



Underage Domestic Student Policy and Procedure

1. Purpose

The purpose of this policy and procedure is for the Institute to manage domestic students under the legal age of 18 years (underage students) and thereby assist with their entry, transition, learning and support.

2. Scope

This policy and procedure applies to domestic students under 18 years of age at the date of commencement, all staff involved with management of students, and parents and guardians of students under 18 years of age. This policy ceases to apply to students once they reach 18 years of age and it does not apply to international students.

3. Definitions

Terms	Definition
Underage student	A domestic student enrolled or enrolling in a course at the Institute who is or will be under 18 years of age on commencement of their course, which includes any pre-teaching orientation or other activity.
The Schedule	Means the Schedule to this policy and procedure – Information for Parents and Guardians, including the Consent Form for students who will be under 18 years of age on commencement of their course.

4. Policy

4.1 The Institute fulfils its duty of care recognising it has additional responsibilities for students who are below legal age with respect to their welfare, learning and student experience. However, the Institute does not take on the rights, responsibilities and authority that parents/guardians have in relation to a child and does not act in the place of parents/guardians in relation to students who are under 18 years of age.

4.2 Enrolment and admission

The Institute welcomes applications from candidates of all ages, including those who are under the age of 18 years. All applications are considered on their respective merits and the Institute may grant places to underage students where:

- The applicant is determined to be academically qualified to successfully complete the relevant course of study;
- there are places available;
- the Institute has received the completed Consent Form for applicants who will be under the age of 18 on commencement of their course (attached to the Schedule).

4.2 The Institute offers an adult learning environment and treats its students as mature, independent individuals. All students (including underage students) are expected to behave in an appropriate mature manner and abide by Institute policies and procedures. The Institute will provide information to parents/legal guardians and underage applicants explaining the key elements of an adult learning environment and the requirements and expectations that flow from this. (As detailed in the Schedule.)

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4.3 Parents or guardians must act as guarantors and honour all obligations under any contracts with the Institute that the student enters into prior to turning 18 years of age.

5. Procedure

5.1 The Office of Student Administration and Experience (OSAE) will provide support for underage students as follows:

- advise the Head of the relevant School of students who are under 18 years of age at the time when the students accept their offer.
- assign an OSAE staff member as the key contact point between the Institute and that student and their parents/guardian and put in place a mutually agreed communication strategy.
- The assigned staff member will consult with the relevant School on the communication strategy and confirm the role of School staff.
- The age and maturity of the student will impact on the level of support needed. Students aged 17 will be treated as independent, mature individuals. Students who are aged 17 and over will not be provided with additional support, service or welfare monitoring unless specifically requested by the parent/guardian of the underage student or the underage student and agreed to by the Institute.

Underage students may also have a need for additional support involving their parent/legal guardian.

5.2 Student protection and wellbeing

5.2.1 All activities involving students, on and off campus, must be undertaken in accordance with the *Student Welfare and Support Policy and Procedure*.

5.2.2 If any staff member is concerned about the wellbeing of an underage student, they must raise these concerns with the Associate Director, OSAE. This may include assisting the student to access the Institute counselling or student welfare services. If a staff member or student reasonably believes that an underage student has suffered or is at risk of child abuse, they must report their concerns.

5.2.2 Treatment provided by the Institute's medical and counselling services requires informed consent. Clinicians providing services to underage students will need to satisfy themselves that the student is capable of providing informed consent, ensuring that the student fully comprehends the nature, benefits and risks associated with any proposed service. Where it is reasonably determined that an underage student has provided informed consent, such consent is also required for the disclosure of information to a parent or guardian.

5.2.3 In cases of a medical emergency (for example, where emergency medical treatment is required for the underage student), action may need to be taken in the best interests of the student before parents or guardians can be contacted. In such cases, parents are deemed (by virtue of having signed the Consent Form for applicants who will be under the age of 18 on commencement of their course)

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to permit a senior member of the Institute (acting in accordance with medical advice, as appropriate) to do whatever is necessary in the student's best interests.

5.2.4 Serving alcohol to people under 18 is illegal. Staff responsible for managing Institute events must ensure that alcohol is not served to underage students, in accordance with the *Alcohol and Drug Policy and Procedure*.

