

STUDENT TRANSFER REQUEST POLICY



Human Resources and Compliance

Version 2.1

Last Reviewed: 23 July 2018

1 Statement

FSAC Ltd trading as St John's International College and St John's Anglican College (the College) is committed to providing accurate information to overseas students in order for them to make informed decisions about their studies in Australia. Overseas students are required to meet and maintain satisfactory course progress and attendance requirements under visa condition 8202 and in accordance with Standard 8 of the National Code of Practice for Providers of Education and Training to Overseas Students (the National Code).

2 Scope

This policy applies to the College Council members, employees, international students and their parents/legal guardians.

3 Principles

This policy is based on the following principles:

- International Students have the right to feel safe, be listened to, be involved in decisions that affect them, have their cultural values respected, not be unjustly discriminated against based on their status, activities, expressed opinions or beliefs of their parents or carers, and have their best interests considered.
- Students under the care of the College should be provided with the knowledge and information they require to feel empowered to act in the event of abuse or neglect.
- The College acknowledges that International Students are unique and valued individuals and deserve to be treated with care and respect.
- The College recognises that respect for students is the foundation on which all policies and procedures are developed.
- The College is committed to promoting the wellbeing of International Students under its protection by protecting their security, safety and wellbeing.

4 Student Protection

The College supports the rights of children and young people and is committed to ensure the safety, welfare and wellbeing of students. The College is therefore committed to responding to allegations of student harm resulting from the conduct or actions of any person including that of employees. This commitment includes the provision of a safe and supportive living and learning environment for all



students and requires all employees, volunteers and visitors to model and encourage behaviour that upholds the dignity and protection of students from harm.

5 Overseas students requesting to transfer prior to completing the first six months of their first registered school sector course

Overseas students are restricted from transferring from their first registered school sector course of study for a period of six months. This restriction also applies to any course(s) packaged with their first registered school sector course of study. Exceptions to this restriction are:

- if the student's course or school becomes unregistered;
- the school has a government sanction imposed on its registration;
- a government sponsor (if applicable) considers a transfer to be in the student's best interests; or
- if the student is granted a release in PRISMS.

Students can apply to be released by submitting a 'Student Transfer Request Application' at no cost to enable them to transfer to another education provider. However, if a student has not completed the first six months of the first registered school sector course of study or is under 18 years of age, conditions apply.

The College will only release a student before completing the first six months of their first registered school sector course in the following circumstances:

- the student has changed welfare and accommodation arrangements and is no longer within a reasonable travelling time of the school;
- the student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with the College's intervention strategy to assist them in accordance with Standard 8 (Overseas student visa requirements);
- the student provides evidence of compassionate or compelling circumstances;
- the College fails to deliver the course as outlined in the written agreement;
- the student provides evidence that their reasonable expectations about their current course are not being met;
- the student provides evidence that he / she was misled by the College or an education or migration agent regarding the college or its course and the course is therefore unsuitable to his/her needs and/or study objectives;
- an appeal (internal or external) on another matter results in a decision or recommendation to release the student; or
- any other reason stated in the policies of the college.

Students under 18 years of age MUST also have:

- written evidence that the student's parent(s)/legal guardian supports the transfer application;
- written confirmation that the receiving provider will accept responsibility for and communicate with the student about approving the student's accommodation, support, and general welfare arrangements from the proposed date of release where the student is not



living with a parent / legal guardian or a suitable nominated relative.

The College will NOT agree to the transfer before the student completes the first six months of their first registered school sector course in the following circumstances:

- the student's progress is likely to be academically disadvantaged;
- the College is concerned that the student's application to transfer is a consequence of the adverse influence of another party;
- the student has not had sufficient time to settle into a new environment to make an informed decision about transfer;
- the student has not accessed school support services which may assist with adjusting to a new environment, including academic and personal counselling services;
- school fees have not been paid for the current term/semester.

