

Welfare Arrangements of International Students Aged Under 18 Policy

Section 1 - Purpose and Scope

(1) The purpose of this Policy is to establish principles and processes for the University's provision of appropriate accommodation, support and general welfare arrangements for international students who are under the age of 18 and who are not cared for in Australia by a parent, guardian or suitable nominated relative. It seeks to ensure compliance with the Education Services for Overseas Students (ESOS) Act 2000 (as amended), Standard 5 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 and National Standards — Needs of younger ELICOS students.

(2) This Policy is to be read in conjunction with the University Rules Relating to Awards contained in the SCU Policy Library.

Scope

(3) This policy applies to all international students under the age of 18 years old who are studying at the University or at an education collaboration location in Australia.

Section 2 - Definitions

(4) For the purposes of this Policy:

- a. Course commencement
 - i. means the first day of the first teaching Period.
- b. Nominated Welfare Period
 - i. means the nominated dates between which the University has agreed in writing to assume responsibility for a student under the age of 18 who has neither a parent nor a suitable relative in Australia to care for him or her, as marked on the student's Under 18 Student Welfare Letter.
- c. Registered Course
 - i. a course of education or training provided by an institution (SCU) body or person that is a registered provider of the course in that State or Territory, for the ESOS Act 2000 and is registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).
- d. Student
 - i. means an international student under the age of 18 years old who is studying at the University or at an education collaboration location in Australia.
- e. Study Period:
 - i. a session so designated.

Section 3 - Policy Statement

(5) The University shall consider, on a case by case basis, accepting responsibility for the accommodation, support and general welfare arrangements for students that are under the age of 18.

(6) As per the Migration Regulations 1994, when students who are under the age of 18 years old make visa applications to study in Australia they must demonstrate:

- a. that they will be accompanied by:
 - i. a parent; or
 - ii. legal custodian; or
 - iii. a suitable relative; or
- b. that their education provider has arrangements in place for their accommodation, support and general welfare for the period of the student's Confirmation of Enrolment (CoE) plus seven days after the end date of the CoE.

(7) For the purposes of clause (6):

- a. a student may reside in Australia with a parent or legal custodian who travels to Australia to provide welfare for the student for the duration of their study. This must be indicated on the student's visa application;
- b. a student may reside in Australia with a relative over 21 years of age who is approved by the student's parents or legal custodians. This relative must be nominated as the student's guardian to the Department of Immigration and Border Protection (DIBP) on the appropriate form accompanying the application for a student visa. The relative should be:
 - i. a grandparent, brother, sister, aunt, uncle, niece or nephew or a step-grandparent, step-brother, step-sister, step-aunt, step-uncle, step-niece or step-nephew; and
 - ii. be of good character;
- c. a student may also reside in Australia if their parents approve of the University being responsible for their accommodation, support, and general welfare arrangements.

(8) If the University wishes to enrol international students under the age of 18 that are already in Australia, it shall inform the prospective students during the recruitment phase that they are required to have welfare arrangements in place at the time that they lodge their student visa application.

(9) The University's promotional material and website must inform prospective students about the Australian Government's mandated accommodation, support and general welfare conditions that apply to students under 18 years old studying in Australia.

(10) Where the University terminates, suspends or cancels the enrolment of a student under the age of 18, the University will continue to check suitability of care arrangements until:

- a. the Nominated Welfare Period expires;
- b. the student turns 18 years old;
- c. the student is accepted by another registered provider who is willing to take on responsibility for approving the care arrangements;
- d. the student leaves Australia or other suitable arrangements are made (e.g. parent or other suitable relative takes ongoing responsibility for the student's accommodation and welfare); or
- e. events have occurred that make it impossible for the provider to continue to approve the arrangements for the student.

(11) If a student is undertaking a package of courses, the student must ensure that he or she has adequate welfare arrangements in place during any gap period between courses.

Changes to Student Welfare Arrangements Previously Agreed by the University

(12) A student is not permitted to change their agreed accommodation or welfare arrangements unless first approved by the relevant nominated SCU staff member.

(13) Failure to comply with clause (12) will be considered grounds for the University to notify DIBP of its 'withdrawal of approval of accommodation and welfare arrangements' which may have implications for the student's visa.

(14) DIBP will be notified when the student changes accommodation and welfare arrangements with the University's approval.

(15) If a student refuses to maintain University approved care arrangements, the University will notify DIBP using the 'Non-Approval of Appropriate Accommodation/Welfare Arrangements Letter' which is likely to result in the cancellation of the student's visa.

