

## Under 18 International Student Policy and Procedures

<b>Approving authority</b>	Academic Committee
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<b>Advisor</b>	Degree students - Associate Director (International Administration)   Griffith International <a href="mailto:b.long@griffith.edu.au">b.long@griffith.edu.au</a>   (07) 555 29259 English language students – Director, Griffith English Language Institute (GELI) <a href="mailto:k.sutcliffe@griffith.edu.au">k.sutcliffe@griffith.edu.au</a>   (07) 555 27590
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<b>Description</b>	This policy describes the conditions under which the University will accept responsibility for the welfare and support of international students under 18 years of age, and the monitoring and reporting processes associated with these arrangements.

### Related documents

[National Code of Practice for Providers of Education and Training to Overseas Students 2018, Part B, Standard 5](#)

[Migration Regulations 1994](#)

[Child Protection Act 1999](#)

[Working with Children \(Risk Management and Screening\) Act 2000](#)

[Griffith Accommodation Homestay](#)

[Homestay Policy](#)

[Student Misconduct Policy](#)

[Student Review and Appeals Policy](#)

[Student Review and Appeals Procedure](#)

[Student Critical Incident Management Policy](#)

[Student Critical Incident Management Procedures](#)

[Review of Decision Form](#)

[Student Charter](#)

Griffith International Under 18 Agreement

International Under 18 Overnight Accommodation Consent Form

[International Student Provider Transfer Request Policy and Procedure](#)

[Application Form High School Preparation \(HSP\)](#)

GELI Travel Request form

GI Travel Request form

[\[Legislative Requirements\]](#) [\[Accommodation, Welfare and Support Provision\]](#) [\[Procedure\]](#) [\[Withdrawal of Accommodation, Welfare and Support\]](#)

## 1. LEGISLATIVE REQUIREMENTS

- 1.1 The University in enrolling international students under the age of 18 must meet Commonwealth and State legal requirements relating to child welfare and protection:

- *Migration Regulations 1994 (Cwlth)* require international student visa applicants to have suitable arrangements for accommodation, support and welfare if under 18 years of age (student visa condition 8532).
  - The *Child Protection Act 1999 (Qld)* is the statutory framework for the protection of children in Queensland and the University in enrolling a student who is under the age of 18, commits to the main principle of the Act that the safety, wellbeing and best interests of a child are paramount.
  - *Working with Children (Risk Management and Screening) Act 2000 (Qld)* requires people seeking work with children in a paid, voluntary or self-employed capacity to undergo a criminal history check - the 'working with children check'.
- 1.2 The Department of Home Affairs (HA) will issue a student visa if one of the following welfare arrangements has been made for the student:
- a) Nominated guardian approved by HA:
    - (i) Under 18 student is to live in Australia with their parent or legal custodian as the nominated guardian,
    - (ii) Under 18 student is to live in Australia with an eligible relative over 21 years of age who is nominated by their parent or legal custodian as the nominated guardian, or
  - b) Griffith University approved welfare arrangement.

HA requires a relative who is the nominated guardian to be aged over 21 years of age, be of good character and be eligible to remain in Australia until the applicant's visa expires or they turn 18. A relative is defined by HA as a spouse, de facto partner, brother, sister, stepbrother, stepsister, step-parent, grandparent, step-grandparent, aunt, uncle, step-aunt, step-uncle, niece, nephew, step-niece or step-nephew. Any changes to these definitions will be detailed on the HA [website](#).

- 1.3 The approved welfare arrangements must be maintained while the student remains under the age of 18 as a student visa condition. If the 'nominated guardian' leaves Australia HA must approve alternate welfare arrangements of a replacement 'nominated guardian' or Griffith University approved welfare arrangement.

- 1.4 The National Code of Practice Standard 5 - Younger Overseas Students, sets the framework for the University's obligations where responsibility is accepted for the accommodation, support and general welfare of international students under 18 years of age.

