

Guidelines for the operation of international secondary student exchange programs

Approved by the Director-General, Department
of Education, under section 93 of the *Education
(Overseas Students) Act 2018*



Preface

The *Education (Overseas Students) Act 2018* (the EOS Act) creates a legislative regime for the regulation of providers of international secondary student exchange programs operating in Queensland. Section 93 of the EOS Act provides that the Director-General must make guidelines about the operation of international secondary student exchange programs including, for example:

- a) the eligibility of organisations to operate the programs;
- b) the way in which the financial viability, organisational structure, and not-for-profit status of organisations seeking to operate the programs is to be assessed;
- c) the appropriate aims of the programs;
- d) the obligation (the **reciprocity obligation**) of organisations operating the programs to ensure the number of months Queensland students attend an overseas secondary school under the program is at least equal to the number of months overseas students attend a Queensland secondary school under the program;
- e) the way in which support and protection is to be provided to overseas students, Queensland students and host families participating in the programs;
- f) the way in which staff of organisations operating the programs are to be screened and trained, including, for example, the way in which the organisations are to comply with the *Working with Children (Risk Management and Screening) Act 2000*; and
- g) the way in which organisations operating the programs are to ensure overseas students participating in the programs have appropriate health insurance.

To ensure the national approach to the regulation of Student Exchange Organisations (SEOs) is maintained, these guidelines are broadly consistent with the *National Guidelines for the Operation of International Secondary Exchange programs in Australia* (National Guidelines) with minor variations to

align with Queensland specific laws such as the *Working with Children (Risk Management and Screening) Act 2000*.

Note: International Secondary Student Exchange programs do not include programs where a person comes to Australia on a Visitor Visa to undertake cultural exchanges, or participate in sister schools arrangements, even if those programs include study and an exchange.

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Definitions

AASES form	Acceptance Advice for Secondary Exchange Student form (issued by registration authorities to a registered SEO to enable international secondary student exchange students to obtain Australian student visas as per section 5A107 of the Australian Government's <i>Migration Regulation 1994</i>)
Base State	For SEOs that operate across more than one jurisdiction, the jurisdiction within which the SEO has its head-office or central location will be considered its base state.
Child Safe Standards	Child protection legislation and requirements in Queensland including the <i>Working with Children (Risk Management and Screening) Act 2000</i> and the <i>Child Protection Act 1999</i> .
Criminal Record Check (CRC)	An official police or security agency check of a person's criminal history undertaken in order to verify their suitability to work with children, e.g. in Queensland, this includes a Working With Children Check under the <i>Working with Children (Risk Management and Screening) Act 2000</i> .
Department	Department of Education (Queensland)
Department of Home Affairs	(Australian Government) Department with responsibility for Immigration matters
EOS Act	<i>Education (Overseas Students) Act 2018</i>
Exceptional circumstances	If 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 an international secondary student exchange program provided by an approved SEO
International Secondary Student Exchange Program (ISSE Program)	An international secondary student exchange program within the meaning of the EOS Act. The EOS Act defines ISSE Program to mean a program without tuition fees, of not more than 12 months that enables under reciprocal arrangements—

	(a) an overseas student to attend a Queensland secondary school on a full-time basis; and
	(b) a Queensland student to attend an overseas secondary school on a full-time basis.
Local SEO coordinator	A representative of an SEO engaged in either a paid or unpaid capacity to coordinate and provide SEO support to exchange students and host families
MOU	Memorandum of Understanding
NCCISSE	National Coordinating Committee for International Secondary Student Exchange (the national body comprising representatives of the Australian state and territory registration authorities)
OSHC	Overseas Student Health Cover (mandatory health insurance required by visa regulations for all Australian Student Visas)
Queensland Registration Authority	The EOS Act uses the term 'chief executive' to refer to the Director-General of the Department that administers the <i>Education (Overseas Students) Act 2018</i> . To facilitate the operation of the EOS Act some of the Director-General's powers are delegated to an appropriately qualified public service employee. These Guidelines use the term Queensland Registration Authority to refer to the Director-General or the Director-General's delegate.
Registration Authority	The legal entity in an Australian state or territory responsible for registering or approving, and quality assuring SEOs. Details of the registration authorities for each state and territory are provided at Appendix 1. In Queensland this is the Chief Executive of the Department or delegate.
Student Exchange Approval	An approval to provide an international secondary student exchange program granted to a school or not-for-profit organisation by the Queensland Registration Authority (Chief Executive of the Department or delegate).
Student Exchange Organisation (SEO)	A school or not-for-profit organisation approved under the EOS Act to provide an international secondary student exchange program.

Third Party Organisations

A person or organisation (including overseas partners or affiliate) engaged directly by the SEO to provide any element of the ISSE 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 an airline, insurance companies or bus services.

WWC Act

Working with Children (Risk Management and Screening) Act 2000

1. Introduction

1.1 Rationale for student exchange programs

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

1.2 Objectives of student exchange programs

The objectives of ISSE 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;
- to develop cultural awareness and understanding among students in the school environment; and
- to promote international understanding and cooperation.

1.3 International Secondary Student Exchange Programs (ISSE)

ISSE programs are regulated on a state by state basis based on the *National Guidelines for the Operation of International Secondary Exchange programs in Australia* (the National Guidelines). The National Guidelines are developed by the NCCISSE.

In Queensland, ISSE programs are regulated under the EOS Act and these Queensland ISSE Guidelines. The framework established by the EOS Act and these Guidelines reflects the policy intention of the National Guidelines.

The EOS Act defines an ISSE program as a program without tuition fees, of not more than 12 months that enables under reciprocal arrangements—

- a) an overseas student to attend a Queensland secondary school on a full-time basis, and
- b) a Queensland student to attend an overseas secondary school on a full-time basis.

