



# OVERSEAS STUDENTS

## Course Transfer Policy

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### 1. Purpose

- 1.1 The purpose of this Policy is to provide guidance to Overseas Students regarding course transfers pursuant to Standard 7 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (Cth) (**National Code 2018**).

### 2. Transfer request assessment

- 2.1 Overseas Students are restricted from transferring from their principal course of study for a period of six months after commencement of the principal course of study. This restriction also applies to any course packaged with their principal course of study.
- 2.2 Overseas Students can apply for a release to enable them to transfer to another education provider.
- 2.3 The School will not actively recruit an Overseas Student where this conflicts with its obligations under the National Code 2018.
- 2.4 The School will only approve an application to release an Overseas Student in the first six months of their principal course in the following circumstances:
- 2.4.1 compassionate or compelling circumstances;
  - 2.4.2 the Overseas Student have changed welfare and accommodation arrangements and is no longer within a reasonable travelling time of the School;
  - 2.4.3 It has been agreed by the School the Overseas Student would be better placed in a course that is not available at the School;
  - 2.4.4 It is in the Overseas Student's best interest, including but not limited to where the School has assessed that:
    - 2.4.4.1 the Overseas Student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with any intervention strategy to assist the Overseas Student;
    - 2.4.4.2 the School fails to deliver the course as outlined in the Written Agreement;
    - 2.4.4.3 there is evidence that the Overseas Student's reasonable expectations about their current course are not being met;
    - 2.4.4.4 there is evidence that the Overseas Student was misled by the School or an education or migration agent regarding the School or course, and the course is therefore unsuitable to the Overseas Student's needs and/or study objectives; or
    - 2.4.4.5 an appeal (internal or external) on another matter results in a decision or recommendation to release the Overseas Student;
  - 2.4.5 It has been agreed by the School the Overseas Student would be better placed in another school; or
  - 2.4.6 any other reason stated in the policies of the School.
- 2.5 The School will not provide a letter of release to Overseas Students in the first six months of their principal course in the following circumstances:
- 2.5.1 the Overseas Student's progress is likely to be academically disadvantaged;
  - 2.5.2 the School is concerned that the Overseas Student's application to transfer is a consequence of the adverse influence of another party; or
  - 2.5.3 If the Overseas Student has unpaid course fees for the current study period.
- 2.6 In order to apply for release, Overseas Students must have a letter of offer from the receiving provider.
- 2.7 Overseas Students under 18 years of age must also have:
- 2.7.1 written evidence that the Overseas Student's parent(s)/legal guardian supports the transfer;
  - 2.7.2 written confirmation that the new provider will accept responsibility for approving the Overseas Student's accommodation, support, and general welfare arrangements where the Overseas Student is not living with a parent(s)/legal guardian or a suitable nominated relative; and
  - 2.7.3 evidence that the Overseas Student is always in Department of Home Affairs approved welfare and accommodation arrangements.
- 2.8 All applications for transfer will be considered within fourteen (14) working days of receiving the request and the Overseas Student will be notified in writing of the decision made by the School.
- 2.9 If a transfer application is approved by the School, Overseas Students will be informed that it is a requirement of their student visa conditions that they must maintain their current welfare arrangements until:
- 2.9.1 the transfer date; or
  - 2.9.2 alternative welfare arrangements are approved; or
  - 2.9.3 they must return to their country of residence until the new approved welfare arrangements take effect.
- 2.10 If a transfer application is approved by the School, Overseas Students will be informed to contact Immigration to seek advice on whether a new student visa is required.
- 2.11 If a release is granted under this Policy, there is no cost to the Overseas Student.



### 3. Refusal to Grant Release

- 3.1 If the School refuses a grant of release to an Overseas Student, the School will inform the Overseas Student in writing of:
- 3.1.1 reasons for refusal; and
  - 3.1.2 the Overseas Student's right to access the School's complaints and appeals process, in accordance with Standard 10 of the National Code, within 20 working days.
- 3.2 The School will not finalise the Overseas Student's refusal status in PRISMS until the appeal finds in favour of the School, or the Overseas Student has chosen not to access the Complaints and Appeals process within the 20 working day period, or the Overseas Student withdraws from the Complaints and Appeals process.
- 3.3 The Overseas Students Complaints and Appeals Policy is available on the School Portal and the School's website.

