Guidelines

**for Student Exchange Programs**





 A plane flying over a group of flags

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Victorian Registration and Qualifications Authority

Level 4

Casselden

2 Lonsdale Street

Melbourne Vic 3000

GPO Box 2317

Melbourne Vic 3001

T (03) 9637 2806

[vrqa.student.exchange@education.vic.gov.au](mailto:vrqa.student.exchange@education.vic.gov.au)

[www.vrqa.vic.gov.au](https://eduvic-my.sharepoint.com/personal/ashling_cardwell_education_vic_gov_au/Documents/Documents/Guidline%20Gazzett/SEO/www.vrqa.vic.gov.au)

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1. Introduction

The *Education and Training Reform Act 2006* (the ETR Act) sets out the legislative framework for the regulation of secondary student exchange organisations (SEOs) in Victoria.

Section 4.5A.1(3) of the ETR Act authorises the Victorian Registration and Qualifications Authority (VRQA) to issue guidelines for the purpose of determining whether a person, organisation or registered school is suitable to operate a student exchange program.

To maintain the national approach to the regulation of SEOs, the *Guidelines for Student Exchange Programs* (the Guidelines) are broadly consistent with the *National Guidelines for the Operation of International Secondary Student Exchange Programs in Australia*. Variations have been made to align the Guidelines with Victorian legislative requirements, including the:

* ETR Act
* [*Guidelines to the Minimum Standards and Requirements for School Registration*](https://www.vrqa.vic.gov.au/Documents/schoolsgdlines.docx)
* *Worker Screening Act 2020*
* *Child Wellbeing and Safety Act 2005*.
  1. Rationale for student exchange programs

The Australian and state/territory governments recognise that student exchange programs provide cultural and educational benefits to students and school communities. Student exchange programs provide a broad educational experience for students and increase international and cultural understanding among young people.

* 1. **Objectives of student exchange programs**

The objectives of student exchange programs are to:

* provide educational enrichment for exchange students by developing their linguistic skills and introducing them to a different educational philosophy, environment and curriculum
* develop cultural awareness and understanding among students in the school environment
* promote international understanding and cooperation. 
  1. **Student exchange programs in Victoria**

In Victoria, student exchange programs can only be provided by VRQA-approved SEOs.

A person, registered school or organisation may apply to the VRQA for approval to provide a secondary student exchange program into and from Victoria.

Student exchange programs must:

* include a period of secondary school enrolment of at least 4 weeks and no more than 12 months duration
* require an overseas secondary school student to attend a registered secondary school on a full-time basis, or a Victorian student to attend an overseas secondary school on a full-time basis.

* 1. **Principle of reciprocity**

An SEO must operate student exchange programs on a reciprocal basis, balancing the number of inbound and outbound exchange students and the duration of its programs. The Australian and Victorian governments accept reciprocity of exchange programs instead of payment of school tuition fees.

An SEO calculates reciprocity across its entire student exchange program in Victoria, based on the total number of inbound and outbound students over 2 years.

The VRQA compares the total points for inbound and outbound programs without particular concern for the mix of short- and long-term programs.

Outbound programs are not eligible for reciprocity points if they are provided for students who have completed or withdrawn from secondary school.

Standard 5.3 of the Guidelines details how to calculate and monitor reciprocity.

1. Legislative framework
   1. **Victorian legislation**

Under the ETR Act, the VRQA approves SEOs and monitors their compliance with the ETR Act, the Guidelines and any conditions imposed on their approval.

In deciding whether to grant approval the VRQA may have regard to:

1. the suitability of the person, organisation or registered school to operate a student exchange program
2. the Guidelines
3. any other matter relating to the management or operations of the person, organisation or registered school proposing to operate the student exchange program.
   1. **Approval to provide student exchange programs**

The VRQA may approve or re-approve an SEO to provide student exchange programs for a period of no more than 6 years.

A VRQA-approved SEO must:

* comply with the SEO requirements in the ETR Act and the Guidelines
* meet the requirements of the Victorian Child Safe Standards, *Worker Screening Act 2020, Child Wellbeing and Safety Act 2005, Privacy and Data Protection Act 2014* and other child safety requirements, including mandatory reporting
* cooperate fully with the VRQA in its complaint or investigation processes
* advise the VRQA within 14 days of any change to the ownership, management or particulars provided in its most recent application for VRQA approval or re-approval
* advise the VRQA within 24 hours if it is placed under external administration or goes into liquidation
* arrange at least one student exchange within any 3-year period. An approved SEO that has not arranged any student exchanges within any 3 years may have its approval cancelled.

The VRQA includes details of SEOs it has approved on the VRQA State Register, which can be accessed on the VRQA website:

* [www.vrqa.vic.gov.au](https://www.vrqa.vic.gov.au)

The VRQA will conduct a mid-cycle review of an SEO’s compliance with the ETR Act, the Guidelines and any conditions of approval.