The University is required to:

- a) nominate the dates for which responsibility is accepted for approving the student's accommodation, support and general welfare arrangements;
- b) advise HA in writing of the approval and approved dates using the specified PRISMS pro forma letter;
- c) ensure any adults involved in or providing accommodation and welfare arrangements to the student have a current working with children check;
- d) have and implement documented procedures for checking the suitability of the student's accommodation, support and general welfare arrangements;
- e) ensure accommodation, support and general welfare arrangements are appropriate to the student's age and needs both prior to the accommodation being approved and at least every six months thereafter;
- f) have and implement the process for managing emergency situations and when welfare arrangements are disrupted for students under 18 years of age;
- g) maintain up-to-date records of the student's contact details, including contact details of the student's parent(s), legal guardian or any adult responsible for the student's welfare;
- h) advise HA of any change in these living arrangements; and
- i) continue welfare responsibility where a student's enrolment is terminated, suspended, or cancelled, until:

- the student is accepted by another registered provider who takes responsibility for the accommodation, support and student welfare;
  - care of the student by a nominated guardian is approved by HA;
  - the student leaves Australia; or
  - the University reports to HA, that it can no longer approve the student's welfare arrangements or it has taken the required action after not being able to contact the student.
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## **2. ACCOMMODATION, WELFARE AND SUPPORT PROVISION**

### **2.1 All Students**

Griffith University will accept responsibility for the accommodation, welfare and support of international students commencing their programs under the following conditions:

- a) the student is under 18 years of age and is enrolled at the University;
- b) the student's parent/legal custodian has agreed in writing to the University accepting responsibility for their son or daughter's welfare by completing and signing the Griffith International Under 18 Agreement;
- c) the student is to live in University approved accommodation until 18 years of age and not change that accommodation unless written agreement is obtained from the parent/legal guardian and the University.
- d) the student is to be met on arrival at the Brisbane or Gold Coast airport by a University approved representative or the University approved homestay provider;
- e) the student commences their stay in the University approved accommodation immediately upon arrival;
- f) the student is not to stay overnight from the University approved accommodation address without written approval from the student's parent or legal custodian and the University;
- g) the student cannot transfer between University approved accommodation without written agreement from the parent/legal guardian; and
- h) the student must act responsibly and not partake in risk-taking behaviour.

### **2.2 Degree Students**

- (a) the student is at least 17 years of age;
- (b) the student must attend orientation, and meet with an International Student Advisor (ISA) in the first week after their arrival in Australia;
- (c) the student must meet with an ISA to discuss academic progress every two weeks and at the end of trimester, or upon turning 18, whichever comes first.

### **2.3 GELI Students**

- (a) the English language student is at least 17 years of age;
  - (b) the High School Preparation (HSP) student is above 12 years of age;
  - (c) the HSP student must live in University approved homestay accommodation until the end of their welfare dates and not change that accommodation unless written agreement is obtained from the parent/legal guardian and the University;
  - (d) the student must meet with a GELI Student Advisor, Student Administration Manager or the Student Welfare Manager every two weeks and at the end of their program to discuss their academic pathway.
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### **3. PROCEDURE**

#### **3.1 University approved accommodation**

Campus Life is responsible for evaluating the suitability of homestay provider applications and selecting all University approved accommodation prior to an under 18 year student residing in that accommodation and at least every six months where an under 18 years student remains in that accommodation (with the exception of the GELI HSP students who are under the homestay arrangements of an external GELI approved provider). Campus Life provides documentation and training for approved accommodation providers housing under 18 students.

#### **3.2 Identification**

An applicant is identified as under 18 years of age during the admissions process. An offer of admission will be conditional upon submission of a completed and signed Griffith International Under 18 Student Agreement signed by the student and their parent(s)/legal guardian(s).

For GELI HSP students, the offer will be conditional upon receiving the signed HSP application/Under 18 Student Agreement form signed by the students and their parent(s)/legal guardian(s).

If the student will be cared for by a relative, as defined by HA, the University will require satisfactory evidence of the relationship (e.g. birth and/or marriage certificate).

#### **3.3 Acceptance and Nominated Welfare Dates**

If the applicant and their parent/legal guardian request the University to provide accommodation, support and welfare arrangements, the applicant must provide Griffith International with evidence of booking University approved accommodation until the student turns 18 years of age, or finishes their program/s, whichever is the earliest.

For GELI HSP students, the applicant must remain in a Griffith approved homestay until the end of their welfare dates.

Upon student submission of completed documentation the University nominates the start and end dates of welfare responsibility by completing and signing the Confirmation of Appropriate Accommodation/Welfare Arrangements (CAAW) letter generated from PRISMS. The student visa start and end dates will correspond with the dates in this letter, except if the student turns 18 during studies, when the standard visa end date will apply. The University will provide the student with a signed CAAW letter and CoE to include with their student visa application. The student cannot arrive in Australia before the nominated start date of the CAAW.