### 4. Transfer of Students to the School

- 4.1 The School may consider the transfer of an Overseas Student to the School within the first six months of their course if the School is satisfied that:
- 4.1.1 the Overseas Student's progress is not likely to be academically disadvantaged;
  - 4.1.2 the Overseas Student's application to transfer is not a consequence of the adverse influence of another party; and
  - 4.1.3 there is no evidence that the Overseas Student has unpaid course fees for the current study period from their previous provider.
- 4.2 The School may provide a conditional letter of offer to a transferring student on provision of:
- 4.2.1 written evidence that the Overseas Student's parent(s)/legal guardian supports the transfer;
  - 4.2.2 evidence of the student's valid student visa; and
  - 4.2.3 evidence that the Overseas Student is always in Department of Home Affairs approved welfare and accommodation arrangements.
- 4.3 When the documents required per clause 3.2 are provided to the School, the School will provide written confirmation that the School will accept responsibility for approving the Overseas Student's accommodation, support, and general welfare arrangements where the Overseas Student is not living with a parent(s)/legal guardian or a suitable nominated relative.
- 4.4 The School will not knowingly enrol an Overseas Student seeking to transfer from another registered provider's course until after the first six months of the Overseas Student's first registered course, except where any of the following apply:
- 4.4.1 the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered;
  - 4.4.2 the releasing registered provider has had a sanction imposed on its registration by the VRQA that prevents the Overseas Student from continuing his or her course at that registered provider;
  - 4.4.3 the releasing registered provider has agreed to the Overseas Student's release and recorded the date of effect and reason for release in PRISMS;
  - 4.4.4 any government sponsor of the Overseas Student considers the change to be in the Overseas Student's best interests and has provided written support for the change.

### 5. Record Keeping Obligations

- 5.1 The School will maintain records of all requests from Overseas Students for a release and the assessment of, and decision regarding a transfer request for two years after the Overseas Student ceases to be an accepted student.
- 5.2 The School's Retention and Disposal Schedule requires the School to maintain all student records on a permanent basis.

### 6. Definitions

<b>Compassionate and compelling circumstances</b>	means circumstances beyond the control of the student that are having an impact on the student's progress through a course. These could include: <ul style="list-style-type: none"><li>1. serious illness, where a medical certificate states that the student was unable to attend classes;</li><li>2. bereavement of close family members such as parents or grandparents;</li><li>3. major political upheaval or natural disaster in the home country requiring their emergency travel that has impacted on their studies;</li><li>4. a traumatic experience which has impacted on the student (these cases should be where possible supported by police or psychologists' reports);</li><li>5. where the school was unable to offer a pre-requisite unit; or</li><li>6. inability to begin studying on the course commencement date due to delay in receiving a student visa.</li></ul> For other circumstances to be considered as compassionate or compelling, evidence would need to be provided to show that these were having an impact on the student's progress through a course.
<b>Overseas Student</b>	means a student enrolled at the School pursuant to a student visa.



<b>The School</b>	means Geelong Grammar School
<b>VRQA</b>	means Victorian Regulation and Qualifications Authority

**7. Review and circulation**

<b>Responsible Department:</b>	<input type="checkbox"/> Academic <input checked="" type="checkbox"/> Corporate Services and Risk <input type="checkbox"/> Finance and Operations <input type="checkbox"/> Head of Campus <input type="checkbox"/> Human Resources <input type="checkbox"/> Medical <input type="checkbox"/> Vice Principal (Culture and Community)
<b>Version:</b>	2
<b>Approved by:</b>	<input checked="" type="checkbox"/> Director of Corporate Services <input type="checkbox"/> Principal <input type="checkbox"/> School Council
<b>Effective Date:</b>	03.11.2020
<b>Review Date:</b>	03.11.2022
<b>Location:</b>	<input checked="" type="checkbox"/> School wide <input type="checkbox"/> Bostock <input type="checkbox"/> Corio <input type="checkbox"/> Timbertop <input type="checkbox"/> Toorak
<b>Audience:</b>	<input type="checkbox"/> School Community <input checked="" type="checkbox"/> Students <input checked="" type="checkbox"/> Parents <input type="checkbox"/> School Employees



Appendix 1 – Overseas Students course transfer flowchart