The VRQA may also conduct reviews when there is:

* concern about compliance with the ETR Act, the Guidelines and any conditions of approval
* a change in the nature of the programs being offered
* a change in the SEO’s ownership, management, control or operation.
  1. **Visa requirements**

Students participating in a student exchange program in Victoria travel to Australia on a student visa (subclass 500) issued by the Australian Government. An SEO requires an Acceptance Advice for Secondary Exchange Student (AASES) form to obtain a student visa for each inbound student. The VRQA issues SEOs with an AASES form upon request.

AASES forms specify:

* the student exchange program dates, which must be the student’s first day of school enrolment and the student’s last day of school enrolment
* the student welfare dates nominated by the SEO, which is a period of at least 7 days before and after the student exchange program dates where the SEO is responsible for the student’s accommodation, support and general welfare.

Students must attend school for the period approved by the VRQA on the AASES form or outbound notification form.

An SEO must make sure that students do not arrive in Australia before the student welfare start date stated in the AASES form, and that students depart Australia before the student welfare end date.

Inbound students must obtain overseas student health cover (OSHC) for the full period of the student welfare dates in their AASES form. This does not apply to students who are citizens of a country exempted from the requirement by the Department of Home Affairs.

An SEO must ensure that the student exchange programs it provides to outbound Victorian students comply with all relevant visa and health insurance requirements of the host country.

1. Areas of responsibility
   1. **Victorian Registration and Qualifications Authority**

The VRQA is responsible for:

* approving SEOs to provide student exchange programs in Victoria
* issuing guidelines under the ETR Act
* monitoring compliance with the ETR Act and the Guidelines
* providing advice to organisations on student enrolment procedures and a timeline of key dates
* accounting for issued AASES forms and providing forms to SEOs when requested
* monitoring reciprocity for all approved SEOs in Victoria
* managing instances of non-compliance as appropriate, including the suspension and cancellation of an approval if required
* providing information, including a published list of all SEOs in Victoria
* investigating complaints about an SEO.
  1. Student exchange organisation

An SEO is responsible for:

* maintaining necessary systems to carry out its duty of care requirements in a responsible and effective manner
* providing orientation and support services for students and overseeing students’ welfare
* conducting its operations in accordance with the ETR Act and the Guidelines
* implementing procedures for arranging exchange student school and host family placements, and for changing these placements if necessary
* ensuring that all students have appropriate health insurance, including OSHC for inbound students
* ensuring host families are appropriately screened, selected and monitored
* notifying the VRQA promptly when there is a significant change in the nature of the program it offers, such as if exchange students do not take up placements, leave the program sooner than expected, or do not leave the country when the program is completed
* ensuring it complies with the requirements of the Victorian Child Safe Standards, *Worker Screening Act 2020*, *Child Wellbeing and Safety Act 2005, Privacy and Data Protection Act 2014* and other child safety requirements, including mandatory reporting
* ensuring it complies with child protection legislation in Victoria and in countries in which it operates, including meeting all required reporting obligations
* ensuring it returns fully completed AASES forms to the VRQA following the enrolment of exchange students
* ensuring that it maintains a zero or positive reciprocity balance in Victoria
* ensuring that its paid and volunteer staff are aware of the requirements under the Guidelines and Victorian Child Safe Standards, relevant to the person’s role within the SEO.
  1. Exchange student

An exchange student is responsible for:

* attending the appointed school full-time
* behaving in an appropriate manner as agreed under the terms of the relevant student exchange program, complying with school codes of conduct, and abiding by the laws and visa requirements of the host country
* leaving the host country on completion of the student exchange program or the expiration of any relevant student visa
* leaving the host country earlier if circumstances develop such that the SEO believes that the student’s participation in the program is no longer appropriate.
  1. Australian Government

The Australian Government is responsible for:

* advising on immigration, health regulations and overseas travel safety issues
* issuing designated student visas for inbound exchange students
* registering travel arrangements for outbound students through the Department of Foreign Affairs and Trade.

1. Applications for approval
   1. **Application process**

A person, registered school or organisation may apply to the VRQA for approval or re-approval to operate a student exchange program using the form on the VRQA website.

An applicant must provide supporting information to address all matters in sufficient detail to allow the VRQA to make a decision.

To demonstrate its suitability to operate a student exchange program, a non-school applicant for initial approval must provide an outline of its background, history, management and organisational structure. This includes relationships with other agencies in relation to student exchanges and other related programs.

A registered school applicant must provide details of its international student programs (if any) and its relationship with any overseas sister school.

* 1. **Confidentiality**

Information provided by an applicant for approval or re-approval, or information otherwise provided by an SEO, will be treated confidentially. All personal information will be handled in accordance with the *Privacy and Data Protection Act 2014*.

Section 4.9.4 of the ETR Act provides for the disclosure of information about an applicant for SEO approval or   
re-approval to a prescribed person or body if the information relates to the performance of a function of that person or body, including:

* a department of the Commonwealth Government or of another state or territory government
* an agency of the Commonwealth.

The VRQA may also disclose information where required, permitted or authorised at law.

* 1. **VRQA fees**

VRQA fees, including SEO approval, mid-cycle review, and annual fees, are set by Ministerial Order. They are available on the VRQA website:

* [www.vrqa.vic.gov.au](https://www.vrqa.vic.gov.au)

The VRQA can only approve an application for approval or re-approval to operate a student exchange program if the relevant VRQA fees are paid.

