australia's third largest export industry, directly behind coal and iron ore.²

NLCommunity has grown dramatically over the years. From 1997 to 2006, the number of International Students enrolled in Australian universities increased by 371 per cent, as compared to the 26 per cent rise in the number of domestic students.

For the last decade, education exports have been growing by an annual average of 15.7 per cent, compared to 10.8 per cent for total exports.

Education exports increased from \$12.2 billion in 2007 to \$15.5 billion in 2008, making education the number one service export ahead of tourism.³

With about 25 per cent of public education institutions funding coming from International Student fees, a reduction in International Students enrolment will not only negatively affect the sustainability of Australian education institutions, but also hurt Australia's economy as the Government will be required to fiscally intervene to maintain the Australian education system.

With International Student enrolments already expected to slow in 2009, any increase in the fees of International Students will further harm Australia's competitiveness in the global international education market.

The proposed implementation of the services fees will result in an increase of International Student fees, which will be particularly damaging during the current global financial crisis.

² Universities Australia, 2009

³ The Australian, 2009



3. International Students are already paying existing service fees under the ESOS Act

Within the framework of a new legislation there needs to be particular attention afforded to the fees already being paid by full fee paying international students.

Prior to the VSU legislation, the majority of overseas students were charged a separate fee for services in line with domestic student services fees. However, there were a few universities that charged a different fee or didn't itemise this fee in the students' accounts so that students could differentiate between the general service or student union fee and the tuition fees.

While the introduction of a new system and new government requirements regarding the use of a student services fee will enable a clearer distinction between such fees, the situation for overseas students is not as clear as that of domestic students. The ESOS amendment allowed institutions to use overseas students' tuition fees to administer their role under the ESOS Act and in particular the National Code,

(2) A registered provider does not breach its obligations under this Act or any other Act relating to education by charging overseas students, or intending overseas students, an amount as part of the student's tuition fee, if the amount is for any action the provider is required to undertake because of this Act or the national code.⁴

The return of a compulsory fee now requires us to question whether International Students have continued to be charged a service fee following VSU and what the funds have been used for. In order to remain compliant with the ESOS Act and the National Code of Practice, institutions would have been charging the International Students extra support services fees but as this amount is not separately itemised, overseas students are not aware of the amount of this extra fee.

There is a strong case to support the submission that in the post VSU environment, International Students are not charged any additional service fee. Unless otherwise proven different, NLC concludes that International Students have been subsidising domestic students in funding the provision of many services through payment of their extremely high tuition fees, which are higher than domestic student full fees and HECS fees which are currently subsidised by the Australian government.

⁴ ESOS ACT, 2000



NLC bases this understanding on the fact that although universities have been unable to charge a fee or use any tuition fee or government funding to provide services such as accommodation, employment, health or counselling services, these are still being provided on university campuses. Because these services are a requirement under the ESOS Act overseas student tuition fees may be helping keep these services sustainable however, they are available to all students. On campuses where there is little ability to self-fund such services, they are becoming more difficult to access, and in some cases, unavailable despite the ESOS requirements.

In 2004, the Australian Government asserted that the provision of education to overseas students should be entirely self funded⁵, however it is increasingly becoming believed by many within the education sector that because of decreased government funding, and an absence of domestic students contributing a services fee to universities, that International Students are not only self funded but are subsidising much of the service and facility provision on Australian university campuses.

Through the ESOS Act, we have already determined that International Students are paying a services fee and it is compulsory and not deferrable. NLC can see no reason to justify the payment of additional service fees outside of the ESOS Act, when the ESOS Act defines that International Students are already paying for their own services. NLC adamantly rejects any attempt to use International Students service fees to subsidise local student services.

4. Lack of representation and supporting services targeting International Students

Before the passing of VSU legislation, SRCs only had one or two International Student Officers (ISO), which was unfairly disproportional given the large International Student population in universities;

For example at the University of Sydney, where there are over 30 elected members of the SRC, representing over 30,000 students on campus. Only two SRC members are from the International Students Community on campus, despite there being an International Student population of over 10,000.

Post-VSU, some of the surviving SRCs have even gone so far as to get rid of the ISO position altogether. International Students representation is always an option for cost cutting, and it is unacceptable that existence of

⁵ DEST, 2004



International Students representation on campus is so fatally dependant on the financial health of the student union.

In terms of advocacy, student unions have often acted as obstacles rather than support for OSAs. As student unions claim to be representative of all students, the student union president will sit on various academic committees and have direct contact with university senior management. ISOs are not allowed to access these formal communication channels, thus student union presidents become more of a censorship filter rather than a link.

The irony is that the campus post-graduate president has the same amount of access as the student union president. This unfair treatment and lack of access for International Students representatives needs to be addressed to justify the existing service fee charges for International Students under the ESOS Act.

Although International Students have been paying service fees under the ESOS Act, it is clear that there is a lack of attention being paid by Universities and Student Unions to address International Students' needs.

There is an ethnocentric approach that by addressing the mainstream Australian students' needs, that somehow International Students will include themselves into such activities and programs.

Student union examples include how the Orientation Week is always about rock band concerts and drinking alcohol, and services such as housing and advocacy are inaccessible especially to new International Students as written material is only printed in English.

University examples include refectory and canteen food revolving around salads and fish and chips, with a lack of authentic Asian food, an irony considering over 80 per cent of International Students originate from Asia; and the lack of halal food for Muslim students. Universities employ only English speaking counsellors, rather than multilingual counsellors, and do not address the well known issue of International Students from conservative societies rejecting counselling because of stigma.

Most importantly, International Students have been treated as mere cash cows by education providers, thus everythings are viewed from a marketing perspective.

If the representation, safety and welfare concerns are not addressed immediately, it will not only have a devastating impact on education and tourism export, but a permanent damage on Australia's leading position in the world as one of the top destinations for International Education.



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