A student exchange approval is required before a person can provide an ISSE program. A school or not-for-profit organisation may apply to the Queensland Registration Authority for approval to provide an ISSE program.

Students participating in ISSE programs in Queensland enrol in full time study at a Queensland school and travel to Australia on a Student Visa (Subclass 500) issued by the Australian Government. The Australian Government will only issue a student visa to students who are enrolled as full time secondary students in a recognised course of study.

(Note: Subclass 500 (school sector) visas are also issued to full-fee paying overseas students who are issued with a Confirmation of Enrolment (CoE) by their education provider.)

1.4 Principle of reciprocity

Reciprocity of exchange is accepted instead of payment of tuition fees.

Reciprocity within each state/territory is calculated across the entire program run by an SEO over a two year period. The NCCISSE will provide and consider national reciprocity data on an annual basis.

The registration authorities will compare the total points for inbound and outbound programs without particular concern for the mix of short and long term programs.

Students must attend school for the period approved by the relevant registration authority on the AASES form or outbound notification form to be included in any exchange reciprocity calculations.

How reciprocity is calculated

Reciprocity is calculated using the number of months students are on exchange. It is based on the allocation of one point for each calendar month of exchange regardless of when in the month the exchange commences and ends.

For example:

- a) a student arriving on 29 June and departing on 1 September earns 4 reciprocity points;
- b) 3 students on exchange for 4 months will accrue the same number of points as 1 student on exchange for 12 months.

An exchange that commences in a month of one year and concludes in the corresponding month in the next year would normally count as 13 points. However, the registration authorities have agreed to count it as 12 points.

Monitoring of reciprocity

Registration authorities are responsible for monitoring reciprocity for each SEO.

The NCCISSE meets annually to review the reciprocity data from a national perspective. The key dates for the collection and submission of reciprocity data are:

By 1 September

Registration authorities dispatch *National Standard Annual Monitoring Forms* to SEOs.

By 1 October

SEOs complete and submit the *National Standard Annual Monitoring Forms* to the respective registration authority. In Queensland this is the Queensland Registration Authority.

In November

The NCCISSE meets for the annual national review.

2. Legislative Framework

Queensland legislation

A student exchange approval is required before a person or organisation can provide an ISSE program.

A school or not-for-profit organisation may apply to the Queensland Registration Authority for approval to provide an ISSE program.

Under the EOS Act the Queensland Registration Authority has the responsibility of giving or refusing student exchange approvals and monitoring compliance with the EOS Act including these Guidelines and any conditions imposed on the approval.

A student exchange approval may be given by the Queensland Registration Authority only if the Queensland Registration Authority is satisfied:

- (a) the applicant is complying, or will comply, with—
 - (i) the EOS Act and
 - (ii) these Guidelines, including, for example, the reciprocity obligation, and
- (b) the applicant is fit and proper to provide an ISSE program.

A student exchange approval may be given for a term of not more than 6 years and may be subject to conditions. It is a mandatory condition of all student exchange approvals that the SEO comply with a request by the Queensland Registration Authority to give information required to be kept by the holder under a relevant law. SEOs must comply with the EOS Act and the guidelines.

The Queensland Registration Authority maintains a register of holders of student exchange approvals. This register includes details of the name of the holder and the address, the telephone number of the central or head office, and other information the Queensland Registration Authority considers appropriate. For not-for-profit organisations, information on the register also includes the legal status of the organisation and the Australian company number (or Australian registered body number for the holder under the Corporations Law). The register is publically available on the Department's website.

In Queensland, unless a person has a student exchange approval, it is an offence to:

- a) provide an ISSE program;
- b) make an offer to a student or intending student to undertake, or to apply to undertake, an ISSE program;
- c) invite a student or intending student to undertake, or to apply to undertake, an ISSE program; or
- d) hold out as able or willing to provide an ISSE program.

The EOS Act provides review rights for decisions made under the EOS Act. Under these provisions schools and not-for-profit organisations not granted a student exchange approval may seek a review of the decision. The EOS Act also allows SEOs to seek a review of any conditions imposed on the student exchange approval.

Under the EOS Act, it is a mandatory condition that the holder of a student exchange approval comply with all requests from the Queensland Registration Authority for information kept by the approval holder. The Queensland Registration Authority may ask for information at any time during the period of approval.

During the period of a SEO's approval, the Queensland Registration Authority may undertake monitoring activities to monitor the SEO's compliance with the Act, Guidelines and any conditions of approval. Monitoring activities may also be undertaken when:

- there is concern about unsatisfactory performance;
- there is significant growth in an SEO's operations;
- there is a change in the nature of the programs being offered;
- there is a change in the organisational structure; or
- there is a change in the SEOs ownership, management, control or operation.

Visa Requirements

Inbound students participating in an ISSE Program conducted by a SEO enter Australia on a Student Visa. The *Acceptance Advice for Secondary Exchange Students (AASES)* form issued by the Queensland Registration Authority to a SEO is required to obtain a Student Visa.

It is a prerequisite to obtaining a Student Visa that students have health insurance. Inbound students must satisfy this requirement by obtaining Overseas Student Health Cover (OSHC). OSHC provides medical and hospital insurance.

Students on a Student Visa must not arrive in Australia before the period of health insurance commences and must maintain adequate insurance for the duration of their stay.

3. Areas of Responsibility

The Queensland Registration Authority

The Queensland Registration Authority is responsible for:

- approving SEOs to provide ISSE programs;
- making guidelines under the EOS Act;
- monitoring compliance with the EOS Act including these Guidelines;
- providing guidelines for organisations on student enrolment procedures, advice to schools and a timeline of key dates;
- accounting for the AASES forms issued and providing forms to SEOs when requested;
- monitoring reciprocity for all approved ISSE programs in Queensland;
- managing instances of non-compliance as appropriate including the suspension and cancellation of a registration, if required;
- providing information, including a published list of all currently registered organisations in Queensland; and
- investigating complaints from schools, parents and students in relation to the conduct of a Queensland registered SEO under these Guidelines.