1. Standards for student exchange programs

The standards listed below from 5.1 to 5.33 are the VRQA standards for the operation of a student exchange program in Victoria.

Applicants for VRQA approval or re-approval to operate a student exchange program must provide evidence of compliance with all of the standards.

**Under section 4.5A.2 of the ETR Act, it is a condition of approval for all SEOs that they comply with the standards.** Non-compliance with the standards may result in the suspension or cancellation of an SEO’s approval.

Unless stated otherwise, the standards apply to both inbound and outbound student exchange programs.

General

* 1. **Purpose of the student exchange program**

An SEO must demonstrate that the principal purpose of its student exchange program is to provide a broad educational experience for students and to further international and intercultural understanding.

* 1. **Use of the term ‘student exchange’**

All inbound secondary students entering Australia on programs advertised as a student exchange program must enter on an Australian student visa (subclass 500) issued on the basis of an AASES form.

An SEO providing other visit or cultural programs for young people entering Australia on visitor visas must:

* not promote or refer to such programs as student exchange programs
* make clear to participants, parents and guardians that these programs are not student exchange programs regulated under the ETR Act or the Guidelines.

Only programs operating under these Guidelines may be identified as ‘student exchange’ programs in promotional and marketing materials.

* 1. **Reciprocity**

An SEO must operate student exchange programs on a reciprocal basis, balancing the number of inbound and outbound exchange students and the duration of its programs.

**Non-school SEOs**

An SEO must submit details of its inbound and outbound student exchange programs to the VRQA, including the exchange program start and end dates for each student. This information must be confirmed annually on the annual reciprocity form.

An SEO is required to maintain a neutral or positive reciprocity balance. This is monitored over a 2-year period.

If an SEO’s annual reciprocity form shows a negative reciprocity balance over 2 consecutive years, the SEO is required to submit a rectification plan detailing the steps and the timeline the SEO is implementing to return to a positive reciprocity balance.

If an SEO’s negative reciprocity balance is significant, the VRQA may restrict or suspend issuing AASES forms.

How to calculate reciprocity

To calculate reciprocity, allocate one point for each calendar month of exchange or part thereof (regardless of when in the month the exchange starts and ends).

For example:

* a student arriving on 29 June and departing on 1 September earns 4 reciprocity points
* three students on exchange for 4 months will accrue the same number of points as one student on exchange for 12 months.

An exchange that starts and ends one year apart in the same calendar month counts as 12 points.

Monitoring of reciprocity

The VRQA monitors reciprocity for each SEO on an annual basis. An SEO must complete and submit an annual reciprocity form to the VRQA by 1 October each year.

School SEOs

The VRQA monitors reciprocity for school SEOs through the AASES form and outbound register records and will review school SEO reciprocity at mid-cycle review and re-approval. Registered school SEOs are not required to submit annual reciprocity forms.

SEO governance

* 1. **Eligibility to apply for a student exchange approval**

The ETR Act provides that a person, registered school or an organisation may apply to the VRQA for approval to provide a student exchange program.

* 1. **Not-for-profit status and financial viability**

An SEO must operate on a not-for profit basis and be financially viable with sufficient financial resources to fulfil its obligations and responsibilities for the duration of the approval. Registered schools are required to be not-for-profit.

A non-school applicant for SEO approval is required to provide evidence of its not-for-profit status by submitting appropriate documentation with the application.

Documentation may include:

* a certificate of incorporation
* memorandum and articles of association or constitution
* certificates of insurance/public liability cover
* audited financial statements
* compliance with Australian Tax Office requirements for not-for-profit status
* registration as a not-for-profit organisation with the Australian Charities and Not-for-profits Commission
* standard invoices that demonstrate that program costs are reasonable and that revenue is expended entirely on the objectives of the student exchange program. SEOs must indicate what is included in participation fees and what are optional extras.

The VRQA may review whether an approved SEO continues to be not-for-profit and financially viable at any time by conducting a financial capability assessment. The VRQA may also conduct a financial capability assessment at any time, including when an SEO changes ownership, management, control or operation.

An SEO must provide evidence that it has insurance(s) in place that will provide at least $10 million public liability insurance.

* 1. **Fit and proper person requirement**

An SEO must satisfy the fit and proper person requirement at the time of application and for the duration of its approval.

To determine whether an SEO is fit and proper, the VRQA can consider whether any person involved in the management (including at a national level) of the SEO has:

* a history of non-compliance with the Guidelines and any equivalent interstate registration requirements or the *National Guidelines for the Operation of International Secondary Student Exchange Programs in Australia*
* ever been involved in the management of an SEO for which registration has been suspended or cancelled in Australia
* ever been involved in the management of an SEO that has had conditions imposed on its registration as an SEO in Australia
* ever been charged with or convicted of an indictable offence
* ever become bankrupt
* ever been disqualified from managing corporations under the *Corporations Act 2001*
* ever been refused a Working with Children clearance or equivalent in any state or territory in which the SEO operates
* ever been found not to be a fit and proper person under the Guidelines or any equivalent interstate registration requirements
* ever provided a state or territory registration authority with false or misleading information, or made a false or misleading statement to a state or territory registration body in relation to any matter under the Guidelines or equivalent interstate registration requirements.

