

# Underage Student Management Policy

<b>Policy Owner</b>	Student & Academic Services Manager/Admissions Manager
<b>Contact Officers:</b>	Student & Academic Services Officer (Student Services)
<b>Policy Number:</b>	QMKPO002
<b>Approved by:</b>	Senior Management Group
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<b>Related Documents:</b>	Critical Incident Policy Progress & Attendance Policy Student Welfare & Counseling & Support Policy
<b>Related Forms</b>	Local Carer Duty Statement Minors Welfare and Accommodation Approval Form (local and International) National Police Check (Australia Federal Police form) Non-approval of appropriate Accommodation/Welfare Arrangements Form (on PRISMS)

## 1. Overview

- 1.1. Australian Government regulations 'The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (amendment effective July 2007)' require international students under the age of 18 to have approved accommodation and welfare arrangements while they undertake study in Australia, before a visa is granted.
- 1.2. This policy provides the operational guidelines for accommodation, support, monitoring, and risk prevention for all underage students.

## 2. Organisational Scope

- 2.1. The National Code and ESOS Act 2000 require the College to ensure appropriate accommodation and welfare arrangements are in place at all time for international students. Students are granted study visas after a number of conditions have been met by the student, the student's legal guardian(s), and the education provider(s).

International students under 18 years of age must demonstrate to DIBP that they have the approval of a parent or legal custodian to reside in Australia for the duration of the program in which they are enrolled, or until they become 18 years of age

- 2.2. This policy applies to all prospective and current students under the age of 18 whilst studying at Curtin College, except where otherwise stated.
- 2.3. For international students with 'packaged offers' which involve other providers (eg Curtin University), Curtin College's responsibility for underage students commences one week prior to orientation and ceases when the student withdraws from the course, transfers to another provider or articulates to Curtin University, whichever is sooner. Where a student doesn't commence study with Curtin University, the student's parents need to inform the College of their intentions. Under circumstances deemed appropriate by the College, this responsibility may be extended as required.
- 2.4. Partner providers that offer a Curtin College award are responsible for the management and support services for underage students as outlined in the specific Service Level Agreements.
- 2.5. The Colleges responsibility with local students ends at the completion of their course or upon withdrawal or termination of their studies.
- 2.6. Staff will be informed about this policy at induction where it is related to their duty statement. Training for all staff on this policy will be provided on an annual basis at minimum.

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- 2.7. Students will be informed about this policy at Orientation and at information sessions which take place at the commencement of their course.

## 3. Definitions

- 3.1. **Australian Academic and Research Network (AARNet):** The network provides a range of national and international telecommunications services for persons in Australia.
- 3.2. **Confirmation of Appropriate Accommodation and Welfare (CAAW):** A statement signed by Curtin College and sent to applicants to accompany their application for a student visa to study in Australia.
- 3.3. **Confirmation of Enrolment (CoE):** A document registered with DIBP to confirm a student's acceptance into a particular course for a specified duration.
- 3.4. **Department of Immigration and Border Protection (DIBP):** The Australian government agency responsible for issuing international students with visas.
- 3.5. **Department of Education Training (DET):** The Australian federal government's administrative division for policy and program development on higher education, and administration of the ESOS Act 2000 legislation.
- 3.6. **Enrolled:** A student is deemed to have enrolled once fees have been paid and subjects have been selected for the current study period (Status = current).
- 3.7. **National Police Check:** The Australian Federal Police is responsible for the collection, collation and recording of court outcomes relating to criminal and traffic prosecutions. Certificates issued by the Australian Federal Police note an individual's criminal convictions and may include pending charges that are deemed disclosable at the time of application.
- 3.8. **National Code:** The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (amendment effective July 2007) which outlines nationally consistent standards for the conduct of registered providers and the registration of their courses. The standards set out specifications and procedures to ensure that registered providers of education and training courses can clearly understand and comply with their obligations under the National Code. The National Code also identifies the roles and responsibilities of the Australian Government and state and territory governments in discharging their regulatory functions.
- 3.9. **The Education Services of Overseas Students Act 2000 (ESOS ACT 2000):** This Act regulates the delivery of education service to international students.
- 3.10. **Partner Provider:** An institution that provides a course which is CRICOS registered as being offered by Curtin College, who, for the purposes of this document oversees all matters relating to the delivery of those courses.
- 3.11. **PRISMS:** Provider Registration and International Student Management System (PRISMS) is the database system used by the Department of Education and DIBP (Department of Immigration and Border Protection) for the purpose of receiving and storing information about international students with respect to the Education Services for Overseas Students Act 2000 (The ESOS Act).
- 3.12. **Relevant Homestay Provider:** The organisation to whom Curtin College contracts the arrangement and monitoring of homestay placement for students.
- 3.13. **The College:** Refers to Curtin College and its partner providers.

