

Overseas Students Under 18 Policy

Purpose

- (1) This document outlines the assessment and approval of welfare and accommodation arrangements for overseas students under the age of 18 who are studying at SIBT.
- (2) This policy should be read and understood in conjunction with SIBT policies and forms, including but not limited to the:
 - a. Admissions Policy
 - b. Transfer of Provider Policy
 - c. Refund Policy
 - d. Confirmation of Appropriate Accommodation and Welfare (CAAW) letter
 - e. Approval to Change Accommodation/Welfare Arrangements letter
 - f. Non-Approval of Appropriate Accommodation/Welfare Arrangements letter.

Definitions

- (3) For the purpose of this policy:
 - a. *HA*
Department of Home Affairs
 - b. *Package Offer*
An offer which includes more than one program.
 - c. *CAAW*
Confirmation of Appropriate Accommodation/Welfare Arrangements

Policy Statement

- (4) This policy outlines the general guidelines for accommodating, supporting and monitoring international students under 18 years of age who are studying at SIBT. This policy is designed to ensure compliance with Standard 5 of the Education Services for Overseas Students (ESOS) National Code 2018, and the Department of Home Affairs (HA) in relation to students under 18.
- (5) This policy applies to all international students undertaking Foundation or Diploma level studies at SIBT who are under 18 years of age. It does not apply to domestic students.
- (6) The policy comes into effect in Australia 14 days before the commencement of the SIBT program and remains in effect until the student turns 18 or for 7 days after the end date of the eCoE, whichever is earliest.

SIBT accepts the responsibility for approving the accommodation, support and general welfare arrangements for students under 18 as long as they will be 17 years of age when they proceed to the University for which they are packaged with.

Government Regulations

- (7) International students' study in Australia is regulated by Federal and State Government law, as well as industry codes to which SIBT subscribes.
- (8) Where students under the age of 18 are not being cared for in Australia by a parent or suitable nominated relative, registered providers ensure the arrangements made to protect the personal safety and social well-being of students are appropriate. Students who meet this criteria, are required to stay in accommodation approved by SIBT.
- (9) SIBT will accept responsibility for approving student's accommodation, support and general welfare arrangements from specified dates, calculated as follows: 14 days before the commencement of the student's program at SIBT and until the student turns 18 or for 7 days after the end date of the eCoE, whichever is earliest.
- (10) HA defines 'suitable' relative as a person who is:
 - a. a parent, spouse, de facto partner, grandparent, brother, sister, aunt, uncle, niece, nephew, or a step-parent, step brother, step-sister, step-aunt, step-uncle, step niece or step nephew; and
 - b. nominated by a parent of the applicant or a person who has custody of the applicant;
 - c. aged at least 21;
 - d. of good character and show this by providing a police clearance from the countries in which they have lived for more than 12 months in the past 10 years after the age of 16; and
 - e. an Australian citizen, permanent resident or be eligible to remain in Australia until the overseas student's visa expires or the overseas student turns 18 years of age (whichever happens first).

HA will assess the nominate arrangements according to the Migration Regulations 1994 and, if approved, the parent, legal custodian or eligible relative will be the international student's 'nominated guardian'. The registered provider is not involved and must not issue a CAAW letter.

SIBT Approved Care Arrangements

Accommodation

- (11) At the time of application, all international students who will be less than 17 years of age when they commence their studies, will be required to demonstrate to SIBT that they will be living with:
 - a. A HA approved 'nominated guardian'. Where a student elects to take up this option a 'Confirmation of Appropriate Accommodation/Welfare Arrangements' (CAAW) is not provided by SIBT.
- (12) At the time of application, all international students who will be between 17 and 18 years of age when they commence their studies, will be required to demonstrate to SIBT that they will be living with:
 - a. a parent or a person who has custody of them; or
 - b. a suitable relative aged at least 21 nominated by either the parent or the person having custody of them; or
 - c. a home-stay family that has been approved by SIBT.

Living with a parent, custodian or relative

- (13) If the student plans on living with a parent, custodian or suitable relative, a "Guardianship Form for Students Under 18" form must be returned to SIBT, completed and signed by the parent or custodian.

The relative that the student will be living with will be required by HA to provide evidence that they are of good character. Evidence required is a copy of their visa/passport (as proof of age and ability to reside in Australia); a copy of the student's birth certificate; and evidence of familial relationship.

Where a student elects to take up this option, a 'Confirmation of Appropriate Accommodation/Welfare Arrangements' (CAAW) is not provided by SIBT.