The VRQA may consider other relevant factors to determine whether the SEO is fit and proper.

An SEO must provide a Fit and Proper Person declaration from the principal executive officer (PEO) and all senior officers involved in the management of the SEO and must notify the VRQA within 28 days if it becomes aware that the PEO or a senior officer has become subject to any of the above.

The VRQA may review whether an SEO satisfies the fit and proper person requirement at any time, including if the SEO changes its ownership, management, control or operation.

* 1. **Organisational structure**

An SEO must have an organisational structure within Victoria that:

* is effective and appropriate for the size of its operation
* allows ready access and communication with parents, schools, students and officers of appropriate agencies, including being contactable by telephone 24 hours per day, 7 days per week
* provides appropriate support for participating students and families
* enables it to make appropriate arrangements in Victoria for inbound exchange students’ accommodation, support and general welfare.

An SEO must demonstrate through its organisational structure or third-party arrangements that it can facilitate the provision of effective and appropriate support to inbound and outbound students.

For inbound students, where an SEO organisational structure includes local SEO coordinators, the SEO must:

* provide the name, residential address, email address and contact telephone numbers for all local SEO coordinators in Victoria
* provide each exchange student with a local SEO coordinator residing within 200 km or 2 hours travel by car, whichever is the shorter, from the student’s host family residence.

If an SEO operates in more than one state or territory, the state or territory where its head office is located will be considered its base state. An SEO seeking to be approved in Victoria must also be approved as an SEO in its base state. If an SEO ceases to operate student exchange programs in its base state, the VRQA may review its Victorian approval.

* 1. **Working with Children clearances**

An SEO must ensure all its officers, employees and volunteers working with children or with access to exchange students’ personal records or information in Victoria have a Working with Children clearance. SEO employees and volunteers do not need a Working with Children clearance if they hold current Victorian Institute of Teaching registration.

* 1. **Training**

A non-school SEO must provide training for local SEO coordinators and student support staff that includes instruction in:

* conflict resolution
* procedures for handling and reporting emergency situations and critical incidents
* Child Safe Standards and reporting requirements
* procedures for handling and reporting allegations of sexual abuse or any other allegations of abuse or neglect
* sexual conduct codes
* the criteria to be used to screen potential host families and exercise good judgement in assessing whether the host family will be able to provide the appropriate environment and support for an exchange student
* the Guidelines, the ETR Act and the Working with Children clearance requirements as they relate to the role of the coordinator and student support staff.

A school SEO should conduct a risk assessment of its student exchange program, and adapt existing policies and procedures to confirm they apply to the student exchange program in relation to:

* conflict resolution
* procedures for handling and reporting emergency situations and critical incidents
* Ministerial Order No. 1359 – Implementing the Child Safe Standards – Managing the risk of child abuse in schools and school boarding premises (Ministerial Order No. 1359), handling and reporting requirements
* minimum standards for a registered school on care, safety and welfare of students.

A school SEO must provide training for its staff involved in the coordination of the exchange program, including:

* the criteria to be used to screen potential host families and exercise good judgement in assessing if the host family will be able to provide the appropriate environment and support for an exchange student
* the Guidelines, ETR Act and Working with Children clearance requirements as they relate to the role of the coordinator and student support staff.
  1. **Third-party arrangements**

An SEO must maintain up-to-date records of all third-party organisations used to support and deliver elements of the student exchange program, including:

* the name of the third-party organisation
* the type of arrangement made between the parties
* a copy of the contracts between the SEO and the third party
* information about the SEO’s monitoring process in relation to the operations of the third party
* details of whether the third-party organisation is registered as an SEO in any jurisdiction
* information about the SEO’s periodic evaluations of service delivery for both inbound and outbound students.

An SEO must ensure that third-party organisations undertaking the selection of host families for outbound students have a process to adequately screen and select exchange student host families. The third-party organisation must:

* conduct an in-person interview with each person aged 18 years and over residing in the home
* conduct a home inspection prior to the placement of an exchange student to ensure that the host family is capable of providing a safe, comfortable and nurturing home environment
* ensure the family declares all adults and children who live in the home, including those who may reside temporarily
* ensure that the host family understands and agrees to meet the financial obligations of hosting
* verify that each person aged 18 years and over residing in the home has undergone a Criminal Record Check (CRC).

An SEO must ensure that third-party organisations supporting outbound students have policies and procedures to respond to critical incidents, including natural disasters, terrorism, student illness or injury, and breakdown in the hosting relationship.

Information about third-party arrangements and copies of the agreements must be provided at the time of application.

An SEO must notify the VRQA if there is a change to the organisations that the SEO has third-party arrangements with. Where an SEO becomes aware that a third-party organisation has not complied with the requirements of the Guidelines, the SEO must take immediate corrective action.