(16) If a student has gone missing from the approved accommodation and cannot be contacted the University will:

- a. implement its documented Critical Incident Policy; and
- b. if after a reasonable period the student has not been found, the University shall report the student's breach of visa condition 8532 to DIBP, which is likely to result in the cancellation of the student's visa.

Section 4 - Procedures

Application for Accommodation and Welfare Arrangements

(17) A student who will be under 18 at course commencement and will not be staying with parents, a custodian or other family member while in Australia must provide the University with a written request (which has been approved by their parents or legal custodian in writing), for the University to accept responsibility for the student's accommodation, support and welfare arrangements until they reach the age of 18.

(18) Requests to the University to approve accommodation and welfare arrangements will be considered by the nominated SCU staff member who will respond in writing to the student advising whether the request has been successful or not.

(19) Where the University agrees to accept responsibility for the student's accommodation, support and welfare arrangements, the nominated SCU staff member will arrange for the student to be advised in writing and given a general outline of the accommodation and support arrangements which will be made for them. The University will also direct the student to the information contained in this policy and to the procedures that the student must follow to ensure compliance with this policy.

(20) The student's parents shall sign the acceptance of SCU as Guardianship Form which is attached to the letter provided to the student, to acknowledge acceptance of the conditions required by the University in accepting responsibility for the student's welfare. A template acceptance form is appended to this policy.

(21) The University must ensure that when SCU staff raise a Confirmation of Enrolment (COE) on PRISMS for a student for whom the University has accepted responsibility for accommodation and welfare arrangements, that they also notify DIBP of the University's role by raising a Confirmation of Appropriate Accommodation/Welfare Arrangements (CAAW) letter.

(22) The CAAW must specify start and end dates of the accommodation and welfare arrangements. The student cannot enter Australia on their student visa until the welfare start date has been reached and this date must be carefully matched to orientation commencement and the time taken to travel from the home country.

(23) The end date of the welfare arrangements will normally be advised as 7 days after the end date of the COE, or when the student has reached their 18th birthday if that is earlier.

Homestay Accommodation

(24) Where the University agrees to accept responsibility for approving a student's welfare arrangements it will require the student to stay in University approved homestay accommodation. The University must ensure:

- a. the good character of the homestay providers by obtaining working with children checks, personal interviews and verifying references;
- b. a good standard of homestay accommodation suitable for students, through home inspections undertaken by SCU staff responsible for students' homestay;
- c. an appropriate cross-cultural and student welfare focused orientation provided to homestay providers by the SCU staff homestay officer; and
- d. the maintenance of processes to monitor and respond to students wellbeing in the homestay placements arranged by the University, including regular monitoring visits to homestay providers, newsletters, social functions and training activities for homestay providers.

(25) Students will also be required to meet with a nominated SCU staff member as often as he or she requires of the student, but no less frequently than each fortnight.

(26) The student must not spend a night away from the approved homestay address, or undertake any travel that would require an overnight absence from the homestay address without first obtaining the relevant SCU staff member's written approval.

(27) The University will require the student to maintain a high standard of personal and social behaviour throughout the homestay period, to conduct themselves responsibly, to refrain from risk taking behaviour and to devote themselves properly to their studies.

(28) Refusal to obey an instruction from the homestay provider or an SCU staff member to address deficiencies in the aspects of behaviour and personal conduct referred to in clause (27) will provide grounds for the University to advise DIBP that it has withdrawn its support for the accommodation and welfare arrangements. This may have implications for the student's visa.

(29) The University must also advise DIBP as soon as possible using the specified PRISMS pro forma letter, in the event that the under-18 year old student has changed his or her living arrangements or where the University no longer approves of the arrangements for the student.

(30) The University may approve requests from students for alternative accommodation or welfare arrangements other than University approved homestay where:

- a. the student's parents or custodian approve in writing of the alternative arrangements;
- b. the University is satisfied as to the good character of the adult(s) who are to be assigned guardianship of the student;
- c. the accommodation has been inspected by a nominated SCU staff member and found to be suitable;
- d. it is satisfied that the arrangements will provide accommodation and welfare arrangements at least equivalent to what could be obtained through a University approved homestay arrangement; and

- e. the arrangement is secure and likely to last until the student completes their course, or turns 18.

Section 5 - Guidelines

(31) Nil.

Status and Details

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Effective Date	5th August 2013
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