



# OVERSEAS VISA STUDENTS POLICY

Policy Number: 8-20(a) (Students)

Version: 5

Authorised by: F A Kearney

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Contact: Dean of Students

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## 1. INTRODUCTION

The provision of education to students from overseas has become a major export industry for Queensland and Australia.

The Presbyterian and Methodist Schools' Association (PMSA) recognises that enrolling international students in their schools provides reciprocal benefits for all students. It allows overseas students the opportunity to participate in quality education and to graduate and gain entry into Australian as well as other tertiary institutions whilst at the same time Queensland students are exposed on a daily basis to individuals coming from different cultures and backgrounds.

Somerville House (the School) seeks to develop young women who understand and are tolerant of difference and who recognise the worth of each individual. Living and learning with students from overseas provides an additional opportunity for the School to achieve its objectives.

The purpose of this policy is to establish the framework for ensuring the School meets its statutory and regulatory obligations and PMSA requirements for the provision of education to Overseas Visa Students.

## 2. SCOPE

This policy applies to all prospective and current Overseas Visa students, their parents/legal guardians, and staff involved in their enrolment, education and welfare.

## 3. POLICY STATEMENT

- 3.1 The School will comply with all legislative requirements for the provision of education to Overseas Visa Students.
- 3.2 The School will maintain current registration with the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). The CRICOS Registered Provider Number for the School is 00522G.
- 3.3 The School is registered to offer the following courses for FFPOS students:
  - Years 1-6 (Primary) Girls only 082483G
  - Years 7-10 (Junior Secondary) Girls only 082484G
  - Years 11-12 (Senior Secondary) Girls only 010337C
- 3.4 An Overseas Visa student will be accepted for enrolment provided that she:
  - is sufficiently proficient in English to cope with the School's academic program and meets the appropriate level of the Australian Education Assessment Service (AEAS) testing regime required by the School for entry at a particular level
  - resides either in the Boarding House or with parents or a family relative (over the age of 25) appointed by the parents as her legal guardian and approved by the School
  - has adequate Health Insurance cover
  - has a current Passport and current Student Visa Class TU (Subclass 500)
  - there is a place at the School available; and
  - abides by the conditions outlined below in 3.5, 3.6 and 3.7.
- 3.5 Overseas Visa students are subject to the same School rules, regulations and expectations as students who are Australian residents. As well they must meet the requirements of the Department of Immigration and Border Protection (DIBP) which are pertinent to the granting of the visa and can be found via the DIBP website at: [www.immi.gov.au/students/visaconditions-students.htm](http://www.immi.gov.au/students/visaconditions-students.htm) (*Student Visa Conditions for the Primary Visa Holder*).

These include but are not limited to the following conditions:

- 3.5.1 In order to maintain a valid enrolment in her chosen course of study a student must
  - attend at least 80% of classes each term
  - maintain satisfactory performance
  - maintain her approved Overseas Student Health Cover (OSHC) for the length of her stay
  - not work (unless permission was granted as part of the initial Visa grant)
  - inform the School within seven (7) days of arrival in Australia of her current residential address and of any changes of residential address (where the student is not boarding but living with parents or a family relative appointed as legal guardian and approved by the School)

- not change accommodation without written approval from both parents and the School
  - not transfer to another course provider within the first six (6) months of the course; and
  - continue to be a person who would satisfy the criteria for the grant of the visa.
- 3.5.2** Where a student does not meet these requirements, the School will notify the Department of Immigration and Border Protection (DIBP). (Refer to the *Australian Government DIBP Regulations for Education Providers* at: [www.immi.gov.au/business-services/education-providers/roles\\_responsibilities.htm](http://www.immi.gov.au/business-services/education-providers/roles_responsibilities.htm))
- 3.6** The School will provide educational and welfare support for Overseas Visa Students as far as facilities and resources permit.
- 3.6.1** The School provides welfare support within the Boarding environment, and through Pastoral Care programs.
- 3.6.2** English as a Second Language (ESL) support is available to students in the Junior and Middle Schools. Students needing ESL support in the Senior School may access the same assignment support as other students who have learning difficulties.
- 3.7** Overseas Visa Students will be required to return home during all vacation periods between each School Term unless they have received approval from the Principal or her nominee following receipt of a letter from her parents or approved legal guardian requesting she may remain in Australia and outlining the arrangements. The Principal has final approval.
- 3.8** Overseas students and their families will be provided with the necessary information as set out in the *National Code Part D: ESOS Standards-2007*.