An SEO should ensure that the arrangements with third-party organisations include consideration of the Child Safe Standards. An SEO must conduct a risk assessment of all outbound students’ accommodation and welfare arrangements.

Administration of student exchange programs

* 1. **Structure of student exchange programs**

A non-school SEO must follow VRQA and individual school procedures regarding the placement of exchange students in schools in Victoria.

An SEO should minimise changes to a student’s exchange program, including changes to the start date, duration, departure date, host school or host family.

If the student exchange program involves the student being placed with more than one host family, SEOs must demonstrate that the student and the student’s parents are advised of this prior to the student’s first placement.

A student exchange program must not include a change of host school unless the original host school placement is not satisfactory. If the host school is the SEO, an unsuccessful placement would normally be resolved by the student returning home early.

A non-school SEO may only transfer students interstate:

* in exceptional circumstances
* with parental approval for the transfer
* with the approval of the VRQA and the interstate registration authority prior to the transfer.

An SEO requires a new AASES form to transfer a student interstate. This will be provided by the interstate registration authority. In these circumstances, the registration authorities will calculate reciprocity by allocating the time the student spent in each state or territory and include it in the relevant state or territory’s annual reciprocity report.

* 1. **Selection of students**

An SEO must have a screening process for selecting inbound and outbound students. Only students with appropriate language proficiency or demonstrated capacity to acquire a language, and maturity to benefit from the experience should be selected to take part in a student exchange program.

An SEO must provide comprehensive, current information in plain English to potential exchange students about:

* school terms and holiday breaks
* the grounds on which the student’s exchange may be suspended or cancelled
* the SEO’s policy and process for approving the host family, support and general welfare arrangements.
  1. **Health and travel insurance**

An SEO must ensure that exchange students have appropriate health cover and travel insurance.

An inbound student must hold OSHC in accordance with Australian student visa requirements.

An outbound student’s health cover may be adjusted to take into account any reciprocal health care agreements Australia has with the relevant host country.

An SEO must advise that parents of exchange students obtain travel insurance to cover lost luggage, theft of goods and money, and cancellation of flights.

Host families

* 1. **Screening of host families**

Selection of a host family must not involve payment of board or a subsidy to the host family, or to any other party, as a condition of the student’s placement.

For students with special needs, the VRQA may approve the provision of a subsidy to the host family. Prior to applying for AASES forms, sufficient numbers of host families must be in place to accommodate inbound students.

For an inbound student

An SEO must screen and select host families and as a minimum must:

* conduct an in-person interview with each person aged 18 years and over residing in the home
* conduct a home inspection prior to the placement of an exchange student to ensure that the host family is capable of providing a safe, comfortable and nurturing home environment
* ensure the family declares all adults and children who live in the home, including those who may reside temporarily
* ensure that the host family understands and agrees to meet the financial obligations of hosting
* verify and sight that every person aged 18 years and over residing in the home holds a Working with Children clearance prior to the placement commencing.

For an outbound student

An SEO must ensure that third-party organisations undertaking the selection of host families for outbound students have a process to screen and select exchange student host families. The third-party organisation must:

* conduct an in-person interview with each person aged 18 years and over residing in the home
* conduct a home inspection prior to the placement of an exchange student to ensure that the host family is capable of providing a safe, comfortable and nurturing home environment
* ensure the host family declares all adults and children who live in the home, including those who may reside temporarily
* ensure that the host family understands and agrees to meet the financial obligations of hosting
* verify that each person aged 18 years and over residing in the home has undergone a CRC.

The VRQA may approve an alternative procedure to a CRC to determine a person’s suitability to work with children for specific countries where either:

* the relevant government authorities do not issue CRCs
* the processes for prospective host families to obtain CRCs are unreasonably burdensome and significantly more onerous than for Working with Children clearances.

To seek approval to implement an alternative vetting procedure, the SEO must:

* apply to the VRQA for approval
* advise parents, guardians and students that CRCs are not available, and explain the process the SEO is adopting to verify the suitability of the host family.

Placement of more than one student with a host family

Where an SEO intends to place more than one student simultaneously with the same host family, the SEO must ensure all parties agree to the dual placement prior to the second student being accommodated with that host family.

If requested by the VRQA, the SEO must provide documentation demonstrating that all parties agree to the dual placements.

**Placement with single adult host parents without children**

An SEO must ensure that a potential single adult host parent without a child in the home undergoes a secondary level review by an SEO representative other than the individual who recruited or screened the applicant. Such a secondary review should include demonstrated evidence of the individual’s friends or family who can provide an additional support network for the exchange student and evidence of the individual’s ties to their community.

Both the exchange student and their parents/legal guardians must agree in writing in advance to the student’s placement with a single adult host parent without a child in the home.

* 1. **Prevention of conflicts of interest**

A person who is an employee, volunteer or involved in the management of an SEO must not be a host family for an exchange student, except in emergencies and only with prior VRQA approval.

Support and supervision

* 1. **Orientation for students and host families**

An SEO must provide both pre-departure preparation and host country orientation programs for both inbound and outbound students, as well as an orientation program for host families.