Student Exchange Organisations (SEOs)

SEOs are responsible for:

- maintaining necessary systems to carry out their duty of care requirements in a responsible and effective manner;
- providing orientation and support services for students and overseeing students' health and welfare;
- conducting their operations according to these Guidelines and any relevant guidelines of the state/territory registration authorities;

- implementing procedures for arranging the school and host family placements of exchange student and if necessary for changing these placements;
- ensuring that all students have appropriate health insurance, including Overseas Students Health Cover (OSHC) for inbound students;
- ensuring that for all students normal day to day living expenses are covered for the duration of the exchange;
- notifying the state/territory registration authorities promptly when there is a fundamental change in the nature of the programs being offered;
- notifying the state/territory registration authority if either inbound or outbound students do not take up placements, leave the program sooner than expected, or do not leave the country when the program is completed;
- ensuring compliance with the child protection legislation of the states and countries in which they operate, including meeting all required reporting obligations;
- ensuring the return of fully completed AASES forms to the relevant state/territory registration authority following the enrolment of exchange students;
- ensuring that a zero or positive reciprocity balance is maintained within each state/territory in which the organisation is registered; and
- ensuring that all staff, both paid and volunteer, are aware of the requirements under these Guidelines, relevant to the person's role within the SEO.

Exchange Students

The Exchange Students are responsible for:

- attending the appointed school full time;
- behaving in an appropriate manner as agreed under the terms of the relevant ISSE program, and complying with school codes of conduct, regulations and abiding by the laws of the destination country;

- leaving the destination country on completion of the ISSE program or the expiration of any relevant Student Visa; and
- leaving the destination country earlier if circumstances develop such that the SEO believes that the student's further participation in the program is not appropriate.

Inbound students are also responsible for:

- fulfilling the requirements of the Student Visa; and
- not undertaking paid employment beyond a maximum of forty hours per fortnight providing this employment does not interfere with or otherwise affect the student's studies and school performance, and is permitted by the student's parents and SEO;

The Australian Government

The Australian Government is responsible for:

- advising on immigration, health regulations and overseas travel safety issues; and
- issuing designated Student Visas for inbound exchange students.

National Framework

National Coordinating Committee for International Secondary Student Exchange (NCCISSE)

The NCCISSE was established in November 1989. The committee meets annually to discuss the reciprocity returns submitted by SEOs and all other matters pertaining to student exchange programs in Australia. The committee also meets to ensure a consistent approach to the following year's exchange programs.

The NCCISSE acts as a forum for state/territory exchange registration authorities to consider matters that impact on the operation of ISSE programs nationally. It has responsibility for procedural matters of national interest relating to educational exchange at a secondary school level. It contributes to the flow of information about immigration, health and other issues of general interest.

NCCISSE is responsible for:

- maintaining an Operations Protocol Manual to ensure a nationally consistent application of the registration criteria for all organisations;
- reviewing and amending the NCCISSE National Guidelines as required;
- discussion of national issues relating to the provision of ISSE programs across all states and territories;
- monitoring national reciprocity of SEOs;
- liaising with the Australian Government agency responsible for Immigration matters via the provision of a consolidated list of registered SEOs and state/territory contacts;
- approving alternative vetting procedures for countries where criminal record checks to determine a person's suitability to work with children are not available; and
- providing the opportunity for SEOs to raise issues relating to the operation of ISSE programs in Australia.

4. Application for Student Exchange Approval

4.1 Application process

Schools and not-for-profit organisations may apply to the Queensland Registration Authority for approval to provide an ISSE program. The application must be in the approved form which is available on the Department's website.

Applicants must provide supporting information to address all matters in sufficient detail to allow a decision to be made.

4.2 Reviews of SEO registration

The Queensland Registration Authority may undertake a review of the SEO during the period of registration. Reviews may occur:

- as part of the registration process;
- when there is concern about unsatisfactory performance;
- when there is significant growth in an exchange organisation's operations; or
- when there is a fundamental change in the nature of the programs being offered; or
- as a result of any other matter deemed to require a review by the relevant state/territory registration authority.

4.3 Confidentiality

Section 96 of the EOS Act imposes a duty of confidentiality on the Director-General, public service employees and authorised persons who acquire confidential information about another person or have access to, or custody of, confidential information about another person.

The EOS Act provides that the Director-General, public service employees and authorised persons must not use or disclose the confidential information to

anyone else, other than as permitted under the Act. Failure to comply with the provision is an offence with a maximum penalty of 50 penalty units¹.

The EOS Act specifically provides for information sharing between:

- the Queensland Registration Authority and the Non-State Schools Accreditation Board (EOS Act, sections 99 and 100); and
- the Queensland Registration Authority and other registration authorities (EOS Act, section 98).

¹ The penalty unit value in Queensland is prescribed in section 3 of the *Penalties and Sentences Regulation 2015*. The value may be increased annually with the increase coming into effect on 1 July of the relevant year. From 1 July 2017 the prescribed value was \$126.15.

5. Standards for student exchange approval

The standards listed below apply to applicants for approval to provide an ISSE program and holders of an approval.

General

5.1 Purpose of student exchange program

SEOs must demonstrate that the principal purpose of their ISSE program is to provide a broad educational experience for students and to further international / intercultural understanding.

