

Management of Underage Students Policy

Section 1 - Background and Purpose

(1) This Policy establishes the framework for dealing with students under eighteen years of age. In the case of international students, this includes processing applications and ongoing management after acceptance. The University acknowledges its responsibilities to underage international students to ensure that appropriate welfare and accommodation arrangements are in place to protect the personal safety and well-being.

Section 2 - Scope

(2) Applies to:

- a. all campuses;
- b. all programs;
- c. all students under the age of eighteen years;
- d. all staff involved with the management of students under the age of eighteen years.

Section 3 - Policy Statement

(3) This Policy applies to students under the age of 18 in any program offered by La Trobe University.

(4) For underage international students, the [ESOS National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018](#) sets certain legal obligations in respect of international students under the age of 18 on student visas. These are explained in the Procedures.

(5) For underage international students covered by a Confirmation of Appropriate Accommodation and Welfare (CAAW) form, the University will ensure that appropriate arrangements are established and monitored with relation to their accommodation, support and academic and social welfare.

Section 4 - Procedures

Preamble

(6) This Procedure ensures appropriate accommodation and welfare arrangements are made for the period that an incoming international student will be under 18 years of age whilst holding a student visa, to comply with the [National Code 2018](#) Section 5 and visa condition 8532, and to protect the personal safety and social wellbeing of the student.

General

(7) This Procedure applies to all underage international students who are holding a student visa and enrolled at La Trobe University.

Setting up Appropriate Accommodation/Welfare Arrangements

(8) International students under 18 years of age seeking a student visa must have appropriate accommodation, support and general welfare arrangements in place until they turn 18. The student visa will be granted if the underage student resides with one of the following arrangements:

- a. option 1: approved parent/legal custodian or suitable relative by [DIBP](#):
 - i. lives with a parent/legal custodian; or
 - ii. lives with a suitable relative who is over 21 years of age and of good character:
 - suitable relatives (for student visa purposes) include a grandparent, brother, sister, aunt, uncle, niece, nephew, step-grandparent, step-brother, step-sister, step-aunt, step-uncle, step-niece, or step-nephew;
 - the prospective student must lodge the "Nomination of a Student Guardian" form (157N) available on the [DIBP](#) website (www.border.gov.au) to [DIBP](#). A Confirmation of Appropriate Accommodation and Welfare (CAAW) form is not issued by the University for this option.
- b. Option 2: Approved Care and Homestay Provision set up by La Trobe University:
 - i. If the student does not have an eligible relative in Australia, the student can have their welfare and accommodation arrangements approved by La Trobe University. Underage international students must reside in homestay accommodation arranged by La Trobe University's approved homestay provider, which is:

Australian Homestay Network (AHN)
28 Fairlie Avenue
MacLeod VIC 3085
Tel. 61 3 9435 6621
Fax: 61 3 9435 4078
Email: tcn@homestaynetwork.org
www.homestaynetwork.org

- ii. The student's parents/legal custodian must also use La Trobe University's approved welfare agency for the care of an underage student, which is:

International Student Alliance (Guardian & Welfare Service)
PO Box 87
Chirnside Park Vic 3116
Phone: +61 3 9777 0098
Fax: +61 3 8678 1317
Email: info@studentguardians.com
Website: www.studentguardians.com

Duration of Accommodation/Welfare Arrangements

(9) The care arrangements must be in place for the entire period until the student turns 18, including any period of non-enrolment such as University holidays and/or up to 21 days before the commencement of class. La Trobe University will provide the student with a signed CAAW form and eCOE to include in their student visa application.

Assessment of Application and Acceptance

(10) Recruitment & International Operations (R&IO) Admissions staff will identify an applicant who is under the age of 18 years. A Letter of Offer must include the condition that the student will be required to complete an Underage

International Student Welfare and Accommodation Arrangements form prior to accepting. This form is sent to an agent or the parents of the underage student with a Letter of Offer.

(11) Option 1: If the student chooses to reside with a DIBP approved parent/ legal custodian/ suitable relative, the student will submit an Underage International Student Welfare and Accommodation Arrangements form to Admissions, marking Option 1 as their care option. The student will need to provide evidence of relationship (e.g. birth certificate, family card). Upon receiving these documents, R&IO Admissions staff will then issue an e-COE to the student.

