

Newsletter

December 2009



Kia ora

A big thank you to all who have carefully reviewed your policies, procedures and documents and returned your annual Self-Attestation forms to us on time.

We reassure you once again that we will have tools to help providers when the new Code is implemented, and are looking forward to connecting you to these and the new Code when this takes effect. Implementation on changes will be clearly signalled and phased in to ensure a smooth transition. We will provide guidance on the web, and signatories will be supported through Code workshops and network meetings where we can get together and discuss the Code.

So my message to you in this last newsletter for 2009 is that whatever the festive season holds for you, wherever you may be, may you enjoy this time spent with friends and family and we pray that you, your whānau and loved ones will travel safely on your journeys.

Merry Christmas

Dot



Student Visa renewals

Please be aware that many of your students' visas may be due for renewal in the coming months.

Remember that students must have a current unexpired visa in order to study lawfully in New Zealand, so please ensure that you have processes in place to track visa expiry and that renewal processes are well underway for next year.

Immigration New Zealand relayed the following common omissions that may cause a delay in visa processing:

- evidence that course fees have been paid (i.e. a receipt), and the duration paid for
- confirmation of length and level of the course
- evidence of financial support, such as prepaid home stay, bank statement, financial guarantee
- medical and chest x-ray certificates
- offer of place
- for subsequent applications – attendance and progress reports

And don't forget! 'full time study' needs to be evident in order to obtain a student visa/permit.

For PTEs this generally means attendance of 20 hours per week; for Public Tertiary Institutes this generally means enrolment in three papers or equivalent per semester.



A message from Immigration regarding student exchange visas

All those students that are participating in an approved exchange MUST apply offshore for a student exchange visa as per the Immigration policy detailed below.

P4.5 Requirements for participants in approved student exchange schemes

P4.5.5 Participants who arrive in New Zealand without a student visa

If participants arrive in New Zealand without a student visa, immigration officers may grant a student permit for the maximum period of stay for their scheme, provided that:

- i. there are special reasons why they have not obtained a visa, and
- ii. they meet the requirements set out at P4.5.

Frequently asked questions...

We asked the NZ Police...

“If an international student gets into trouble with the Police, will the Police automatically inform the school?”

NZ Police replied...

“I refer you to section 229 of the Children, Young Persons and Their Families Act 1989. This section requires Police, unless it is impracticable to do so, to inform the parents or guardians or other persons having the care of a child or young person, that the child or young person is at a Police station for questioning or has been arrested. The Children, Young Persons and Their Families Act 1989 applies to children and young persons under the age of 17. Any disclosure to a parent, caregiver or school relating to the offending or alleged offending of an individual over the age of 17 would need to be considered in accordance with the exceptions contained in Principle 11 of the Privacy Act 1993”.



A frequently asked question from Private Training Establishments...

“Can we enrol international students aged under 18? If so, what are the additional requirements we would need to meet?”

Private Training Establishments require additional approval from the Code Office and NZQA to enrol international students aged under 18. Some PTEs have this approval, but many do not. If you are unsure of the level of approval you have with respect to age ranges please contact Emma Mackie for advice.

The minimum additional requirements for international students aged under 18 are outlined below.

Communicating with parents

15.7 Signatories must contact the parents of any prospective international student under the age of 18 prior to enrolling the student, and must establish communication arrangements with parents that can be used in the event of an emergency.

15.8 Signatories must communicate regularly with parents of international students under the age of 18.

Accommodation provisions*

17.4 Signatories must determine and document that all international students under the age of 18 are living in one of the following five categories of accommodation, and that the applicable provisions (below) are observed:

(a) Homestays; (meet requirements under section 18 of the Code)

(b) Boarding establishments; (meet requirements under section 19 of the Code)

(c) Designated caregivers; (meet requirements under section 20 of the Code)

(d) In the case of students on short courses only, in temporary accommodation; or (meet requirements under section 21 of the Code)

(e) Living with parents.

*Further to this section, once it is decided which accommodation the student will live in, you will be required to meet all of the obligations under that particular section. Each accommodation listed above from **(a)** to **(e)** has its own set of requirements as noted in brackets. Please refer to the Code for full details and for definitions of each accommodation type.

Police vetting of accommodation for students aged under 18

23.1 When approving accommodation for students aged under 18:

23.1.1 Signatories must undertake New Zealand Police vetting of all persons aged 18 or over (excluding other international students) resident in homestay households;

23.1.2 Signatories must be satisfied that a suitable process for New Zealand Police vetting of current and prospective boarding establishment employees and contractors who work regularly at the boarding establishment is in place; and

23.1.3 Signatories may require that a Police vet be undertaken of designated caregivers and supervisors and/or temporary accommodation employees if it considers this appropriate or if this is in line with the signatory's policy.

A frequently asked question from schools and PTEs...

“What is the difference between a ‘Designated Caregiver’ and a ‘Homestay’?”

‘Designated caregiver’ means a relative or close family friend designated in writing by the parents of an international student as the caregiver and accommodation provider for that student, but does not include a boarding establishment owner, manager, or employee. ‘Homestay’ means accommodation provided to an international student in the residence of a family or household where no more than four international students are accommodated.

Although Code requirements for Designated Caregiver and Homestay arrangements differ slightly, essentially the intention is the same. The Signatory must assess the living arrangement, and placement of the student is subject to the Signatory's approval. Once the student is placed, the Signatory is also responsible for monitoring the ongoing suitability of that accommodation. The Code requirements under sections 18, 20 and 23, together with the Code Guidelines, define exactly what is required and how the signatory may go about meeting those requirements.

A frequently asked question from schools...

“Is additional approval required in order for a signatory to enrol Year 7-8 / aged 11-13 year old international students living in NZ without their parents?”



Signatories must obtain additional approval from the Code Administrator to enrol international students in Years 7 and 8 of a school, or aged 11 to 13 in any other provider, if they are not living with a parent. If you are considering

enrolling young international students, who are not living with their parents, please contact Rob Minahan for advice. Signatories must not enrol international students in this particular bracket

unless approval has been granted by the Code Office.

A frequently asked question from schools...

“There is a parent wishing to enrol their child at our school, the child has a Thai passport and her Mother is married to a New Zealander, can we enrol the child as a domestic student?”

No, not yet. You need more information before you can make a decision about whether the child is domestic or international. Seek answers to the following questions:

- Is mum a NZ resident or does mum have an unexpired work permit?
- Does the child have an application for residence lodged with Immigration New Zealand?

Once you have this additional information, go to <http://www.minedu.govt.nz/NZEducation/EducationPolicies/Schools/PublicationsAndResources/Circulars/SchoolingCirculars/Circulars2009/Circular200901.aspx> to download Education Circular 2009/01 – Eligibility for enrolment in New Zealand schools. This circular classifies eligibility for enrolment in New Zealand Schools. All categories of domestic students are listed in this circular, together with the documentation you are required to sight in support of each category.

A frequently asked question from tertiaries...

“Do all international students require insurance? What type of insurance is required?”

Yes all international students, regardless of the length of their course or their visa type must have appropriate medical and travel insurance.

For suggested insurance cover, please go to Section 7.4 (Page 26) of the Guidelines to support the Code which are available to download from the Ministry of Education website.

Contact Us

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