



Overseas Students Transfer Policy

Source of Obligation

Standard 7 of the National Code sets out the requirements with which the School must comply when considering a transfer request:

- from an overseas student enrolled at the School to leave the School and enrol with another registered provider (Outbound Student Transfer)
- from an overseas student enrolled at another registered provider to enrol at the School (Inbound Student Transfer).

Caulfield Grammar School's Policy

The 'School' in this Policy includes school boarding premises.

This Policy addresses four types of overseas student transfers:

- Inbound Student Transfer Request Within the First Six Months
- Outbound Student Transfer Request Within the First Six Months
- Inbound Student Transfer Request After the First Six Months
- Outbound Student Transfer Request After the First Six Months.

The School will not knowingly enrol an overseas student seeking to transfer from another registered provider within the first six months of their course (Inbound Student Transfer Request Within the First Six Months) except in circumstances that meet the exceptions under Standard 7.1 of the National Code.

The School will consider an Outbound Student Transfer Request Within the First Six Months in accordance with Standard 7.2 of the National Code.

For information about how to manage student transfers in PRISMS.

Inbound Student Transfer Request Within the First Six Months

If an Inbound Student Transfer Request is made prior to the overseas student completing the first six months of their first registered school sector course, we will not knowingly enrol that overseas student at the School unless one of the following exceptions applies:

- the releasing registered provider, or course in which the overseas student is enrolled, has ceased to be registered
- the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing their course at that registered provider
- the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
- 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.

If the School considers that, using the evidence available, the transfer meets one of the exceptions listed above, the School will grant the transfer request and agree to the enrolment of the overseas student at the School .



Outbound Student Transfer Request Within the First Six Months

If an Outbound Student Transfer Request is made prior to the overseas student completing the first six months of their first registered school sector course

the School will grant the transfer request and agree to the release of the overseas student where the School has made an assessment, using the evidence submitted by the overseas student, that the transfer is in the overseas student's best interests. Circumstances where a transfer will be in an overseas student's best interests include that:

- the overseas student will be reported or is at risk of being reported because they are unable to achieve satisfactory course progress at the level that they are studying, even after engaging with the Schools intervention strategy
- there is evidence of "compassionate or compelling circumstances" (outlined in more detail below)
- the School has failed, or will fail, to deliver the course as outlined in the written agreement
- there is evidence that the overseas student's reasonable expectations about their current course are not being met
- there is evidence that the overseas student was misled by the School or an education or migration agent regarding the School or its course and the course is therefore unsuitable to their needs and/or study objectives
- an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.

Standard 7.2.4 requires the School to set a reasonable timeframe for assessing the overseas student's Outbound Student Transfer Request, having regard to the restriction period. It is the School's policy that we will respond to the overseas student's Outbound Student Transfer Request within 10 business days of lodgement.

Compassionate or Compelling Circumstances

Compassionate or compelling circumstances are generally those beyond the control of the overseas student and which have an impact upon the overseas student's course progress or wellbeing. These include, but are not limited to:

- serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes
- bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
- major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies
- a traumatic experience, which could include:
 - involvement in, or witnessing of a serious incident
 - witnessing or being the victim of a serious crime, and this has impacted on the overseas student(these cases should be supported by police or psychologists' reports)
- where the School was unable to offer a pre-requisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.



When determining whether compassionate or compelling circumstances exist the School may require the student to provide documentary evidence to support a claim. Examples of appropriate documentary evidence include:

- a detailed medical statement from a physician or medical specialist (a doctor's certificate is not acceptable)
- a detailed statement from a counsellor who has been involved in the assessment and/or treatment
- a police statement
- a copy of a death certificate or death notice for close family member.

Supporting documentation for compassionate or compelling circumstances must be from an independent source or authority, and clearly indicate:

- what the special circumstances were
- when they occurred
- how long they lasted
- the level of impact of the special circumstances.

Inbound or Outbound Transfer Request of an Overseas Student Under 18

If an Inbound or Outbound Student Transfer Request relates to an overseas student who is under 18 years of age the School must have written confirmation that the overseas student's parent/guardian supports the Transfer Request. Further, where there is an Inbound Student Transfer Request from a student who is under 18 years of age and the overseas student is not being cared for in Australia by a parent or a suitable nominated relative, the School must confirm that it accepts the responsibility for approving the student's accommodation, support and general welfare arrangements in accordance with Standard 5 (Younger overseas students). For more information, refer to our [Younger Overseas Students Policy](#).

The School ensures that we meet these requirements of Standard 7.3 of the National Code.

It is the responsibility of the receiving provider to ensure that there are no gaps in the overseas student's welfare arrangements.

No Cost Release

If the School grants a release, it will be at no cost to the overseas student and the School will advise the overseas student to contact the Department of Home Affairs to seek advice on whether a new student visa is required.

Refusal of Outbound Student Transfer Request Made Within First Six Months

The School will refuse a request for an Outbound Student Transfer where we consider it is reasonable to do so. Reasonable grounds include:

- the overseas student is not genuinely engaging with an intervention strategy with the intention of failing and being released
- the student wants to live somewhere else.

When the School intends to refuse a request, the School will inform the overseas student in writing (can be by email) of:

- the reasons for refusal; and
- the overseas student's right to access the School complaints and appeals process within 20 working days of the decision being made.



Outbound Student Transfer Request: Unsuccessful Request

The School will only finalise the overseas student's refusal status in PRISMS when:

- any appeal finds in favour of the School ;
- 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 process.

Attendance

The submission of an outbound transfer request by an overseas student does not preclude the overseas student from maintaining course attendance requirements.

Recruitment

It is our policy that we will not recruit any overseas student who is enrolled at another registered provider in conflict with our obligations under section 7.1 of the National Code.

Record Keeping

Standard 7.7 requires the School to maintain records of all requests from overseas students for a release and the assessment of, and decisions regarding, the request, for two years after the overseas student ceases to be an accepted student.

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