5.2.5 The normal relationship between the Institute and the student has contractual elements. Where contracts are required, for example for tuition fees, the Institute requires parent or legal guardian to act as guarantors and to honour all obligations under any contracts with the Institute that the student enters into prior to their 18th birthday. Underage students are able to enter into agreements for the basics for living including accommodation, food, clothing, medicine and the contractual arrangements for their education including signing the Enrolment Declaration.

5.3 Institute off-campus activities

As part of their study, students may be required (or offered the opportunity) to attend field trips, excursions or other off-site study activities. The Institute is not able to make any special arrangements for underage students, accordingly the parent or legal guardian gives consent for the student 17 years of age to take part in these activities by signing the Consent Form for applicants who will be under the age of 18 on commencement of their course.

Those providing social or sporting activities need to be aware of the presence of underage students and ensure compliance with the law but also provide social and recreational activities suitable for a student cohort, including students under 18.

6. Responsibilities

6.1 Privacy

The Institute is required to comply with the Privacy Act 1988 (Cth) and the *Privacy Policy* in relation to all students' personal information, such as for example their academic progress and related matters regardless of their age. It is the Institute's usual policy to communicate with students and not with parents or legal guardians. This approach will also apply to students who are under the age of 18 years, unless the student provides consent for the disclosure and/or unless there was an imminent risk to the safety and wellbeing of the student.

6.2 Records

The assigned staff member will record the communication strategy, records and correspondence with the student and parent/guardian in the student management system.

6.3 Working with Children Checks

Institute staff (other than higher education staff) who come into regular direct contact with underage students will be required to hold a valid Working with Children Check in accordance with relevant legislation, including the Working with Children Act 2005. The check is also mandatory for staff working in counselling and welfare. A Working with Children Check will generally not be

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required for staff who may come into occasional contact with people under 18, where such contact is not on a one-to-one basis, such as staff working in recruitment activities or service centres.

7. Implementation and Communication

The policy and procedure will be implemented and communicated throughout the Institute via:

- the Institute's website;
- Internal circulation to staff and students.

Supporting documents

Privacy Act 1988 (Cth)

Working with Children Act 2005 (Vic)

Health Privacy Principles Guidelines

Privacy Policy and Statement for MIT Students

Alcohol and Drug Policy and Procedure

Student Welfare and Support Policy and Procedure

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The Schedule: Underage Domestic Students – Information for the Parents and Guardians; and Consent Form for applicants who will be under 18 years of age on commencement of their course

All applications are considered on their respective merits and the Institute may grant places to underage students where:

- it determines that they are academically qualified to successfully complete the relevant programme of study;
- there are places available.

Parents/legal guardians and underage applicants should understand and be aware of what it means to be studying at the Institute as an underage student. It is a requirement of enrolment that the parent or guardian of any student who is under the age of 18 years confirms their acceptance of the arrangements set out in this document, by signing and returning attached Consent Form.

MIT (the Institute) is an adult environment; students are expected to act as adults and to assume adult level of responsibility. Students are expected to have the necessary skills to study independently alongside people from a wide variety of ages and backgrounds. Enrolments are offered on the understanding that the Institute treats all its students as independent, mature individuals and students who are under the age of 18 years will be treated in the same way. Adult content may be included in course material.

PARENTAL RESPONSIBILITY

The Institute does not take on the rights, responsibilities and authority that parents/guardians have in relation to a child and does not act in the place of parents/guardians in relation to students who are under 18 years of age.

SUPPORT FOR STUDENTS UNDER 18

The Institute recognises that underage students may have an additional need for support and require the appropriate involvement of their parent/legal guardian.

The Office of Student Administration and Experience (OSAE) will provide support for underage students as follows:

- advise the Head of the relevant School of students who are under 18 years of age at the time when the students accept their offer.
- assign an OSAE staff member as the key contact point between the Institute and that student and their parents/guardian and put in place a mutually agreed communication strategy.
- The assigned staff member will consult with the relevant School on the communication strategy and confirm the role of School staff.
- The age and maturity of the student will impact on the level of support needed. Students aged 17 will be treated as independent, mature individuals. Students who are aged 17 and over will not be provided with additional support, service or welfare monitoring unless

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specifically requested by the parent/guardian of the underage student or the underage student and agreed to by the Institute.