## 4. REFERENCES

- 4.1** References to other Policy:
- Attendance Policy
  - Boarding Policy
  - Enrolment Policy
  - Enrolment Procedures – guidelines for the Registrar - Section B
  - Learning Enhancement Policy
  - Overseas Visa Students – Adjunct Policies
  - PMSA and Somerville House – Child Protection Policies
- 4.2** Legislative and Other References:
- Australian Government Department of Immigration and Border Protection (DIBP) Regulations
  - Boarders' Handbook
  - Commonwealth Register of Institutions and Course for Overseas Students Act
  - Independent Schools Council of Australia – National Code 2007 - Support Handbook
  - Independent Schools Queensland (ISQ) International Students – Information Fact Sheets
  - Independent Schools Queensland (ISQ) School Handbook - CRICOS Registration-Policies and Procedures
  - Family Handbook
  - Education Services for Overseas Students Act 2000 (ESOS Act) (Cwlth)
  - ESOS Framework – Part D - The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (Cwlth)
  - Education Services for Overseas Students Act Regulations 2001 (Cwlth)

## 5. RESPONSIBILITY AND DELEGATIONS

- 5.1** Principal
- Ensure compliance with all legislative, regulatory obligations and PMSA requirements with regard to the provision of education to and welfare of Overseas Visa students.
  - Provision of CRICOS approved courses of study.
  - Approval of appropriate accommodation and welfare arrangements if the student is not residing in the Boarding House.
- 5.2** Heads of School and Boarding, Dean of Students
- Monitor DIBP attendance and performance requirements.
  - Provide support for and monitor student welfare.
  - Monitor holiday arrangements.
- 5.3** Business Manager/CFO
- Ensure compliance with statutory, regulatory and PMSA requirements in contractual and financial matters.
- 5.4** Director of Communication and Admissions
- Oversight of the enrolment process.
  - Ensure compliance with ESOS and CRICOS requirements related to marketing and enrolment.
- 5.5** Admissions Manager
- Monitoring of visa status requirements and School requirements with regard to the enrolment process.

## 6. PROCEDURES

### 6.1 Provision of Information

- 6.1.1** An Information Booklet for *Overseas Visa Students and their Parents* with all the ESOS required information will be available on the website or forwarded if necessary. Refer to *Attachment 2 - Information Booklet for Overseas Visa Students*.
- 6.1.2** The Heads of School or their nominees, Dean of Students and the Head of Boarding will provide Orientation sessions for Overseas Visa Students new to the School in which they will provide information about:
- course studies
  - academic requirements
  - ESL and assignment support
  - School rules and regulations
  - matters related to living in the boarding house
  - dealing with cultural differences
  - requirements re attendance and academic performance
  - processes within the School
  - staff who will be their special contact people if needed for pastoral, curriculum and career guidance
  - external references and/or processes if they have a grievance or concern; and
  - any other relevant information.
- 6.1.3** Students will be made aware that the *Written Agreement* between the School, the student and her family does not remove their right to lodge a complaint or appeal, or exercise their right to pursue other legal remedies as set out in the *National Code 2007 – Standard 3*.

### 6.2 Monitoring Course Progress and Attendance

Refer to Section 19 of the *School Handbook CRICOS Policies and Procedures*.