## 4. Policy Principles

- 4.1. All application forms received by the College on behalf of a student under the age of 18 must be signed by the parent or legal guardian of the student
- 4.2. Ensure that the College enrolls students under the age of 18 years according to ESOS legislation and the National Code.
- 4.3. Private accommodation without care arrangements in place is *not permitted* for underage international students.

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- 4.4. The College must be satisfied with the appropriate welfare and living arrangements in place for underage students for the duration of their studies or until they turn 18 years of age, whichever is sooner. Failure to do so will put an international student in breach of one of their visa conditions.
- 4.5. Non-related accommodation providers and staff who work with students in the course of their duties will be required to obtain a National Police Check.
- 4.6. Local underage students are monitored by the Student & Academic Services Team with regards to welfare and progress requirements, but there are no requirements pertaining to their accommodation/care arrangements.
- 4.7. Local and temporary residents will only be required to complete the Minors Welfare and Accommodation Approval Form (Minors Form).

## 5. Policy Content

- 5.1. Curtin College has in place procedures to:
  - 5.1.1. Record and monitor accommodation arrangements on its Student Management System;
  - 5.1.2. Ensure the college is compliant with ESOS Act 2000 and the National Code in regard to its cohort of international students;
  - 5.1.3. Monitor and report underage international students where they are deemed to be in breach of their visa conditions;
  - 5.1.4. Place international students in appropriate accommodation and care arrangements;
  - 5.1.5. Provide welfare support for all underage students, local and international;
  - 5.1.6. Assist the student in making appropriate alternative arrangements and confirming these arrangements with the parents / legal guardians.

## 6. International Students

### 6.1. Approval of living arrangements for underage international students studying at Curtin College

- 6.1.1. Curtin College will only issue CoEs to a student under the age of 18 when appropriate living arrangements have been made and confirmed by the parent or Legal Guardian as per the Minors Form.
- 6.1.2. Curtin College will only approve the living arrangements if the student is living in one of the following arrangements:
  - **Living with a parent**
  - **Living in Curtin College approved homestay** – Curtin College staff will obtain written confirmation from the Relevant Homestay Provider that appropriate accommodation arrangements have been made for the student. The Relevant Homestay Provider will provide Curtin College with updated details when the student has been allocated to a homestay accommodation.
  - **Living with a suitable relative** – ‘Suitable relative’ means a brother, sister, step-parent, step-brother, step-sister, grandparent, aunt, uncle, niece or nephew, step-grandparent, step-aunt, step-uncle, step-niece or step-nephew or nominated by the parents who is at least 21 years of age. A suitable relative is required to complete the following:
  - **Living with a Parent-Nominated Local Carer** – Parents may nominate a non-relative to be the Local Carer provided that they are at least 25 years of age and of good character. The Local Carer must be approved by the College and is required to complete the following:
    - A Curtin College Local Care Duty Statement (LCDS) confirming that they agree to the responsibilities associated with being a Local Carer
    - A National Police Check (no more than 2 years old)
    - Provide a copy of valid photo ID

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- Living On Campus – Student lives in on-campus housing and has a parent-nominated local carer of at least 25 years of age and of good character. The Local Carer must meet the aforementioned Local Carer requirements.