PRIVACY AND COMMUNICATION

The Consent Form for Applicants who will be under the age of 18 on commencement of their course requires both the underage student and their parent/guardian to consent to the release of personal information about the student.

The Institute will therefore be enabled to communicate with the parent/guardian in any circumstances where the personal affairs of the student need to be discussed or addressed.

EMERGENCY CONTACT

Emergency contact details must be provided for students under the age of 18 years and such students and/or their parents are required to supply this information prior to commencement of their course.

In rare instances, consent for emergency medical treatment may be required before parents or guardians can be contacted. The Institute therefore requires parents to give their consent that, in the case of such an emergency, a senior member of the Institute has parental permission to act on medical advice and do what is in the best interests of the child. By signing the Consent Form for Applicants who will be under the age of 18 on commencement of their course, the student's parents or guardians indicate their consent to act in this way.

CONTRACTS/LIABILITY FOR DEBTS

Parents or guardians act as guarantors and honour all obligations under any contracts with the Institute that the student enters into prior to turning 18 years of age. Failure to pay debts due to the Institute could result in studies being suspended.

STUDENT. FIELD TRIPS, PLACEMENTS, EXCURSIONS

Courses may involve compulsory or optional excursions or other periods of study away from the Institute. Upon the signing the Consent Form for Applicants who will be under the age of 18 on commencement of their course, the parent/guardian gives consent for the student to take part in these activities on that basis.

ALCOHOL

Alcohol may be available for purchase or supplied at some Institute organised events. Underage consumption of alcohol is illegal and it is not permissible to supply underage students on the campus or at events with alcohol.

CONFRONTING COURSE MATERIAL

Institute studies can include confronting course material and adult content that is available on-line, in libraries and as part of general teaching resources. The Institute has strict policies about access to inappropriate material however students generally have open access to the Internet and are expected to self-manage. these factors before enrolling.

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CONSENT FORM FOR APPLICANTS-

who will be under 18 years of age on commencement of their course

Name of Applicant:

Student ID:

Applicant's date of birth:

PARENT DECLARATION

I the undersigned parent or guardian agree:

1. I have read and understood the Information for Parents and Guardians (attached) relating to students under the age of 18 studying at MIT.
2. I shall remain primarily responsible for the student's personal supervision and welfare, and I acknowledge that MIT does not have parental responsibility and shall not be liable for any acts or omissions by the student.
3. That it is my responsibility to ensure that the student adheres to MIT's policies, rules and regulations. I will advise the student that they may not buy alcohol or enter licensed premises.
4. I will act as guarantor for any fees incurred by the student together with any other sums owed to MIT until the student reaches 18 years of age. On the student attaining the age of 18, this guarantee shall cease to have effect for any future debts.
5. To the student undertaking the course of study and participating in compulsory and optional course related off-campus activities.
6. To authorise and consent the student to access MIT's online facilities and materials, including having an online account/s required for access.
7. MIT shall not determine the suitability or monitor or supervise the student's attendance and participation in on and off-campus extra-curricular activities including those activities organised and conducted by the student clubs. This is the responsibility of the student in consultation with the parent/guardian.
8. MIT may authorise emergency medical treatment acting on medical advice in the best interests of the student, if it is not possible to contact a parent or legal guardian.
9. MIT will not divulge confidential information, for example about a student's academic progress, to a parent or anyone else without the consent of the student. Therefore, unless the student co-signs this declaration MIT's obligation of confidentiality to the student means no personal information will be shared with the parent or guardian.
10. This Declaration shall remain in force until the student's 18th birthday

SIGNATURE OF PARENT OR LEGAL GUARDIAN

Signature:

Name (please print):

Relationship to the applicant:

Date:

PART 2: STUDENT DECLARATION I, (name of student) consent to MIT releasing personal information to the following nominated person or persons where that information has a bearing on my academic progress or health, safety and welfare.

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SIGNATURE OF STUDENT

Nominated Person(s):

Name of Student:

Relationship of nominated

Person to student:

Signature:

Date:

Please now return the completed Form to: Office of Student Administration and Experience

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