(12) In the case where DIBP rejects the student visa application due to unsatisfactory guardianship arrangements, students will need to choose to Option 2.

(13) Option 2: The student chooses to have their welfare arrangements approved by La Trobe University. To receive approval from La Trobe University students must reside in homestay accommodation through LTU's approved homestay provider and receive care from LTU's approved welfare agency.

(14) R&IO Admissions staff will receive a completed Underage International Student Welfare and Accommodation Arrangements form indicating Option 2, accompanied with evidence of engagement with a welfare agency and homestay provider covering the period of the student visa, beginning from their date of arrival, (not more than 21 days before commencement of class), until the time they turn 18 years of age or complete their studies, whichever comes first.

(15) The approved Underage Student Welfare condition will have been met once a CAAW form has been signed by the Pro Vice-Chancellor (International).

Document Storage

(16) All the forms will be physically placed on the student's file and saved electronically in ISIS and TRIM.

Nominated Welfare Dates

(17) The nominated start date on the CAAW where La Trobe University will take responsibility for the student's welfare will be up to 21 days prior to the start date of the semester. For a student still covered from a previous welfare arrangement with another provider (eg La Trobe Melbourne) within the 21 days of commencement of class, La Trobe University will take over welfare of the student the day following the completion of their original arrangement.

(18) The end date on the CAAW will be the date the student turns 18 years of age or the end date of the eCOE plus 7 days, whichever comes first.

Welfare Provision Details

(19) La Trobe University accepts responsibility for the welfare and accommodation arrangements for underage international students under the following conditions until the student turns 18 years of age or the end date of the eCOE plus 7 days, whichever comes first:

- a. the student must live in the approved homestay accommodation until 18 years of age and not change the accommodation without prior approval in writing from their parent/ legal custodian and the University;
- b. the student must be under the care and supervision of La Trobe University's approved welfare agency;
- c. the student must use the University's airport reception service and therefore be met at the arrival point in Australia by a University representative and dropped off at their arranged homestay accommodation;
- d. the student must attend orientation and meet with the LTI International Student Services (ISS) Coordinator within five (5) working days after their arrival in Australia;
- e. the student must meet with the R&IO ISS Coordinator, at least once every month; and

- f. the student will not take any excursion or stay overnight away from their approved homestay accommodation without written approval from their homestay host and their caregiver.

Consequences of Enrolment Termination, Suspension, Cancellation

(20) If the student's enrolment is terminated, suspended or cancelled, La Trobe University must continue to check the suitability of arrangements for the underage student until:

- a. the acceptance of the student by another registered provider who takes over the responsibility of the accommodation, support and welfare arrangements of the student is confirmed;
- b. the student leaves Australia;
- c. other suitable arrangements are made satisfying the Migration Regulations; or
- d. La Trobe University reports under Standard 5.1.d (National Code of Practice) that it can no longer approve the arrangements for the student.

Multiple Course Visa Holders

(21) For students with a multiple-course visa, La Trobe University is responsible for approving arrangements for accommodation, support and general welfare for the nominated period the students will be studying at La Trobe University until the time they turn 18 years of age or complete their studies, whichever comes first.

University Responsibilities Under the Migration Act

(22) Under the [Migration Regulations 1994](#) ([Migration Act 1958](#)), La Trobe University must:

- a. nominate the date they accept responsibility for approving the student's accommodation, support and general welfare arrangements using the specified PRISMS pro forma letter;
- b. advise DIBP in writing of the approval using the specified PRISMS proforma letter;
- c. have documented procedures for checking the student's accommodation, support and general welfare arrangements; and
- d. advise DIBP as soon as possible in the event that the underage student has changed his or her living arrangements or the University no longer approves of the arrangements for the student using the DIBP pro forma letter available through PRISMS.

Monitoring the Underage International Students

(23) The R&IO ISS Coordinator has the role and responsibility of monitoring a student's welfare. This requires (but is not limited to) that the University:

- a. maintain a database/s which records details of all underage students;
- b. convene monthly one-on-one meetings with all underage international students until the student turns 18 years of age or the University ceases provision of welfare support as advised to DIBP;
- c. ensure that contact details for underage students are correct and current and that all fields in the database/s are correctly maintained;
- d. initiate prompt follow up with underage students who do not attend scheduled meetings;
- e. intervene and provide support services and assistance to underage students in need of assistance;
- f. maintain records of all contacts, issues and support provided to underage students;
- g. advise via PRISMS of an inability to contact an underage student and verify their location or their welfare.

