

UNDER 18 INTERNATIONAL STUDENTS POLICY 2016

The Deputy Vice-Chancellor (Registrar) as delegate of the Senate of the University of Sydney, adopts the following policy.

Dated: 6 June 2016

Last amended: 4 May 2018

24 March 2019 (administrative amendments only)

Signature:

Position: Deputy Vice-Chancellor (Registrar)

CONTENTS

1	Name of Policy	1
2	Commencement	1
3	Policy is binding.....	1
4	Statement of intent	2
5	Application.....	2
6	Definitions.....	2
7	Enrolment of international students under 18 years of age	3
8	Checking and monitoring the suitability of arrangements	3
9	Required agreements	4
10	Termination, suspension and cancellation of enrolment.....	5
11	Compliance reviews	5

1 Name of policy

This is the Under 18 International Students Policy 2016.

2 Commencement

This policy commences on 1 July 2016

3 Policy is binding

Except to the extent that a contrary intention is expressed, this policy binds the University, staff, students and affiliates.

4 Statement of intent

This policy:

- (a) provides for appropriate accommodation, support and welfare arrangements for international students who are under 18 years of age; and
- (b) meets the requirements of [Part D, Standard 5 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students](#).

5 Application

This policy applies to international students who are under 18 years of age at the commencement date, until they turn 18 or cease to be a student of the University.

6 Definitions

In this policy:

accommodation provider	means a person or organisation that is responsible for providing a student's accommodation during the approval period.
approval period	has the meaning given to it by subclause 9(1).
commencement date	means the date on which: <ul style="list-style-type: none">• a student arrives in Australia to attend their course for the first time; or• the University assumes responsibility for the accommodation, support and welfare arrangements of a student who is already residing in Australia.
delegate	has the meaning given in the University of Sydney (Delegations of Authority- Administrative Functions) Rule 2016 . At the date of this policy, that is: an employee, member or Committee of Senate, or any other person or entity to whom or to which a delegation has been made by Senate
Department	means the Commonwealth Department of Home Affairs.
international student	means a student who is not : <ul style="list-style-type: none">• an Australian citizen;• a permanent resident of Australia; or• a New Zealand citizen;

and who is:

- a temporary student visa holder.

legal custodian means a parent, step-parent, adoptive parent, or any other person who has been granted custody of the student under Australian or foreign law.

relative means a grandparent, brother, sister, aunt, uncle, niece or nephew, or a step grandparent, brother, sister, aunt, uncle, niece or nephew.

student means an international student who is:

- enrolled in an award course of the University;
- enrolled in a non-award course of the University; or
- enrolled in a course offered by any other entity operating under the University's CRICOS Provider Code 0026A.

welfare provider means a person or organisation that is responsible for providing a student's support and welfare during the approval period.

7 Enrolment of international students under 18 years of age

- (1) The University will only enrol international students who are under 18 years of age at their commencement date if the relevant delegate is satisfied that:
 - (a) the student will live in Australia with a parent or legal custodian;
 - (b) the student will live in Australia with a relative over 21 years of age and of good character, who has been nominated by a parent or legal custodian and approved by the Department; or
 - (c) the student will live in Australia under accommodation, support and welfare arrangements that have been approved by the University.
- (2) The University will not enrol international students who are under 16 years of age at their commencement date course under any circumstances.

8 Checking and monitoring the suitability of arrangements

- (1) The Deputy Vice-Chancellor (Education) will determine and publish procedures that:
 - (a) specify the University's requirements for students to whom subclause 7(1)(c) applies; and
 - (b) provide for appropriate monitoring and checking that such requirements are met.

Note: See the [Under 18 International Students Procedures 2016](#)

- (2) The relevant delegate will only approve the enrolment of students to whom paragraph 7(1)(c) applies consistently with those procedures.

- (3) Approved accommodation, support and welfare arrangements must:
 - (a) begin at least seven days prior to the student's commencement date; and
 - (b) remain in place:
 - (i) for the duration of the student's enrolment, plus seven days; or
 - (ii) until the student turns 18 ("the **approval period**").
- (4) Students must not travel to Australia before the commencement of the approval period.
- (5) Students must not change their accommodation, support or welfare arrangements during the approval period, without the written approval of:
 - (a) the relevant delegate; and
 - (b) their parent or legal guardian, or their welfare provider.

