

International students' code

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The new code for the pastoral care of international students came into effect on July 1, except for students already enrolled, who are covered by the old code until the end of the year.

The purpose is to protect international students and ensure they have a positive experience. Education providers can apply to join up to the code. The provider must have acceptable financial practices and performance, together with policies and procedures to meet the code requirements.

Under the code all marketing and promotion must be clear and accurate. Any agents appointed must be monitored for integrity and professionalism. There must be a written contract with any agent and agents must be terminated if they breach the law or jeopardise compliance with the code.

Providers must give students and parents information to enable informed choices before entering into a contract and keep copies of all documentation as well as provide copies to the student. The

education establishment must ensure all students are insured for their travel, medical, repatriation and funeral costs. Providers must not allow students to enrol, or continue, if they do not qualify under the Immigration Act.

They must report known or suspected breaches as well as terminations of study. There must be a good orientation programme at the start of their study that covers policies, support, services, contact details for staff, health and safety, grievance procedures and termination. They must provide a safe study environment, adequate support and as far as practicable, ensure a safe living environment.

Providers must respond effectively to inappropriate behaviour, develop policies for managing behaviour, communicate those to staff and students and have suitable emergency procedures. At least one staff member must be available 24/7 to be contacted in an emergency.

Students aged 10 to 17 have special requirements regarding living arrangements and parental caregiver supervision. Students under 10 years must live with a parent/legal guardian unless they are in a school hostel. Appropriate protocols must be in place for at risk or special needs students.



A new code protects international students and explains their rights and the educator's rights.

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Accommodation and caregivers for under-18 students need to be checked for legal compliance and safety. They must be monitored by home visits and interviews. Students of different ages must be appropriately separated. Students must also be provided

with information on legal rights, minimum wages, maximum hours and further study opportunities. Fees must be protected in the event of withdrawal, ending of the course or closure of the institution. Refund conditions must be clear. The establishment must have effective internal grievance processes and external avenues are clear if there is dissatisfaction with the internal outcome.

They must comply with the International Student Dispute Resolution Scheme. Providers must self-review for compliance with the Code but can also be sub-

ject to external review. Providers must comply with all instructions of the code administrator. The international student market is very important to many of our schools and education providers. The code will hopefully ensure as many as possible have a positive experience in New Zealand and that they encourage others to come here too.

■ If you have a legal inquiry you would like discussed, email Alan: aknowsley@raineycollins.co.nz
■ Courtesy of Rainey Collins Lawyers, 0800 735 484 or raineycollins.co.nz