5.2 Use of the term 'student exchange'

In Queensland, if a person does not hold a student exchange approval it is an offence under the EOS Act for the person to:

- a) provide an ISSE program;
- b) make an offer to a student or intending student to undertake, or to apply to undertake, an ISSE program;
- c) invite a student or intending student to undertake, or to apply to undertake, an ISSE program; or
- d) hold out as able or willing to provide an ISSE program.

The offence has a maximum penalty of 200 penalty units².

All inbound students entering Australia on programs advertised as an ISSE program must enter on a Student Visa (subclass 500) issued on the basis of an AASES form.

² The penalty unit value in Queensland is prescribed in section 3 of the *Penalties and Sentences Regulation 2015*. The value may be increased annually with the increase coming into effect on 1 July of the relevant year. From 1 July 2017 the prescribed value was \$126.15

SEOs providing other visit or cultural programs for young people entering Australia on a Visitor Visas must:

- not promote or refer to such programs as ISSE programs; and
- make explicitly clear to participants and parents that these programs are not ISSE programs regulated under the EOS Act or these Guidelines and are not quality assured by the Queensland Registration Authority.

Only programs operating under these Guidelines may be identified as 'student exchange' programs in promotional and marketing material, both print and electronic.

5.3 Reciprocity

SEOs must ensure that for each month that an overseas student participates in an ISSE program in Queensland a Queensland student participates as an exchange student overseas in a student exchange program.

SEOs must submit to the Queensland Registration Authority information and statistics regarding all incoming and outgoing programs, including the enrolment commencement and cessation dates for each student. This information must be confirmed annually on the *National Standard Annual Monitoring Form*.

If the annual reciprocity return of the SEO shows a significant negative reciprocity balance, the SEO is required to submit a remedial action plan in association with the annual reciprocity return. The plan should apply to any jurisdiction in which the organisation has a significant negative reciprocity balance.

SEOs are required to maintain a neutral or positive reciprocity balance. A negative balance over two consecutive years is considered a breach of the organisation's reciprocity obligation.

A continuing significant negative reciprocity balance of more than -50 points is considered grounds for suspension or cancellation.

Governance of SEOs

5.4 Eligibility to apply for a student exchange approval

Section 14 of the EOS Act provides that a school or a not-for-profit organisation may apply to the Queensland Registration Authority for approval to provide an international secondary student exchange program.

For State schools, the application may be made on behalf of the school by a person authorised in writing by the Queensland Department of Education. For non-State schools, the application may be made on behalf of the school by the school's governing body or a person authorised in writing by the school's governing body.

5.5 Not-for-profit status and financial viability

SEOs must operate on a not-for profit basis and be financially viable with sufficient financial resources to fulfil their obligations and responsibilities for the duration of the approval.

SEOs are required to provide evidence of their not-for-profit status by submitting appropriate documentation with the application.

SEOs are required to demonstrate that they are not-for-profit and financially viable with sufficient financial resources to fulfil their obligations and responsibilities at the time of initial approval and renewal of approval.

Documentation may include copies of:

- a certificate of incorporation;
- memorandum and articles of association or constitution;
- certificates of insurance/public liability cover;
- audited financial statements;
- compliance with ATO requirements for not-for-profit status;
- registration as a not-for-profit organisation with the Australian Charities and Not-for-profits Commission (ACNC);

- 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;
- a financial health assessment.

The SEO must be able to demonstrate that they remain not-for-profit.

The Queensland Registration Authority may review whether a SEO continues to be not-for-profit and financially viable at any time during the term of approval.

The Queensland Registration Authority may review whether a SEO satisfies the not-for-profit and financially viable requirement if the Queensland Registration Authority has been notified of changes to the ownership, management, control or operation of the SEO.

5.6 Fit and proper person requirement

SEOs must satisfy the fit and proper person requirement at the time of application and for the duration of any approval.

In determining whether a SEO is fit and proper the Queensland Registration Authority, and without limiting the matters the Queensland Registration Authority may have regard to, can consider whether any person involved in the management (including at a national level) of the SEO:

- has a history of non-compliance with these Guidelines and any equivalent interstate guidelines;
- has ever had involvement in the management of an SEO that has had the registration as a SEO suspended or cancelled by a state/territory registration authority in Australia;
- has ever had involvement in the management of an SEO that has had conditions imposed on the registration as SEO by a state/territory registration authority in Australia;
- has ever been charged with or convicted of an indictable offence;
- has ever become bankrupt;

- has ever been disqualified from managing corporations under the Corporations Act;
- has ever been refused a Working with Children Check in any state/territory in which the SEO operates;
- has ever been found not to be a fit and proper person under these Guidelines or any equivalent interstate guidelines;
- has ever provided a state/territory registration authority with false or misleading information or made a false or misleading statement to a state/territory registration body in relation to any matter under these Guidelines or equivalent interstate guidelines.

A SEO must notify the Queensland Registration Authority within 28 days if it becomes aware that a person within their management becomes subject to any of the above.

The Queensland Registration Authority may review whether a SEO satisfies the fit and proper person requirement at any time during the term of approval. The Queensland Registration Authority may review whether a SEO satisfies the fit and proper person requirement if the Queensland Registration Authority has been notified of changes to the ownership, management, control or operation of the SEO.

5.7 Organisational Structure

SEOs must have an organisational structure within Queensland that:

- is effective and appropriate for the size of the operation;
- allows ready access by and communication with parents, schools, students and officers of appropriate agencies; and
- provides appropriate support for participating students.

SEO's must demonstrate through their organisational structure or third party arrangements that they can facilitate the provision of effective and appropriate support to participating inbound and outbound students overseas.

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 Queensland as part of the *National Standard Annual Monitoring Form*; and
- provide each exchange student with a local SEO coordinator residing within 200km or 2 hours travel by car whichever is the shorter from the student's host family residence.

