PR_AC_002 Under 18 international student procedure

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1. Scope

These procedures apply to:

- international applicants under 18 years of age (underage)
- international students under 18 years of age (underage) who are enrolled in Torrens University Australia (the University) courses.

2. Regulatory and legislative requirements

All underage international students applying for a student visa must demonstrate that they have adequate welfare arrangements for the duration of their student visa or until they turn 18.

Under the Migration Regulations 1994 (Public Interest Criterion 4012A), a student who is under 18 can reside in Australia:

- with a parent or legal custodian or a suitable nominated relative who is over 21 years old and of good character. The Department of Home Affairs (DHA) defines the types of family relationships that can be nominated. DHA approves these arrangements and the University does not provide a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter in these instances. Moreover, the University does not have to follow up on students. However, where the University becomes aware that a student under the care of a parent, legal custodian or nominated relative is not well taken care of, the University must inform DHA.

- with the University approving their accommodation and welfare arrangements. The University creates a CAAW at the same time as the Confirmation of Enrolment (CoE).

Approving an underage international student's accommodation and welfare arrangements involves the University, or through its partner (Australian Homestay Network/ International Student Alliance), checking and monitoring the suitability of a student’s accommodation, support and general welfare arrangements. This responsibility extends to students whose enrolment has been terminated, suspended or cancelled until:

- the student leaves Australia, or
- other suitable arrangements are made that satisfy the Migration Regulations, or
• the student is accepted by another registered provider who is willing to take on the responsibility for approving the student’s care arrangements, or
• the student is under the care of a parent, legal custodian, or nominated relative.

The University is also responsible for reporting to DHA if an underage international student’s accommodation arrangements change and the University does not approve the new arrangements. If a student changes their accommodation arrangements and the University does not approve of it, this is in violation of their student visa conditions and their visa may be cancelled.

3. Student accommodation and welfare arrangement

If the University accepts responsibility for the welfare arrangements of an underage international student (where the University issues the CAAW), the student must stay in a University-approved accommodation (on-campus or homestay). The University uses third parties to assist with arranging underage international student’s welfare and accommodation arrangements: Australian Homestay Network (AHN) for accommodation and International Student Alliance (ISA) for general support and welfare services. However, the University remains responsible for ensuring that the accommodation meets the provisions of the National Code 2018. The University must:

• ensure that the student’s accommodation is appropriate to the international student’s age and needs, and
• verify suitability before the accommodation is approved and at least every six months afterwards.

Student Services will provide underage international students the following information upon commencement:

• contact details in cases of emergency, and
• requesting assistance in cases of abuse (physical, sexual, etc.).

The University will take into account relevant national and state laws (e.g., Victorian Child Safety Standards) when monitoring the welfare of underage international students.

3.1 Homestay accommodation

ISA provides general support and welfare services to students on homestay-provided accommodation. ISA will:

• contact the student in person within 48 hours of arrival at the student’s accommodation location if possible. If meeting the student within this timeframe is not possible due to exceptional circumstances, ISA will inform the University
• maintain regular contact with the student as described below:
  o contact either by phone or personal visit once every 14 days
  o personal contact once every 21 days.
• provide local orientation and other support such as:
  o liaising with the University on behalf of the student
  o providing telephone advice and emergency assistance 24 hours a day, seven days a week
  o liaising with the University on behalf of the student’s parents
• provide reports to students within 20 to 30 calendar days of the student arriving in Australia
• liaise with:
  o student regarding complaints or issues with their accommodation and notify the University if the issues remain unresolved
  o the University on behalf of the parent and/or student
  o the University to monitor student’s academic progress, attendance and health.

3.2 On-campus accommodation

Underage international students residing on-campus accommodation will be required to meet regularly on a one-on-one basis with Student Services to discuss concerns they may have about their living arrangements, academic progress and general welfare. The University will keep a record of these meetings and it to the student’s file.

4. Students’ responsibilities

Underage international students whose accommodation and welfare arrangements were approved by the University must:

• not enter Australia before the start of an approved accommodation and welfare arrangement. It will be in violation of their student visa conditions, and their visa may be cancelled
• seek prior approval from the University before changing their accommodation and welfare arrangements. Failure to comply with reasonable direction from the University about their accommodation, support and general welfare will be reported to the University
• inform and discuss issues or problems regarding their accommodation and welfare arrangements with Student Services
• if staying in on-campus accommodation:
  o attend regular catch-ups with Student Services. They must contact Student Services as soon as possible if they are unable to attend a regular catch-up. It will be rescheduled as soon as possible
  o seek approval or permission from their parents, legal guardians, homestay family (if applicable) and Student Services if they are staying overnight at another residence or travelling outside of your homestay’s/ on-campus accommodation’s locality.

If the student fails to comply with any of the above requirements, the University will report the student to DHA, and this may result in the cancellation of the student’s visa.
5. Process

5.1 Welfare and accommodation arrangements: students on homestay accommodation

5.1.1 As part of the Admissions Policy, Course and Careers Advisors will flag all underage students in the Student Records Management System. During application, an underage international applicant must complete and return the Accommodation and Welfare Plan, including supporting documents required.

5.1.2 The Admissions Team will confirm that the student’s parent (or legal guardian) signed the Written Agreement before processing any money received for the student.