The orientation program for students and host families must include:

* information on the organisation’s program rules and expectations
* information on the roles and responsibilities of students and host families
* for host families, information on handling critical incidents and issues relating to student welfare
* information on seeking assistance and reporting any incidence or allegation involving actual or alleged sexual, physical or other abuse
* information on the relevant age restrictions and laws governing minors in the student’s host country
* who to contact in emergency situations, including:
* for inbound students, contact numbers of nominated staff members within Victoria
* for outbound students, contact details of coordinators in the host country
* information about the SEO’s complaints processes
* VRQA contact details.
  1. **Support for students and host families**

An SEO must ensure that inbound and outbound exchange students and host families have adequate local assistance and support. Support includes appropriate reception, orientation, accommodation, transport and emergency arrangements, as well as providing ongoing support networks for exchange students.

An SEO must ensure that appropriate arrangements are in place for inbound exchange students’ accommodation, support and general welfare.

* 1. **Minimum scheduled SEO contact with students and host families**

An SEO must maintain a monthly schedule of personal contact with all exchange students and host families, face-to-face or by telephone. For outbound students, an SEO may satisfy this requirement by ensuring a monthly schedule of personal contact from a third-party organisation in the host country.

* 1. **Program fee discounts for families hosting exchange students**

Placement of an exchange student with a host family must not involve payment of board or a subsidy to the host family. An SEO may only provide a discount on student exchange program fees to the family of an outbound exchange student, in exchange for the family undertaking to host an inbound student, if:

* the family meets all the requirements for host families in the Guidelines and any other requirements imposed by the SEO
* the discount is a maximum of 10% of the cost of the outbound student’s program participation fee
* the discount is paid as a rebate at the end of the inbound student’s exchange program.
  1. **School liaison**

A non-school SEO must follow VRQA and host school procedures regarding the enrolment of inbound exchange students in Victorian schools.  
A non-school SEO must maintain effective liaison with Victorian schools hosting exchange students through the appointment of an identified liaison officer.

For inbound exchange students, a non-school SEO must provide the host school with:

* host family and exchange organisation contact details
* information about the student, including copies of school and other reports as requested.

An SEO must maintain procedures for ensuring that students are meeting the student visa conditions and fulfilling all relevant school requirements. For example, requirements could include abiding by the school’s code of conduct, the school rules, and policies about uniform and attendance.

Requirement to notify the VRQA

* 1. **Changes to SEO governance**

An SEO must notify the VRQA of any change in ownership, control, executive management or operation of the SEO as soon as practical, but within 14 days of the change.

For an SEO that is a registered school, this includes changes to the PEO or principal-class officer overseeing the student exchange program.

On notification of the changes, the VRQA may review whether the organisation remains appropriate for approval as an SEO.

* 1. **Changes to student exchange programs**

An SEO must notify the VRQA prior to implementing any changes to a student exchange program, unless there are exceptional circumstances that require an immediate change.

If a change is made to a student’s program due to exceptional circumstances, the SEO must notify the VRQA as soon as practical, and within 5 working days of the change.

Changes to a student exchange program may include a change to the:

* host school
* host family
* start or departure date.

An SEO must manage and organise student exchange programs in a manner that minimises changes to a student’s agreed exchange program. Changes to the host school must only be made in exceptional circumstances.

If a proposed student exchange program involves multiple host schools, the SEO must seek VRQA approval for each host school prior to the commencement of the student’s exchange program.

If a change is made to a student exchange program, the SEO must ensure that students and parents or guardians consent to the change.

* 1. **Changes to third-party arrangements**

An SEO must notify the VRQA of any changes to the people or organisations that the SEO has a third-party arrangement with within 14 days of the change.

If an SEO enters into a new third-party agreement, the VRQA must be advised of this new arrangement, and the SEO must provide details of the new arrangements and any supporting documents to the VRQA, including the contract.

Confidentiality and information sharing

* 1. **Release of information by VRQA**

Section 4.9.4 of the ETR Act authorises the VRQA to disclose any information it has obtained in the course of performing its functions to a prescribed person or body if the information relates to the performance of a function of that person or body, including a department of the Commonwealth Government or another state or territory government.

An applicant or SEO acknowledges and consents to the VRQA releasing to a prescribed body or person information about or arising from:

* an application for approval or re-approval
* the approval or re-approval of an SEO
* a review of an SEO undertaken by the VRQA
* action taken by the VRQA in relation to an SEO.
  1. **Marketing and recruitment documentation**

If requested by the VRQA, an SEO must provide all material used in promoting its programs and in recruiting exchange students.

Protection measures for exchange students

* 1. **Response to critical incidents**

An SEO must have policies and procedures, including an emergency management plan, to address critical incidents and serious issues impacting on student welfare. The policies and procedures must include procedural information on how the organisation will manage incidents arising from:

* natural disasters
* terrorism
* the student becoming a victim of a crime, or facing arrest or criminal charges
* serious illness, injury or mental health concerns
* the death or serious illness of family members
* a breakdown in the host family arrangements.