For SEOs operating across more than one jurisdiction, the jurisdiction within which the organisation has its head-office or central location will be considered as their base state. A SEO seeking to be approved in Queensland must also operate as a SEO offering ISSE programs in their base state. Where a SEO ceases to operate ISSE programs in the base state, the Queensland Registration Authority may choose to review the approval.

5.8 Criminal record checks/ Working with Children Checks

SEOs must ensure that the requirements of the *Working with Children (Risk Management and Screening) Act 2000* are met. For any of its officers, employees and volunteers with access to students' personal records or information for whom a Blue Card or Blue Card exemption is not available, the SEOs must ensure that, as a minimum, a National Police Record Check is undertaken.

5.9 Training

SEOs must demonstrate that they provide training for local SEO coordinators and student support staff that specifically includes, as a minimum, instruction in:

- conflict resolution;
- procedures for handling and reporting emergency situations and critical incidents;
- information on child safety standards and reporting requirements;
- procedures for handling and reporting allegations of sexual misconduct or any other allegations of abuse or neglect;

- 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; and
- these Guidelines, the EOS Act and the WWC Act requirements as they relate to the role of the coordinator and student support staff.

5.10 Third Party Arrangements

SEOs must maintain up to date records of all third party organisations used to support and deliver elements of the ISSE program, including:

- the name of the third party organisation;
- type of arrangement made between the parties;
- a copy of the contracts between the SEO and the third party;
- information about the monitoring process the SEO undertakes in relation to the operations of the third party; and
- information about periodic evaluations of service delivery undertaken by the SEO for both inbound and outbound students.

SEOs 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 and as a minimum the third party organisation must:

- conduct an in-person interview with all host family members 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 families 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; and

- verify that each member of the host family aged 18 years and over has undergone a Criminal Record Check³.

SEOs 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 must be provided at the time of application.

During the period of approval SEOs must notify the Queensland Registration Authority if there is a change to the organisations that the SEO has a third party arrangement with.

Where an exchange organisation becomes aware that a third-party organisation has not complied with the requirements under these Guidelines, the SEO must take immediate corrective action.

Administration of student exchange programs

5.11 Structure of student exchange programs

SEOs must follow Queensland procedures about the placement of ISSE program students in schools, including attendance and academic pursuits.

SEO should ensure that changes to a student's ISSE program including changes to the start date, duration, departure date, host school, or host family are minimised.

Where the ISSE 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.

An ISSE program should not include a change of host school unless the original host school placement is not satisfactory. If the host school is the SEO, an

³ Note: In some destination countries it may be argued that a Criminal Record Check is not available – see 5:14 for further information on the process to be undertaken in such circumstances.

unsuccessful placement would normally be resolved by the student returning home early.

SEOs may transfer students interstate only in exceptional circumstances and only with:

- a) parental support for the transfer; and
- b) the approval of the both the Queensland and relevant interstate registration authority prior to the transfer.

(Note: for an interstate transfer a new AASES form from the relevant interstate registration authority is required. Reciprocity will be calculated by allocating the time the student spent in each state/territory and included in the relevant state/territory's annual reciprocity report.)

5.12 Selection of students

SEOs must demonstrate that they 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 an ISSE program.

SEOs must provide comprehensive, current information in plain English to potential exchange students on:

- school terms and holiday breaks;
- the grounds on which the student's exchange may be suspended or cancelled; and
- the policy and process the SEO has in place for approving the host family, support and general welfare arrangements.

5.13 Health insurance

SEOs must ensure that appropriate health cover is obtained and maintained for inbound and outbound exchange students.

Incoming students must hold Overseas Students Health Cover in accordance with Student Visa requirements.

The cover obtained for outbound students may be adjusted to take into account any reciprocal health care agreements Australia has with the relevant destination country.

Host families

5.14 Screening of host families

Selection of host families 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 some special needs programs, some organisations may provide a subsidy to host families with the approval of the state/territory registration authority.)

For inbound students:

SEOs must adequately screen and select exchange student host families and as a minimum must:

- conduct an in-person interview with all host family members 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 that the host family understands and agrees to meet the financial obligations of hosting; and
- verify that every person 18 years and over residing in the home holds a Blue Card prior to the placement commencing.

For outbound students:

SEOs must ensure there is appropriate processes in place for the screening and selection of exchange student host families for outbound students. At a minimum the screening and selection process must include:

- an in-person interview with all host family members aged 18 years and over residing in the home;
- ensuring that the host family is capable of providing a safe, comfortable and nurturing home environment;
- ensuring that the host family understands and agrees to meet the financial obligations of hosting; and
- verification that every person 18 years and over residing in the home has undergone a Criminal Record Check.

The Queensland Registration Authority may consider an alternative vetting procedure to a Criminal Record Check to determine a person's suitability to work with children for specific countries where:

- the relevant government authorities do not issue Criminal Record Checks; or
- the processes for prospective host families to obtain Criminal Record Checks are unreasonably burdensome and significantly more onerous than for Australian Criminal Record Checks; and
- the NCCISSE has established that Criminal Record Checks are not available or unreasonably burdensome and endorsed alternative vetting procedures.

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

- apply to the relevant registration authority in the SEO's base state for approval to implement an alternative vetting process; and
- if approved, implement alternative vetting procedures approved by the SEO's base state and NCCISSE; and
- advise parents/ guardians and students that Criminal Record Checks are not available and the process the SEO is adopting to verify the suitability of the host family to host an ISSE program student.

Placement of more than one student with a host family

The Queensland Registration Authority may approve a request from a SEO for the placement of more than one exchange student to be accommodated with the same host family.

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

If requested, the SEO must provide documentation that demonstrates that all parties have been informed that the SEO intends to place more than one student simultaneously with the same host family and that all parties support the placement.