6.1.3. Curtin College will approve the living arrangements for an underage student when they have received completed documentation and are satisfied that the accommodation arrangements for the student are appropriate. Curtin College will then issue a CAAW at the time of issuing CoE.

- **Change of Accommodation** - It is the responsibility of the Student/Parent/Legal Guardian/Relevant Homestay Provider to contact the College if there is a change of accommodation or guardianship.

## 6.2. Non-approved or Inappropriate Accommodation Arrangements

6.2.1. In cases where the College staff are unable to confirm appropriate arrangements for accommodation and welfare within a 10 day period the College will undertake to contact the parents to make alternative Local Carer / Relative / Homestay arrangements.

6.2.2. Where the College deems that the accommodation and welfare arrangements for an enrolled underage student have become unsuitable and all attempts to assist the student to maintain appropriate arrangements have been exhausted, the College will carry out its regulatory requirements and report the student to DIBP using the 'Non-approval of Appropriate Accommodation/Welfare Arrangements' form on PRISMS.

## 6.3. Obligations of the Student

6.3.1. A student wishing to change living arrangements (eg change local Carer or address) must contact the College to obtain approval before doing so.

6.3.2. International students under the age of 18 must abide by all relevant visa conditions.

6.3.3. Students must notify the College of any plans to go offshore during the course of their study.

## 6.4. Approving arrangement for semester breaks

6.4.1. Underage international students who are residing in Australia in an approved living arrangement may be allowed to temporarily change their accommodation arrangements (other than returning home) during a semester break or during semester, provided the following conditions are met:

- Student to meet with Student & Academic Services Manager / Student & Academic Services Officer at least two weeks prior to end of semester of a change being made.
- Parents or legal custodian of the student must provide written approval of the temporary arrangements.

6.4.2. Curtin College reserves the right to refuse an application where it feels the student's welfare will be put at risk by the change.

## 6.5. Period of Curtin College Responsibility for Accommodation and Welfare Arrangements

6.5.1. For international students with 'single course offers' (only studying at Curtin College) ,who will stay with a local carer either nominated or approved by parents, a Confirmation of Appropriate Accommodation/Welfare Arrangements letter will be issued for which the nominated period of responsibility will be at least 7 days beyond the CoE date.

6.5.2. For students with 'packaged offers' which involve other providers such as Curtin University, Curtin College's responsibility for underage students commences one week prior to orientation and ceases when the student withdraws from the course, transfers to another provider or articulates to Curtin University (whichever is sooner). Where a student doesn't commence study with Curtin University, their parents need to inform Curtin College of their intentions. Under circumstances deemed appropriate by the College, this responsibility may be extended as required.

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## 7. Obligations of the Local Carer / Relative / Relevant Homestay Provider/Parent/Legal Guardian

- 7.1. The following processes are recorded in the Colleges Student Management Information System:
- 7.2. Curtin College will contact the registered Local Carer / Relative / Relevant Homestay Provider up to three times per year to confirm that living arrangements for the student are appropriate. This will continue until either the student turns 18 or graduates from Curtin College.
- 7.2.1. It is the responsibility of the Local Carer / Relative / Relevant Homestay Provider/ Parent/Legal Guardian to respond to the College within 10 working days of receiving a request from the College to confirm that the living arrangements have not changed and that they agree to their obligations in regards to the underage student in their care.
- 7.2.2. Should any of the living arrangements for the underage student change (eg. change addresses; circumstances change, minor moves out unexpectedly) it is the responsibility of the Local Carer / Relative / Relevant Homestay Provider to advise Curtin College staff within five days of the change.

## 8. Complaints regarding unsuitability of accommodation/welfare arrangements

- 8.1. Underage students who are experiencing problems or have concerns about the suitability of their accommodation/welfare arrangements should inform the following:
- 8.1.1. Relevant Homestay Provider (International Students Only) – in the first instance, students who are not happy in their homestay environment should contact the Relevant Homestay Provider.
- 8.1.2. Student & Academic Services Manager or Student & Academic Services Officer
- 8.2. All matters referred to the Student & Academic Services Manager will be acknowledged and if it is deemed a critical incident will be dealt with immediately and in other cases investigated within as soon as possible.