- 6.2.1** Visa Student attendance at class will be recorded according to the procedures used for all students.
- 6.2.2** Course progress will be monitored closely by subject teachers and the Heads of Department and/or ESL Support teacher will be notified if there are concerns about a student reaching not satisfactory levels of achievement. Intervention strategies will be put in place if a student is deemed to be “at-risk”.
- 6.2.3** Students in the Junior and Middle Schools may access ESL support and in the Senior School access support for assignments. In some cases students may be granted special provisions for assessment items. Staff should consult The Dean of Teaching, Learning and Innovation and the Dean of Students where they feel this is warranted.

### 6.3 Student Welfare

Refer to Section 15 of the *CRICOS Manual of Policies and Procedures*.

- 6.3.1** Students will be monitored closely in the Boarding House to ensure they settle and are supported.
- 6.3.2** Where a student is living with a parent or mature relative who is the parents’ appointed legal guardian and has been approved by the School, the following are the points of contact for any pastoral matters:
- class teacher (Junior School)
  - Homeroom Teacher or Tutor (Middle School); and
  - Head of Year (Senior School).
- 6.3.3** The School must be advised and approve of any changes to a student’s living arrangements.

### 6.4 Deferment, suspension and cancellation of enrolment

Refer to Enrolment Policy Section B – *Enrolment of Overseas Visa Students and Section 12 of the CRICOS Manual of Policies and Procedures*.

## 7. DEFINITIONS

### Overseas Student:

Is “a person (whether within or outside Australia) who holds a student visa as defined by the ESOS Act, but does not include students of a kind prescribed in the ESOS Regulations. Where the student is under 18 years of age and the student is required to exercise rights or obligations as a legal person, this term may refer to the student’s parent or legal guardian.” \*

### Student Visa (Subclass 500):

Is “an authorisation permitting people who are not Australian citizens or permanent residents to come to Australia for the primary purpose of studying “at a School in Australia as defined by the *Migration Act 1958*”.

### Student welfare:

Are “services which address the mental, physical, social and spiritual well-being of overseas students. These services may include, through direct provision of referral, information/advice about: accommodation, counselling, crisis services, disability and equity issues, financial matters, legal issues, medical issues, mental health, peer mentoring, programs promoting social interaction, religious and spiritual matters, and stress management.” \*

\* (*Definitions from the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students*).

## 8. ATTACHMENTS

- Department of Immigration and Border Protection (DIBP) – Regulations re Student Visa Conditions
- Information Booklet for Overseas Visa Students and their Parents at: <http://www.somerville.qld.edu.au/node/1728>

## AUTHORISATION



Principal

28 February 2015

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## ATTACHMENT 1

Australian Government Department of Immigration and Border Protection (DIBP) Regulations Overseas Students attending the School on a Student Visa Class TU (Subclass 500) should familiarise themselves with the requirements of the DIBP. A full list of mandatory and discretionary conditions are available at: <http://www.immi.gov.au/students/visa-conditions-students.htm>. (*Refer to Student Visa Conditions for the Primary Visa Holder.*)

If you are issued a Student Visa, some conditions will be attached to the grant of this Visa. The most common conditions are:

- You must satisfy attendance or course progress requirements to maintain a valid enrolment for your chosen course of study.
- You and members of your family unit must not work unless you have been granted permission to work as part of your initial Visa grant and you have commenced your course of study in Australia.
- You must maintain your approved Overseas Student Health Cover while in Australia.
- You must inform the School within seven (7) days of your arrival in Australia of your current residential address and must advise any changes of address within seven (7) days. The School is required by law to keep your residential address so you can be contacted if you do not satisfy course requirements. If you do not abide by this condition, you may not be aware of any such contact by the School. This situation may lead to the cancellation of your Student Visa.
- If you are a Student Visa holder under 18 years of age who is neither being accompanied nor staying with a relative who is at least 21 years of age, you must not change your accommodation support and the general welfare arrangements without the written approval of the School.
- You must continue to be a person who would satisfy the primary and secondary criteria, as the case requires, for the grant of the Visa.