A school SEO should confirm that its existing emergency management and critical incident policies and procedures cover the above scenarios, and if not, amend accordingly.

The policies and procedures must provide that appropriate contact is maintained with the student, that the student’s parents or guardians are kept informed, and that the VRQA is notified as soon as practicable.

A written record of any critical incident and remedial action taken by the SEO must be maintained for at least 2 years after the student ceases to be an exchange student.

* 1. **Outbound students**

SEOs will protect outbound exchange students through ensuring that they:

• submit an SEO Outbound Student form to the VRQA for each outbound student at least 14 days prior to their departure from Australia, confirming that the SEO has accepted responsibility for the accommodation, support and general welfare of the student for the duration of the exchange program

• confirm to the VRQA that the parent(s) or legal guardian(s) of the student have signed a written agreement or student exchange contract with the SEO giving consent to:

* the SEO having responsibility for the student’s accommodation, support and general welfare for the duration of the exchange program, and
* the SEO having the authority to cancel the student’s exchange program and arrange the prompt safe return of the student to Australia, due to:
* global, national or regional emergency circumstances
* Australian national, state or territory government directives
* the student’s physical or mental health circumstances, and/or
* the student’s serious breaches of the SEO code of conduct

that require the SEO to exercise its responsibilities for the student’s welfare.

An SEO must:

* provide the VRQA with the details of the student’s exchange program prior to their departure from Australia, including the:
* student’s full name, nationality and passport number
* student’s home and email address
* student’s date of birth
* student’s home school
* host country
* host school
* host family address
* host school commencement and cessation dates
* departure and return dates and flight details
* name and contact details of any third-party organisation contracted to support the exchange program in the destination country
* provide parents or guardians of students with information about child protection laws in the destination country and services, including advice about whether or not CRCs were undertaken for the host family
* register students with the Department of Foreign Affairs and Trade where available
* require that outbound exchange students only travel to the host country with international airlines that provide full transfer facilities and have age-appropriate procedures in the event of flight delays or interruptions
* have up-to-date emergency contact information for airlines, Australian embassies or high commissions and other relevant agencies for host and transit countries
* require students to be met on arrival in the destination country and assisted in their journey to the host family
* arrange for parents or guardians of all outbound exchange students to receive confirmation of the student’s safe arrival at the host family as soon as practicable.
  1. **Exchange student safety card**

For an inbound student

Prior to an inbound student’s departure, an SEO must provide the student and their parents or guardians with:

* the host family’s address and relevant telephone numbers
* emergency contact details for the relevant SEO coordinator or SEO office
* a statement:   
  ‘(Name of SEO) is a student exchange organisation approved in Victoria by the Victorian Registration and Qualifications Authority (VRQA). Students or their parents/legal guardians can contact the VRQA at [vrqa.student.exchange@education.vic.gov.au](mailto:vrqa.student.exchange@education.vic.gov.au)’.

An SEO must provide safety card information to an inbound exchange student before the student leaves their home country or immediately upon entry into Australia.

For an outbound student

Prior to an outbound student’s departure, an SEO must provide the student with:

* the host family’s address and relevant telephone numbers
* the name of any third-party organisation that will be providing elements of the exchange program for the student overseas
* emergency contact details for the relevant SEO coordinator or SEO office in the student’s host country
* emergency contact details for the relevant SEO in Australia
* a statement:   
  ‘(Name of SEO) is a student exchange organisation approved in Victoria by the Victorian Registration and Qualifications Authority (VRQA). Students or their parents/legal guardians can contact the VRQA at [vrqa.student.exchange@education.vic.gov.au](mailto:vrqa.student.exchange@education.vic.gov.au)’.

An SEO must provide safety card information to an outbound exchange student before the student departs from Australia.

* 1. **Reporting incidents or allegations of abuse**

**Non-school SEOs**

An SEO must immediately report any incident or allegation involving actual or alleged sexual or physical abuse of an exchange student to:

* the relevant law enforcement agency in Victoria if they are an inbound student
* the relevant authority in the host country if they are an outbound student.

If an SEO has reasonable grounds to believe that one of its students in Victoria (aged under 16 years) is in need of protection, it must make a report under section 183 of the *Children, Youth and Families Act 2005,* which states:

*Any person who believes on reasonable grounds that a child is in need of protection may report to a protective intervener that belief and the reasonable grounds for it*.

An SEO must also advise the VRQA about the incident or allegation and what steps the SEO has taken in response.

**School SEOs**

A school SEO should follow its existing policies and procedures for the reporting of abuse in accordance with Ministerial Order No. 1359 and the minimum standard for a registered school relating to the care, safety and welfare of students (including mandatory reporting under the *Children, Youth and Families Act 2005*, and duty of care obligations).

* 1. **Complaints and appeals**

An SEO must have and implement a documented complaints handling and appeals process and policy. An SEO must also provide an exchange student and their parents or guardians with comprehensive, free and easily accessible information about that process and policy.