Where a student has a package arrangement of offers with multiple providers, each provider must complete the CAAW with nominated start and end dates. Any gap in welfare arrangements will result in the student visa only being granted for the period of continuous care arrangements. Students under 18 cannot remain in Australia unless the student is able to provide confirmation of acceptable welfare arrangements as stated in [1.2 above](#).

For degree and pathway students, the nominated start date on the CAAW will be 15 days prior to the start date of teaching for the trimester of admission. The end date on the CAAW will be the date the student turns 18 years of age, or the end date of the CoE plus seven days, whichever is the earliest.

For GELI HSP students, the nominated start date of the CAAW will be 2 days prior to the HSP orientation date. The end date on the CAAW will be the date prior to the day on which the High School CAAW commences.

For students on a 'package offer' with Griffith the nominated start date on the CAAW will be negotiated between the two providers to ensure no gap in care.

#### **3.4 Arrival and Orientation**

Campus Life advises Griffith International and/or GELI on the arrival details of all under 18 students (with the exception of the GELI HSP students who are under the homestay arrangements of an external GELI approved provider).

All students are met at the Domestic or International airport in Brisbane or at the Gold Coast by an approved University representative.

The Manager, Student Experience allocates each under 18 student to an International Student Advisor (ISA).

During the orientation process the student will be provided with:

- details of their appointed ISA and process to arrange the initial meeting;
- contact details of a nominated staff member and/or service provider of the University for emergency situations and after hours;
- information on how to seek assistance and report any incident or allegation involving actual or alleged sexual, physical or other abuse;
- welfare support including physical and psychological support;
- information about the University's roles and responsibilities and the student's roles and responsibilities;
- curfew times and the process if curfew is missed;
- compulsory orientation activities for international students;
- enrolment and academic support; and
- information regarding homestay requirements as applicable.

### **3.5 Monitoring**

#### **3.5.1 Monitoring Degree students**

Each International Student Advisor (ISA) is to monitor the welfare of their allocated under 18 international student, and liaise with Campus Life in relation to student arrival details. Where applicable, Campus Life sends an introductory letter to the homestay family and coordinates the arrival of the student.

The student is to meet with the ISA within one week of arrival and every two weeks thereafter, unless it is deemed that more regular visits are required. The student is to discuss academic progress with the ISA at the end of trimester or upon turning 18, whichever comes first.

These meeting must occur until:

- the student turns 18 years of age, or
- the student leaves Australia, or
- another registered provider accepts responsibility for accommodation, support or welfare, or
- the student's parent, relative or legal custodian accepts responsibility in accordance with HA regulations, or
- the University ceases provision of or is unable to continue to approve the welfare arrangements as advised to HA. In such circumstances the University is to make all reasonable efforts to ensure the student's parents or legal guardians are notified immediately.

#### **3.5.2 Monitoring GELI and HSP students**

The GELI Student Advisor, Student Administration Manager and the Student Welfare Manager will monitor the under 18 year old student until the end of the welfare dates.

### **3.6 Critical Incidents**

All Griffith staff, homestay and other approved accommodation providers must report all critical incidents involving an international student under the age of 18 to the Vice President (Global) or delegate, while ensuring at all times there are appropriate ongoing welfare arrangements in place.

The Student Critical Incident Management Policy and the Student Critical Incident Management Procedures outline the reporting requirements and the process for managing a student critical incident.

### **3.7 Transfer Provider Institution**

#### **3.7.1 Transfer to another registered provider**

An under 18 student seeking to transfer to another CRICOS registered provider must:

- complete the Letter of Release Request Form; and
- obtain parental/legal custodian approval; and
- provide the approval of the other provider if they are taking responsibility for the student's accommodation, welfare and support arrangements.

If the student is sponsored, the sponsor must also provide their written approval.

The University is to liaise with the prospective provider to ensure there is no gap in welfare arrangements and advise the student of their visa obligations in relation to maintaining welfare arrangements throughout the transfer period.

The University will complete the required pro forma as required by HA on PRISMS.

Refer to the International Student Provider Transfer Request Policy and Procedure.

#### **3.7.2 Transfer from another registered provider**

Where an under 18 student is seeking to transfer to Griffith from another CRICOS registered provider the University must:

- negotiate the transfer date for welfare arrangements with the releasing registered provider to ensure there is no gap; and
- inform the student of their visa obligations to maintain their current welfare arrangements until the transfer date; or
- have alternate welfare arrangements approved; or
- return to their home country until the new approved welfare arrangements take effect to ensure there is no gap.