Placement with single adult host parents without children

SEOs must ensure that a potential single adult host parent without a child in the home undergoes a secondary level review by a 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 his/her community. Both the exchange student and his or her parents/legal guardians must agree in writing in advance of the student's placement with a single adult host parent without a child in the home.

5.15 Prevention of conflicts of interest

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

Support and supervision

5.16 Orientation for students and host families

SEOs must demonstrate that they 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 well-being;
- information on seeking assistance and reporting any incidence or allegations involving actual or alleged sexual, physical or other abuse;
- information on the relevant child protection laws governing minors in the student's destination country;
- who to contact in emergency situations, including:
 - for inbound students contact numbers of a nominated staff member within Australia; and
 - for outbound students, contact details of a coordinator in the destination country;
- information about the SEO's complaints process; and
- contact details for the Queensland Registration Authority.

5.17 Support for students and host families

SEOs 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.

5.18 Minimum scheduled SEO contact with students and host families

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

5.19 Program participation 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 as a condition of the student's placement.

SEOs may only provide a discount of the SEOs program participation fee* to the family of an outbound exchange student in exchange for the family undertaking to host an inbound student, if:

- the family meet the requirements for host families in these 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; and
- the discount is paid as a rebate at the end of the inbound student's exchange program.

* The program participation fee may include airfares, transfers and administrative support throughout the student's exchange, however, the fee must not include tuition fees or board.

Host schools

5.20 School liaison

SEOs must follow Queensland Registration Authority's procedures⁴ about the placement of overseas students in schools, including attendance and academic pursuits and the recruitment of Australian students for overseas exchange.

It is an expectation that students will commence their enrolment at the host school in line with the commencement dates of the relevant school term. SEOs that are not schools must demonstrate and maintain effective liaison with Queensland host schools through the appointment of an identified liaison officer.

For inbound exchange students, SEOs must provide the host school with:

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

SEOs must maintain procedures for ensuring that students are fulfilling all relevant school requirements (e.g. abiding by the school's code of conduct, the school rules and policies about uniform and attendance) and meeting the Student Visa conditions.

Note: Schools are not expected to provide support and pastoral care for exchange students more than that normally provided to Australian students. They are not expected to provide crisis or emergency management networks for exchange students except where they are the SEO for the student.

⁴ Note: For details of the enrolment procedure, see section 10 of these guidelines

Requirement to notify

5.21 Changes to SEO governance

SEOs must notify the Queensland Registration Authority of any change in ownership, control, executive management or operation of the SEO as soon as practical, but within 10 working days of the change.

For SEOs that are non-state schools, this includes changes in governing body and any change of school principal.

On notification of the changes, the Queensland Registration Authority may review whether a SEO remains appropriate for approval as a SEO.

5.22 Changes to student exchange programs – inbound and outbound

SEOs must notify the Queensland Registration Authority prior to implementing any changes to an ISSE program unless there are exceptional circumstances that require an immediate change (e.g. a risk to the student's health, wellbeing or safety or the wellbeing of others).

If an exceptional circumstances change is made to an ISSE program the SEO must notify the Queensland Registration Authority as soon as practical but within 5 working days of the change.

Changes to an ISSE program may include, a change to:

- host school;
- host family;
- start date;
- duration; and
- departure date.

SEO must ensure that ISSE programs are managed and organised in a manner to minimise changes to the student's agreed ISSE program.

Changes to the host school should only be made in exceptional circumstances.

Where the ISSE programs involves the student changing host school as part of the approved ISSE program, approval must be sought from the Queensland Registration Authority for each host school prior to the commencement of the student's exchange.

If a change is made to an ISSE program, SEO must ensure that students and parents/ guardians are informed of the change.

5.23 Changes to third party arrangements

SEOs must notify the Queensland Registration Authority of any changes to the people or organisations that the SEO has a third party arrangement with within 10 working days of the change.

If the SEO enters into a new third party agreement, the Queensland Registration Authority must be advised of this new arrangement, and details of the new arrangements and any supporting documents including the contract must be provided.

Confidentiality and information sharing

5.24 Release of information by Queensland Registration Authority

The EOS Act specifically provides for information sharing between:

- the Queensland Registration Authority and the Non-State Schools Accreditation Board (EOS Act, sections 99 and 100) where the SEO is a non-state school; and
- the Queensland Registration Authority and other registration authorities (EOS Act, section 98)

in relation to information that has arisen from:

- an application for exchange organisation approval or re-approval;

- a compliance audit or review of an exchange organisation undertaken by a relevant state/territory registration authority; or
- action taken by a relevant state/territory registration authority in relation to an exchange organisation.

In the event that the base registration of an exchange organisation ceases, the relevant registration authority will notify other relevant state / territory registration authorities.

5.25 Documentation

Section 18 of the EOS Act provides that it is a mandatory condition of a student exchange approval that the holder comply with a request by the Queensland Registration Authority to give information and documents required to be kept by the holder relating to the approval as a SEO. Such documents may include:

- contracts of third party arrangements;
- evidence of criminal record checks;
- evidence of host family vetting and monitoring; and
- policies and procedures.

SEOs must provide the Queensland Registration Authority with all current documentation used in promoting their program on request.

Protection measures for exchange students

5.26 Response to critical incidents

SEOs must have policies and procedures to that apply to inbound and outbound students to address critical incidents and serious issues impacting on student well-being. At a minimum these must include procedural information on how the organisation will manage incidences arising from:

- natural disasters;
- terrorism;

- student well-being, illness or injury; or
- breakdown in the host family arrangements.

The policies and procedures must provide that appropriate contact is maintained with the student and that the student's parents are kept informed.