An SEO's internal complaints handling and appeals process must include:

* a process for the exchange student to lodge a formal complaint or appeal if a matter cannot be resolved informally
* that the SEO will respond to any complaint or appeal an exchange student makes about their dealings with the SEO, or any related party the SEO has arranged with to deliver the exchange program or related services
* that the SEO will commence assessment of the complaint or appeal within 10 working days and finalise the outcome as soon as practicable
* that the exchange student is given an opportunity to formally present their case in writing at minimal or no cost, and be accompanied and assisted by a support person at any relevant meetings
* that the SEO conducts the assessment of the complaint or appeal in accordance with the requirements of procedural fairness
* that the exchange student is given a written statement of the outcome of the internal appeal, including detailed reasons for the outcome
* that the SEO keeps a written record of the complaint or appeal, including a statement of the outcome and reasons for the outcome
* that the SEO explains the internal review process to the student and their parent or guardian.

An SEO’s internal complaints handling and appeals policy must clearly and visibly state:

* that an exchange student can contact the VRQA if they or their parent or guardian is concerned about the conduct of the SEO
* that the complaints handling and appeals process described in the policy does not prevent an exchange student from exercising the student’s rights to other legal remedies.

An SEO must give a complainant the VRQA’s contact details.

A school SEO should confirm that its existing complaints and appeals policies and procedures cover the above scenarios, and if not, amend accordingly.

* 1. **Privacy of student information**

An SEO should collect, use and disclose personal information in accordance with the *Privacy and Data Protection Act 2014.*

For example, an SEO must protect the personal information, including photographs, of exchange students and ensure that:

* it obtains appropriate written consent for the publication or use of student images or information in any advertising or promotional material, and clearly outlines the intended use of the material
* in the recruitment of host families and in any other circumstances, the SEO does not provide personal information or photographs or images including likenesses of individual exchange students in any public or ‘open’ recruitment through advertising, websites, publications or displays accessible to the general public that would allow the student to be identified via social media
* it only provides a photograph, first name and basic information about student interests (that is, no surname, address or contact details) to prospective host families who have registered with the SEO and who have completed the relevant screening process, including verifying identity with photo identification
* it appropriately safeguards the access, use, storage and archiving of electronic and hard copies of all exchange student applications, files and documents containing students’ personal information
* it retains and securely stores details of host families and student placements
* it implements a social media policy, including a record management and monitoring process.

A school SEO should confirm that its existing privacy policies and procedures cover the above, and if not, amend accordingly.

* 1. **Information for students and host families about privacy**

An SEO must have a policy and procedure in place that is provided to all exchange students and host families with information about the need for students to protect their personal privacy, and the privacy of members of their host family. This includes advice about the appropriate use and risks of the internet and social media platforms such as Facebook, Twitter, Instagram, YouTube, Snapchat, TikTok, Weibo, WeChat or WhatsApp.

A school SEO should confirm that its existing internet use and social media policies and procedures cover the above, and if not, amend accordingly.

* 1. **Program evaluation**

An SEO must have a process for annual or ongoing program evaluation. The process must include seeking post-program feedback from students, parents or guardians, host families and schools, and implementing improvements in response to the evaluation outcomes.

The program evaluation should include a review of any third-party arrangements.

Appendix

Definitions

AASES form – an Acceptance Advice for Secondary Exchange Student form issued by the VRQA to an SEO to enable an overseas exchange student to apply for an Australian student visa (in accordance with the Commonwealth Migration Regulations 1994*)*.

Base state – for SEOs that operate across more than one jurisdiction, the jurisdiction that the SEO’s head office is located within will be considered the SEO’s base state.

Child Safe Standards – the Victorian Child Safe Standards, as made under the *Child Wellbeing and Safety Act 2005*.

Criminal Record Check (CRC) – official police or security agency check of a person’s criminal history undertaken in order to verify their suitability to work with children. In Victoria this includes a Working with Children clearance under the *Worker Screening Act 2020*.

ETR Act – *Education and Training Reform Act 2006.*

Exceptional circumstances – when a student’s health, wellbeing or safety, or the wellbeing of others, is likely to be at risk.

Exchange student – a student enrolled in a secondary school participating in a secondary student exchange program provided by a VRQA-approved SEO.

Financial capability assessment – an assessment of an organisation’s financial viability and not-for-profit status.

Local SEO coordinator – a paid or volunteer representative of an SEO who coordinates and provides support to exchange students and host families.

OSHC – overseas student health cover, which is mandatory health insurance required by visa regulations for all Australian student visas.

PEO – principal executive officer.

Registration authority – the legal entity in an Australian state or territory responsible for registering or approving, and quality assurance of SEOs.

Student exchange organisation (SEO) – a school or not-for-profit organisation approved by the VRQA under the ETR Act to operate a student exchange program in Victoria.

Student exchange program – an arrangement where an Australian secondary school hosts a student from another country, and that student’s school in that other country hosts a student enrolled at that Australian school.

Third-party organisation – a person or organisation engaged directly by an SEO to provide an element of a student exchange program. These include, for example, an overseas affiliate or partner organisation that is responsible for the accommodation and welfare of an outbound student. These do not include companies providing a general service such as airlines, insurance companies or bus services.