The University will complete the required pro forma as required by HA on PRISMS. Refer to the International Student Provider Transfer Request Policy and Procedure.

### **3.8 Non Homestay or Non University Approved Overnight Accommodation**

#### **3.8.1 Degree Students**

Under 18 students who wish to stay overnight at an address other than their approved University accommodation address, must submit an International Under 18 Overnight Accommodation Consent Form to their ISA, which has been signed by their homestay parent (if applicable), and parent/legal guardian approving such accommodation. This form must also be approved by the Associate Director, International Administration.

#### **3.8.2 GELI Students**

GELI and HSP under 18 students who wish to stay overnight at an address other than their approved homestay address, must meet with the GELI Student Advisor, Student Administration Manager or Student Welfare Manager and submit the Under 18 Overnight Accommodation Request form, which has been signed by their homestay parent and parent/legal guardian approving such accommodation. This form must also be approved by the Director, GELI (or nominee).

Students requesting to apply for a holiday must apply in writing on the GELI Travel Request form, available at the GELI Student Centre.

### **3.9 Missing Students**

In the event that an Under 18 student is missing from approved accommodation and cannot be contacted, the Student Critical Incident Management Policy and Student Critical Incident Management Procedures are to be implemented.

In the case where a student cannot be contacted, the University must make all reasonable efforts to locate the student, including notifying the police, as soon as practicable.

If the student has not been found the University must complete a Non Approval of Appropriate Accommodation/ Welfare Arrangements letter on PRISMS as soon as practicable.

For GELI and HSP students, the Student Administration Manager and the Student Welfare Manager will also liaise with the agent and parents regarding any action to be taken.

### **3.10 Student Leaves Australia**

An under 18 student planning to leave Australia is to advise the ISA who will inform and provide flight details to the student's parent/legal guardian and the University approved accommodation provider. The ISA is to ensure that the student is escorted to the airport by a Griffith University representative, PRISMS is updated as required, and that HA is advised.

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## **4. WITHDRAWAL OF ACCOMMODATION, WELFARE AND SUPPORT**

### **4.1 Grounds for Withdrawing Accommodation, Welfare and Support**

All reasonable efforts are to be made by the University to assist under 18 students with difficulties impacting their welfare arrangements. University approval for accommodation, welfare and support will be withdrawn on the basis of one or more of the following grounds:

- a student refuses to observe reasonable standards of behaviour as outlined in the Student Charter, Student Misconduct Policy, and Homestay Policy;
- the student refuses to maintain University approved accommodation arrangements;
- the student stays overnight at an address other than the University approved accommodation address, without parental/legal guardian and University approval;
- the student's enrolment is cancelled by the University.

The student is to be notified in writing of the grounds for intended withdrawal of University supported welfare arrangements by the Associate Director, International Administration (for Degree students) or the Director, GELI (for GELI students). A copy will be forwarded to the student's parent/legal custodian.

### **4.2 Review of Decision to Withdraw Accommodation, Welfare and Support**

For GELI HSP students the decision to withdraw accommodation, welfare and support by the Director, GELI is final and non-reviewable.

For Degree students and GELI English Language students the decision to withdraw accommodation, welfare and support is reviewable. The affected student may apply to the Vice President (Global) for a review of the decision within 10 working days of notification of the decision if after informally contacting the original decision-maker for an explanation, the student remains dissatisfied. The application for review is to be made using the *Review of a Decision form* in accordance with the University's *Student Review and Appeals Policy and Student Review and Appeals Procedures*. The decision of the Vice President (Global) is final.

If the review outcome is unsuccessful, or the application for review is not received within 10 working days of notification of the decision, the student's parent/legal custodian will be notified that the University is withdrawing approval for accommodation, support and welfare arrangements. Alternative welfare arrangements for the student in accordance with 1.2 above will be requested.

Where the ground for University withdrawal of support is due to the student refusing to maintain University approved accommodation arrangements, the University will complete the Non Approval of Appropriate Accommodation/Welfare Arrangements letter on PRISMS. Provision of this letter signifies a breach of student visa condition 8532 and is likely to result in visa cancellation.

Where the parent/legal custodian or alternative provider has provided written confirmation that they will be accepting responsibility for the student, the PRISMS Approval to Change Accommodation/Welfare Arrangements letter will be completed.