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

5.27 Outbound Students

SEOs must:

- notify the Queensland Registration Authority of the details of all outbound students prior to their departure from Australia, including as a minimum
 - the student's full name,
 - home address,
 - date of birth,
 - home school,
 - destination country,
 - destination school,
 - destination host family address,
 - destination school commencement and cessation dates,
 - departure and return dates, and
- provide parents of students with information about child protection laws and services, including advice about whether or not a criminal record check was undertaken on the host family;
- register students with the Australian Department of Foreign Affairs & Trade (DFAT) Smart Traveller website prior to departure;
- require outbound exchange students transiting en-route to the destination country to only travel 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 all destination and transit countries; and
- arrange for parents of all outbound exchange students to receive confirmation of the student's safe arrival at the host family as soon as practicable.

5.28 Exchange student safety card

Inbound students

SEOs must ensure that all inbound students and their parents are provided with the following information electronically prior to the departure of the student, which lists:

- the host family's address, home telephone number and relevant mobile numbers;
- emergency contact details for the relevant SEO coordinator or SEO office; and
- the Queensland Registration Authority's name and email address, with a statement:

“(name of SEO) is a student exchange organisation registered in Queensland by the Queensland Registration Authority. Students or their parents or legal guardians can contact the Queensland Registration Authority at internationalregistration@qed.qld.gov.au.”

The exchange student safety card information must be provided before the student leaves their home country or immediately upon entry into Australia.

Outbound students

SEOs must ensure that all outbound students are provided with the following information electronically prior to the departure of the student, which includes:

- the host family's address, home telephone number and relevant mobile numbers;
- that the organisation providing the exchange program is a registered SEO;
- the name of the third-party organisation that will be providing for the student while the student is overseas;
- emergency contact details for the relevant SEO coordinator or SEO office in the student's destination country;
- emergency contact details for the relevant SEO in Australia; and
- the Queensland Registration Authority's name and email address, with a statement:

“(name of SEO) is a Student Exchange Organisation registered in Queensland by the Queensland Registration Authority. Students or their parents or legal guardians can contact the Queensland Registration Authority at internationalregistration@qed.qld.gov.au”

The exchange student safety card information must be provided to the student before the student departs Australia.

5.29 Reporting incidents or allegations of abuse

SEOs that are schools must have processes for reporting incidents or allegations of abuse that comply with their obligations under the *Education (General Provisions) Act 2006* and the *Child Protection Act 1999* and any subsequent regulations that are in force.

SEOs that are non-state schools must also comply with the *Education (Accreditation of Non-State Schools) Act 2017* and Regulation.

All other SEOs must immediately report any incident or allegation involving actual or alleged sexual or physical abuse of an inbound student to the Queensland Police, or in the case of an outbound student, the relevant authority in the destination country.

Failure to report such incidents shall be grounds for suspension or cancellation of a student exchange approval.

SEOs must also advise the Queensland Registration Authority about the incident or allegation and what steps the SEO has taken in response.

5.30 Resolution of problems

The SEO must have and implement a documented complaints handling and appeals process and policy, and provide the exchange student and parent/guardians with comprehensive, free and easily accessible information about that process and policy.

The 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;
- include that the SEO will respond to any complaint or appeal the exchange student makes regarding his or her dealings with the SEO, or any related party the SEO has an arrangement with to deliver the exchange program or related services;
- commence assessment of the complaint or appeal within 10 working days and finalise the outcome as soon as practicable;
- ensure the exchange student is given an opportunity to formally present his or her case in writing at minimal or no cost, and be accompanied and assisted by a support person at any relevant meetings;
- conduct the assessment of the complaint or appeal in accordance with the requirements of procedural fairness;
- ensure the exchange student is given a written statement of the outcome of the internal appeal, including detailed reasons for the outcome;

- keep a written record of the complaint or appeal, including a statement of the outcome and reasons for the outcome; and
- outline the internal review process available to the student and their parent/guardian.

The policy must state in a prominent way:

- that an exchange student may contact the Queensland Registration Authority if the exchange student or parent/guardian is concerned about the conduct of a Queensland registered SEO under these Guidelines; and
- the Queensland Registration Authority, under part 6, division 1 of the Act may suspend or cancel the registration of an SEO; and
- 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.

The SEO must give the complainant the contact details for the Queensland Registration Authority.

5.31 Privacy of student information

Private sector SEOs should deal with student personal information as if they are bound by the Australian Privacy Principles.

School sector SEOs should deal with student personal information in accordance with the *Information Privacy Act 2009* and the *Education (General Provisions) Act 2006*.

For example, SEOs must protect the personal information, including photographs, of exchange students and, at a minimum, ensure that the organisation:

- 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, 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;

- only provides a photograph, first name and basic information about student interests (i.e. no surname, address or contact details) to prospective host families who have registered with the SEO and who have commenced the relevant screening process, including verifying identity with photo identification;
- appropriately safeguards the access, use, storage and archiving of electronic and hard copies of all exchange student applications, files and documents containing student personal information;
- retains and securely stores details of host families and student placements; and
- implements a social media policy including record management and monitoring process.

5.32 Information for students and host families on privacy

SEOs 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, while participating in a student exchange program. This includes advice regarding the appropriate use and risks of the internet, social media such as Facebook and Twitter, internet chat rooms, YouTube diaries and weblogs.

Program Evaluation

5.33 Program evaluation

SEOs must demonstrate that they have a system or process for:

- annual or ongoing program evaluation;

- seeking post-program feedback on their services from students, parents, 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.

6. Outbound Exchange Students

School Principals should deal only with an approved SEO when participating in an ISSE program.

Any arrangement for students to join an outbound ISSE program is strictly between each student, his or her parents/guardian and the SEO. Neither the school nor the Queensland Registration Authority accepts any liability for students while overseas on exchange.

7. Inbound Exchange Students

School principals should deal only with an approved SEO when participating in an ISSE program.