Living with an approved home-stay family

- (14) If the student will not be living with a parent, custodian or suitable relative, SIBT will accept responsibility for the accommodation, support and welfare of students between 17 and 18 years of age, and accommodate the student with an approved home stay family under the following conditions:
- a. The student must be accommodated with a home stay family that has been approved by SIBT and their packaged University (if they are going to be Under 18 at the commencement of their University degree);
 - b. The student's parent/legal guardian has agreed in writing by completing and returning the SIBT Guardianship Form;
 - c. The student must live in SIBT approved home stay accommodation (SIBT recognises the following organisations as providing appropriate accommodation, support and general welfare to students: Homestay Network; Auzzie Families and Global Experience) until 18 years of age or for 7 days after the end date of the student's CoE, whichever is earliest;
 - d. The student is required to register with the SIBT Student Advisor before or during Orientation week;
 - e. The student must be in home stay no later than the Monday of week 1;
 - f. The student must have written approval from the student's parents or legal guardian and SIBT in order to stay overnight at an address other than the address of the home stay family. Permission is granted at the discretion of SIBT;
 - g. Changes to the student's current enrolment and study plan will be considered and will require a written permission from the parent or legal guardian; and
 - h. Students returning home must provide evidence to SIBT of issue flight tickets to home country. Students must have written approval from SIBT and in some cases from the parent/guardian to travel to and from the airport.

All SIBT home stay families undergo a police clearance to ensure that the family is of good character.

SIBT will nominate the start and end dates of welfare responsibility and complete and sign the Confirmation of Appropriate Accommodation/Welfare Arrangements (CAAW) letter and provide a copy to the student. Students are not permitted to arrive in Australia before the nominated start date of the CAAW.

Changes to living arrangements

- (15) If a student in home stay wishes to change their living arrangements (other than to another home stay provider) after the Student Visa has been granted, they must apply to HA for approval. Students will be required to refer to HA and complete the necessary documentation for nomination of a student guardian.

Scheduling of classes and assessment

- (16) In some cases, classes and assessment may be scheduled at night. In cases where a student under 18 feels they may be vulnerable to a degree of risk by having to attend an evening class or assessment activity, they should contact a Student Advisor to make alternative arrangements.

Support and Monitoring Arrangements

- (17) Under student visa condition 8532, all international students under 18 years of age are required to attend an appointment with the Student Counsellor at least 5 times each session, or as requested, so that their welfare and academic progress can be monitored. These appointments allow students to identify and discuss problems they may be experiencing with their living arrangements, studies, health or any other personal issues.

SIBT may liaise with parents, person(s) who have custody, nominated relative or home-stay families regarding any issues that may be affecting the well-being of international students who are under 18 years of age.

Reporting of Non-Compliance with Conditions 8532

- (18) The student visa condition 8532 imposes an obligation on all international students under 18 to maintain accommodation, support and general welfare arrangements approved by HA or SIBT for the duration of their studies with SIBT or until they turn 18 years of age.
- (19) In the event that SIBT terminates, suspends or cancels the enrolment of a student, SIBT will continue to check suitability of care arrangements until:
- the international student has alternative welfare arrangements approved by another registered provider; or
 - the international student has a nominated guardian approved by HA; or
 - the international student leaves Australia; or
 - the registered provider has notified HA through PRISMS that it is no longer able to approve the international student's welfare arrangements; or
 - the registered provider has taken the required action under Standard 5.5 after not being able to contact the international student; or
 - the international student turns 18.

Terminating welfare arrangements

- (20) SIBT's responsibility for welfare arrangements can only be terminated in two circumstances.

The first is if alternative welfare arrangements have been put in place. In this circumstance, SIBT will confirm that the new welfare arrangements are formally in place before terminating the CAAW.

The second circumstance where a SIBT may terminate a CAAW is where they can no longer take responsibility for the international student due to events, such as:

- the international student refusing their accommodation or leaving their accommodation without notice, even after SIBT has exhausted all possible avenues of assisting the international student to maintain appropriate arrangements;
- the homestay/accommodation provider becoming unable to maintain arrangements;
- the international student's enrolment being suspended or cancelled;
- the international student going missing from their accommodation and cannot be found or contacted, even after the SIBT has implemented its critical incident policy.

In the above situations, SIBT will report the international student within 24 hours using the 'Non-Approval of Appropriate Accommodation/Welfare Arrangements' letter through PRISMS.



SIBT make all reasonable efforts to ensure the international overseas student's parents or legal custodians are notified immediately if SIBT can no longer take responsibility for the international overseas student's welfare.

After an international student turns 18 SIBT's CAAW responsibility for an international student under the age of 18 will cease when the international student turns 18. In addition, the requirements of Standard 5 will no longer apply at this point.

Students on a Package Offer

(21) Under 18 students will only be accepted if the partner institute accepts students Under 18.

The SIBT Admission Team is responsible for determining whether a student will turn 17 by the completion of the SIBT program. In cases where a student will not have turned 17, SIBT will inform the parents in writing of the Partner Institute Policy prior to accepting the student.

SIBT will not take responsibility for the student beyond the end date specified on the SIBT eCoE.

Amendment History

Department:	Student Services	
Approval Authority:	SMT	
Approval Date:	1/6/2018	
Date for Next Review:	1/6/2021	
Revision Date	Version	Summary of changes
13/05/2010	1	Formatted to new template
15/11/2013	2	Updated Reference from DIAC to DIBP
10/03/2016	3	Updated. Endorsed and approved by SMT.
10/02/2017	4	Updated to allow for packaged offers
20/4/2017	5	Updated to allow for WSU policy and packaged students
1/6/2018	6	Updated and Reviewed