5.1.3 Underage international students will be referred to Student Services to confirm welfare services and appropriate accommodation. Welfare services will be covered until they turn 18 for either:
- the entire length of the student’s student visa if the student is only studying at the University, or
- a period of time related to the student’s studies at the University if the student has a student visa to cover multiple courses at multiple providers, or
- until the student’s enrolment is suspended or cancelled by the University, or
- the student provides a Letter of Offer to Student Services confirming that the other provider will cover approval of accommodation and welfare arrangements, or
- the student departs permanently from Australia, or
- other suitable arrangements are made that satisfy DHA requirements, or
- the University can no longer approve the arrangements for the student and this is reported to DHA using the process in Step 5.1.9 below (National Code, Standards 5.3.6.2, 5.4).

5.1.4 The University will contact ISA to confirm welfare arrangements. Welfare services are to be provided by ISA according to the ISA and Torrens University Australia agreement.

5.1.5 Student Services will work with the student, their parent(s) (or legal guardian), and homestay provider to confirm the student’s accommodation arrangements.

5.1.6 AHN will visit the prospective homestay accommodation and report back to the University with their approval or any concerns they may have. AHN will provide services according to the Torrens University Australia Homestay Agreement.

5.1.7 Student Services will confirm the dates that the University will accept responsibility for approving the student’s accommodation, support and general welfare arrangements using the DHA pro forma letter available through PRISMS and send this to DHA (National Code 2018, Standard 5.1 a).

5.1.8 AHN will undertake all interviews of families and inspection of homestay accommodation to assess suitability before the student’s arrival in Australia, and at least every six months thereafter. AHN will report to the University the approval of accommodation and/or any concerns. At any time throughout the
student’s stay, AHN will notify the University if they no longer approve or have any concerns about the student’s living arrangements. AHN will also ensure that host families are subject to a Working with Children check.

5.1.9 If the student changes their accommodation arrangements or if the University no longer approves the arrangements, Student Service will advise DHA as soon as possible using the DHA pro forma letter available through PRISMS (National Code 2018, Standard 5.1.d)

5.1.10 The Campus Director (or delegated nominee) will log into the AHN and ISA online student management systems during the first week of every month to review the homestay and event log information for each of their underage international students. They will follow-up with AHN or ISA on any concerns they have and will record in the Student Records Management System each date of review of AHN or ISA records and any notes of conversations with AHN or ISA.

5.2 Welfare and accommodation arrangements: students on on-campus accommodation

If the underage student has to live on-campus, the guardian will be the Safety and Security Manager and/or their delegate. The University will ensure the suitability of the student’s on-campus accommodation and welfare arrangement prior to the commencement and for the duration of the arrangement.

5.2.1 As part of the Admissions Policy, Course and Careers Advisors will flag all students under the age of 18 in the Student Records Management System. During application, an underage international applicant must complete and return the Accommodation and Welfare Plan (including supporting documents required).

5.2.2 The Admissions Team will confirm that the Written Agreement is signed by the student’s parent(s) (or legal guardian) before processing any money received for the student.

5.2.3 Students under the age of 18 will be referred to Student Services to confirm welfare services and appropriate accommodation. Welfare services will be covered until they turn 18 for any of the circumstances listed in section 5.1.3.

5.2.4 A Student Services representative will work with the student and their parent(s) (or legal guardian) to confirm the student’s accommodation arrangements.

5.2.5 Student Services will confirm the dates when the University will accept responsibility for approving the student’s accommodation, support and general welfare arrangements using the DHA pro forma letter available through PRISMS and send this to DHA (National Code 2018, Standard 5.1.a).

5.2.6 A Student Services representative will conduct regular checks (two to three times every study period) of the student’s accommodation and catch-up with the student on a regular basis.
5.2.7 If the student changes their accommodation arrangements or if the University no longer approves the arrangements, Student Services will advise DHA as soon as possible using the DHA pro forma letter available through PRISMS (National Code 2018, Standards 5.3.6.2, 5.4).

5.2.8 Internet access
The Broadcasting Services Act 1992\(^1\) and other supporting legislation restrict internet services for individuals under 18 years old. This legislation prohibits the University from obtaining full internet access for underage students without written permission from a parent and/or guardian. A letter of confirmation must be obtained from the parent and/or legal guardian for underage student to obtain internet.

5.2.9 Notifying underage students’ parents and legal custodian
Where the University approved the accommodation and welfare arrangements of an underage international student, the Campus Director (or delegate) will ensure that:
- the student’s parents or legal custodian/s are aware of the role and location of their guardian in Australia, and
- regular contact is maintained between the guardian and the student’s parents or carers via email and/or as deemed necessary.

The University will inform the student’s parents or legal custodians of the guardian’s:
- full name, address, date of birth, contact details, occupation;
- expectations of the student
- planned activities or vacations for the student
- Working with Children Check.

5.3 Student’s medical condition
If an underage international student has medical conditions and/or allergies, the student must provide the following information at least one month before the start of the course:
- full medical report by the student’s current General Practitioner and/or healthcare provider
- the severity of the condition and the current measures that are taken to control it, and
- dates of recent episodes that have occurred.

Failure to provide the above information one month prior to the start of the course may delay the student’s commencement until the following study period.

\(^1\) More information about the Broadcasting Services Act 1992 (Cth) and other related legislation are available on the Australian Communications and Media Authority.
6. References