Any arrangements for students to be enrolled at a school are matters strictly between the school, each student, his or her parents/guardian and the SEO. The Queensland Registration Authority does not accept any liability for overseas students enrolled in schools.

8. Acceptance advice of secondary exchange students (AASES) forms

To obtain a Student Visa for Australia, overseas exchange students require an *Acceptance Advice for Secondary Exchange Student* (AASES) form. SEOs need to apply to the Queensland Registration Authority for AASES forms using an official AASES request form. AASES forms will be issued on consideration of the organisation's reciprocity balance, and will not be issued to SEOs that have not provided a *National Standard Annual Monitoring Form*.

The organisation must ensure that the host family nominated on the AASES request represents a confirmed placement at the commencement of the program. Where the student's program is to include more than one host school during the student's placement, the organisation must advise the Queensland Registration Authority of this at the time of the AASES request.

9. Information for participating schools

Unless the host school is also the registered SEO for the student, schools are not expected to provide support and pastoral care for exchange students more than that normally provided to Australian students. They are not expected to provide crisis or emergency management networks for exchange students except where they are the registered SEO for the student.

Principals are advised to notify the Queensland Registration Authority if there is a concern with the conduct of the SEO about any of the above, either before a student commences or during the placement.

10. Queensland procedures for the placement of ISSE program students

The Queensland procedures for the placement of ISSE students in schools are that:

- the student must be enrolled as a full time student at a secondary school;
- the student must commence school in line with the agreed commencement date on the AASES form; and

- the student must attend school and participate fully in the school's academic program, as required by the school.

11. Information for parents/ guardians of ISSE students

Parents or guardians of Queensland ISSE students who have any concerns about the conduct of the SEO under these Guidelines may contact the Queensland Registration Authority:

International Quality (Schools)
Department of Education (Qld)
30 Mary Street (LMB 527)
Brisbane Q 4000
Phone: 07 3513 6748
Email: internationalregistration@qed.qld.gov.au .

Appendix 1 - Registration authorities for ISSE programs in Australia

The state and territory registration authorities listed below have the responsibility for the registration or approval, and quality assurance, of schools and organisations providing secondary student exchange programs in the respective state or territory.

Australian Capital Territory	<p>ACT Government Education Directorate</p> <p>International Education Unit</p> <p>51 Fremantle Drv, Stirling (PO Box 158)</p> <p>CANBERRA ACT 2601</p> <p>Ph.: (02) 6205 9176 Fax: (02) 6205 9239</p> <p>W:</p> <p>https://www.education.act.gov.au/school_education/international_students/secondary_exchange_program</p> <p>E: ieu@act.gov.au</p>
New South Wales	<p>NSW Exchange Registration Committee</p> <p>Department of Education</p> <p>DoE International</p> <p>Level 2, 1 Oxford St, (Locked Bag 53)</p> <p>DARLINGHURST NSW 2010</p> <p>Ph.: (02) 8293 6982 Fax: (02) 9266 8098</p> <p>W: www.schools.nsw.edu.au/studentsupport/programs/studentexchange</p> <p>E: studentexchange@det.nsw.edu.au</p>
Northern Territory	<p>Department of Education (DOE)</p>

	<p>International Services Unit</p> <p>Level 14, 55 Mitchell St (GPO Box 4821)</p> <p>DARWIN NT 0801</p> <p>Ph.: (08) 8901 4902 Fax: (08) 8999 5788</p> <p>W: https://nt.gov.au/learning/primary-and-secondary-students/overseas-exchange-programs-for-nt-students</p> <p>E: internationalservice@nt.gov.au</p>
Queensland	<p>Department of Education</p> <p>International Quality (Schools) Unit</p> <p>30 Mary St, (LMB 527)</p> <p>BRISBANE QLD 4001</p> <p>Ph.: (07) 3513 6748</p> <p>W: https://www.qld.gov.au/education/schools/information/programs/exchange/pages/long.html</p> <p>E: internationalregistration@qed.qld.gov.au</p>
South Australia	<p>Department for Education & Child Development (DECD)</p> <p>International Education Services</p> <p>31 Flinders St, (PO Box 1152)</p> <p>ADELAIDE SA 5001</p> <p>Ph.: (08) 8226 3402 Fax: (08) 8227 2391</p> <p>W: http://www.sa.gov.au/topics/education-skills-and-learning/working-in-education/international-education-and-exchange-programs/high-school-student-exchange-organisations</p> <p>E: decisip@sa.gov.au</p>
Tasmania	<p>Tasmanian Assessment, Standards & Certification (TASC)</p> <p>Level 6, 39 Murray Street, (GPO Box 333)</p> <p>HOBART TAS 7001</p> <p>Ph.: (03) 6165 6000</p>

	<p>W: www.tasc.tas.gov.au</p> <p>E: enquiries@tasc.tas.gov.au</p>
Victoria	<p>Victorian Registration & Qualifications Authority (VRQA)</p> <p>School Projects Unit</p> <p>Level 2 Lonsdale Street (GPO Box 2317)</p> <p>MELBOURNE VIC 3001</p> <p>Ph.: (03) 9032 1538</p> <p>W: www.vrqa.vic.gov.au/registration/international</p> <p>E: vrqa.student.exchange@edumail.vic.gov.au</p>
Western Australia	<p>WA Registration Committee</p> <p>Department of Education</p> <p>c/o Education & Training International (ETI)</p> <p>Level 7, 3 Forrest Place</p> <p>PERTH WA 6000</p> <p>Locked Bag 16 OSBORNE PARK DC, WA 6916</p> <p>Ph.: (08) 9218 2100 Fax: (08) 9218 2160</p> <p>W: www.eti.wa.edu.au</p> <p>E: study.eti@dtwd.wa.gov.au</p>