## 9. Obligations of the College

- 9.1. Curtin College will undertake the following steps to ensure the welfare of underage students studying at the College:
- 9.1.1. Confirmation of appropriate living arrangements each study period - Curtin College will reconfirm living arrangements for students under the age of 18 each study period. Where living arrangements cannot be confirmed within a 10 day period or the living arrangements are deemed to be unsatisfactory the College will take steps to take appropriate steps to ensure the welfare and safety of the student (see item 6.1 above “Non-approved or Inappropriate Accommodation Arrangements”).
- 9.1.2. The College will contact the Local Carer / Relative / Homestay Placement Provider prior to any in study breaks to confirm provision of appropriate care arrangements during the non-study period.
- 9.1.3. College lecturers are requested to notify the College support staff of any students considered to be at risk to ensure that appropriate intervention is undertaken. Intervention may include one or more actions including increased monitoring, welfare advice, counseling, academic support or formal warnings.
- 9.1.4. The Student & Academic Services Manager is responsible for the following duties as they relate to underage students:
- exercise duty of care with regards to student arrangements;
  - monitor student attendance, progress, and welfare arrangements;
  - offer intervention strategies to students at risk to facilitate corrective action;
  - alert Senior Management immediately to any potential or actual critical incidents involving underage students;

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- report to DIBP students who are in breach of their visa conditions;
- Liaise with Local Carer / Relative / Homestay Placement Provider and relatives in regard to underage (minors) student care.

9.1.5. Curtin College staff that have contact with underage students in the normal course of their duties are required to obtain a National Police Check as required.

9.1.6. Confirmation of written consent for underage students - Curtin College will to have access to the World Wide Web (internet).

9.1.7. All matters relating to the management of underage students will be directed to the Student & Academic Services Manager or nominee.

## 9.2. Class Attendance Monitoring

9.2.1. In cases where an underage student is missing classes at the College, the Local Carer / Relative / Homestay Placement Provider/Parent/Legal Guardian will be notified (see Progress & Attendance Policy).

9.2.2. If a student has gone missing from the approved accommodation and cannot be contacted, the College will implement its documented critical incident policy. Actions may include contacting the student’s parents and DIBP, and filing a missing person’s report with the police and/or children’s services agencies. If, after a reasonable period, the student has not been found, Curtin College will report the student’s breach of visa condition 8532 by submitting the ‘Non-Approval of Appropriate Accommodation/Welfare Arrangements’ letter.

## 9.3. Internet Usage

9.3.1. Students will require access to the World Wide Web (Internet) and this access may be both supervised and unsupervised. It is a requirement of the College’s internet provider (AARNet) that students under the age of 18 have parental or legal guardian permission to access campus internet. Note: Local Carers who are not parents or legal guardians cannot give consent. Underage students who have not provided written consent by their parent or legal guardian will not be permitted to access the internet on campus without being supervised by a teacher or other responsible adult.

# 10. Administrative procedures

10.1. The Curtin College Underage Student Management Policy will be accessible via the Curtin College homepage under Policies and Procedures at <http://www.curtincollege.wa.edu.au>

10.2. Staff will be advised of updates to policies and processes via internal email.

Version:	Improvements made:
V1.9 (Nov 2016)	Updated role titles in line with company restructure (Optimal Model) Consolidated Minors Form A and C into Minors Welfare and Accommodation Approval Form 3.0 Updated definitions 6.1.2 Added On Campus option for accommodation type 6.1.2 Removed LCDS requirement for suitable relative 6.3 Clarified language around visa requirements
V1.8 (July 2016)	Removal of Form C – Local & Temporary Students 4.6 updated to reflect monitoring practice for local students 4.7 added re Local