Monitoring the Approved Homestay Provider and Welfare Agency

(24) The R&IO ISS Coordinator has the role and responsibility of monitoring the services provided by the University's approved homestay provider and welfare agency. This requires (but is not limited to) that the University:

- a. conduct an accommodation inspection to confirm the homestay host meets the University's criteria in hosting the Underage International students;
- b. maintain contact with all caregivers of underage students on monthly basis;
- c. require the homestay host and caregiver to inform the University of any significant changes to the student's welfare and accommodation arrangements;
- d. review homestay provider and welfare agency s' individual student reports on a fortnightly basis and take further action where required;
- e. review and act upon feedback from underage students regarding any issues with their homestay hosts and caregivers through monthly meetings with students or through satisfaction surveys;
- f. conduct an annual review of welfare agency; and
- g. where appropriate, visit the accommodation (the arrangement to be approved by AHN) to ensure the accommodation meets the standards as in the agreement.

Excursion and Non Homestay Overnight Accommodation

(25) An underage international student who wishes to take an excursion or stay overnight at an address other than their approved homestay accommodation, must obtain approval from their caregivers and inform their homestay hosts and the LTI ISS Coordinator.

Non Approval of Appropriate Accommodation/Welfare Arrangements

(26) The University may withdraw the approval for accommodation, welfare and support of underage students and report this decision to DIBP via PRISMS on the following grounds:

- a. the student refuses to maintain University approved homestay or welfare arrangements;
- b. the student takes an excursion or stays overnight at an address other than the approved homestay address without their homestay host and caregiver's approval;
- c. the student's enrolment is suspended or cancelled by the University; or
- d. the student has gone missing, the University's international student critical incident policy and procedures have been implemented and the student has not been found after a reasonable period.

(27) By notifying DIAC using 'Non-Approval of Appropriate Accommodation/ Welfare Arrangements' letter, the University is reporting a breach of student visa condition 8532. This may result in cancellation of the student's visa.

Critical Incidents

(28) If the underage student is involved in a critical incident, the University will implement its documented critical incident policy for international students. Examples of a critical incident include:

- a. a student missing from their approved accommodation or unable to be located;
- b. death or serious injury where the student requires medical assistance; or
- c. student's involvement in some behavioural issues such as domestic violence, physical or psychological abuse.

(29) In some cases, the University must complete a Non-Approval of Appropriate Accommodation/ Welfare Arrangements letter via PRISMS.

Section 5 - Definitions

(30) For the purpose of this Policy and Procedure:

- a. AHN: Australian Homestay Network;
- b. CAAW: Confirmation of Appropriate Accommodation and Welfare form;
- c. COE: Confirmation of Enrolment form, a document registered with DIISRTE and DIAC to confirm an international student's acceptance into a course for a specified duration;
- d. DIISRTE: Department of Industry, Innovation, Science, Research and Tertiary Education;
- e. DIBP: Department of Immigration and Border Protection;
- f. eCOE: electronic Confirmation of Enrolment form, a document registered with DIISRTE and DIBP to confirm an international student's acceptance into a course for a specified duration. Suitable relative (for overseas student visa purposes): Any of grandparent, brother, sister, aunt, uncle, niece, nephew, step-grandparent, step-brother, step-sister, step-aunt, step-uncle, step-niece, or step-nephew. A 'suitable relative' must be at least twenty one years of age and of good character;
- g. homestay hosts: A family in Australia who provide accommodation to international students as approved by Australian Homestay Network (AHN);
- h. ISS Coordinator: La Trobe International International Student Services Coordinator who monitors underage students' welfare;
- i. PRISMS: Provider Registration and International Students Management System which is jointly managed by DIBP and DIISRTE;
- j. Underage Students: Students who are under the age of 18 years;
- k. Welfare agency: A service provider responsible for providing care giving services for underage students.

Status and Details

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