9 Required agreements

- (1) If a student requires University approved accommodation, support and welfare arrangements as referred to in subclause 7(1)(c), the student and their parent or legal custodian must enter into and provide evidence of the following agreements:
 - (a) a binding agreement with the student's accommodation provider; and
 - (b) a binding agreement with the student's welfare provider;on or before the date of accepting the offer of admission to the course.
- (2) If a student requires University approved accommodation, support and welfare arrangements as referred to in subclause 7(1)(c), the student must accept the following terms and conditions, which will be detailed in the student's offer of admission:
 - (a) The student must agree to:
 - (i) continue living in the approved accommodation until they are 18 years of age, unless alternative accommodation is approved in writing by the University and a parent or legal custodian, or the student's welfare provider consistently with subclause 8(5);
 - (ii) maintain one-to-one contact with their welfare provider, and attend regular phone and face-to-face meetings; and
 - (iii) act responsibly, including being aware of their responsibilities under Australian law, and avoid illicit activities and risk taking behaviour.
 - (b) The student must acknowledge that:
 - (i) the University is not responsible for any fees and costs associated with their accommodation and welfare arrangements;
 - (ii) the University is not legally responsible for the student's actions whilst in Australia; and
 - (iii) the University is entitled to withdraw approval for the student's accommodation, support and welfare if the student is found to have breached these terms and conditions.
- (3) A binding agreement with the student's accommodation provider (referred to in subclause 9(1)(a)) must require the accommodation provider to meet the

University's minimum standards for the relevant category of accommodation providers.

Note: See the schedules to the [Under 18 International Students Procedures 2016](#)

- (4) A binding agreement with the student's welfare provider (referred to in subclause 9(1)(b)) must require the welfare provider to meet the University's minimum standards for welfare providers.

Note: See the schedules to the [Under 18 International Students Procedures 2016](#)

10 Termination, suspension and cancellation of enrolment

- (1) Where the University terminates, suspends or cancels a student's enrolment, the University will continue to monitor the suitability of the accommodation, support and welfare arrangements for that student until:

- (a) the student is accepted by another registered provider who assumes responsibility for approving the student's accommodation, support and welfare arrangements;
- (b) the student leaves Australia;
- (c) other suitable arrangements are made for the student; or
- (d) the University reports to the Department that it can no longer approve the arrangements for the student.

- (2) Where a student appeals the termination, suspension or cancellation of their enrolment, the University will continue to monitor the suitability of the accommodation, support and welfare arrangements for that student until:

- (a) all internal and external appeals have been exhausted;
- (b) other suitable arrangements are made for the student; or
- (c) the University reports to the Department that it can no longer approve the arrangements for the student.

11 Compliance reviews

- (1) The relevant administrative unit will review compliance with this policy and report to the Deputy Vice-Chancellor (Education), on an annual basis.
- (2) Each annual report must be approved by the Deputy Vice-Chancellor (Education) and include:
- (a) statistical data, including student numbers and courses of study;
 - (b) results of accommodation provider and welfare provider audits; and
 - (c) details of student complaints and outcomes.

NOTES

Under 18 International Students Policy 2016

Date registered:	15 June 2016
Date commenced:	1 July 2016
Date amended:	7 June 2017 (administrative amendment only) 4 May 2018 (administrative amendment only) 24 March 2019 (administrative amendment only)
Administrator:	Deputy Vice-Chancellor (Education)
Review date:	1 July 2021
Rescinded documents:	None
Related documents:	Education Services for Overseas Students Act 2000 (Cth) National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students Under 18 International Students Procedures 2016

AMENDMENT HISTORY

Provision	Amendment	Commencing
6	Updating reference to University of Sydney (Delegations of Authority – Administrative Functions) Rule 2016	7 June 2017
Definitions	Replace Department of Immigration and Border Protection with Department of Home Affairs	4 May 2018
8(1); 11(1)	Remove references to Deputy Vice-Chancellor (Registrar) and replace with references to Deputy Vice-Chancellor (Education)	24 March 2019
Notes	Remove Deputy Vice-Chancellor (Registrar) as administrator and replace with Deputy Vice-Chancellor Education	24 March 2019