To apply for transfer to another provider, students need to:

- complete an 'Application for Student Transfer Form' available from the Administration Officer on Level 1 or from the College's website;
- give this completed application form and a valid offer of enrolment from another provider to the Administration Officer for assessment;
- if under 18 years of age, attach written confirmation of the parent/s or legal guardian/s support for the transfer to the nominated provider. In this case, the valid offer of enrolment must also confirm the new provider's acceptance of responsibility for approving the student's accommodation, support and general welfare arrangements from the proposed date of the student's release from the College, in accordance with Standard 5 (Younger overseas students) of the National Code.

The College will assess the student's transfer request application and notify the student of a decision within 5 working days.

If the College grants the student's transfer request, the student will be notified, and the decision will be reported to the Department of Home Affairs via PRISMS.

If the College intends to refuse the student's transfer application request the College will provide the student with reasons for refusal in writing and include a copy of the College's *Complaints and Appeals Policy*.

The student has the right to access the College's complaints and appeals process and has 20 working days to do this. The student's transfer request application will only be finalised in PRISMS after one of the following occurs:

- the student confirms in writing they choose not to access the College's complaints and appeals process; or
- the student confirms in writing they withdraw from any appeals process they have commenced; or
- the appeals process is completed, and a decision has been made in favour of the student or the College.

Applications to transfer to another registered provider may have visa implications. The student is advised to contact the Department of Home Affairs office as soon as possible to discuss any



implications. The Brisbane Visa and Citizenship Office is located at 299 Adelaide Street, Brisbane and they are open 9am to 4pm Monday to Friday.

Alternatively, students can contact the Department of Home Affairs via a web enquiry form:

<https://www.homeaffairs.gov.au/about/corporate/information/forms/online/student-visa-enquiry-form>.

6 Students who are no longer subject to the transfer restriction however the college holds welfare responsibility

Students under 18 years of age MUST have:

- written evidence that the student's parent(s)/legal guardian supports the transfer application; and
- written confirmation that the receiving provider will accept responsibility for and communicate with the student about approving the student's accommodation, support, and general welfare arrangements from the proposed date of release where the student is not living with a parent / legal guardian or a suitable nominated relative.

To apply for transfer to another provider, students need to:

- complete an 'Application for Student Transfer Form' available from the Administration Officer on Level 1 or from the College's website:
 - give this completed application form and a valid offer of enrolment from another provider to the Administration Officer on Level 1 for assessment and response within 5 working days.

If under 18 years of age, attach written confirmation of support for the transfer to the nominated provider by a parent/s or legal guardian/s. In this case, the valid offer of enrolment must confirm acceptance of responsibility for approving the student's accommodation, support and general welfare arrangements from the proposed date of the student's release from the College in accordance with Standard 5 (Younger overseas students) of the National Code.

The College will negotiate the welfare transfer date with the receiving provider and will advise the student of the welfare transfer date within 2 working days.

Transfers to another registered provider may have visa implications. The student is advised to contact the Department of Home Affairs office as soon as possible to discuss any implications. The Brisbane Visa and Citizenship Office is located at 299 Adelaide Street, Brisbane and they are open 9am to 4pm Monday to Friday.

Alternatively, students can contact the Department of Home Affairs via a web enquiry form:

<https://www.homeaffairs.gov.au/about/corporate/information/forms/online/student-visa-enquiry-form>.



7 Privacy

Personal information that may be obtained, stored and released is done so in accordance with the *Privacy Act 1988*. For further information please refer to the college's *Privacy Procedure*.

8 Accountabilities and Responsibilities

The table below outlines the accountabilities and responsibilities for governing and managing the College.	
College Council:	Is responsible for ensuring the proper and effective management and operation of the College. This includes defining and monitoring the strategic direction, developing and monitoring policies, monitoring the effectiveness of the College Council and College, and establishing control and accountability systems.
Principal:	Is responsible for the administration and implementation of the College's strategic direction, policies and procedures and control and accountability systems developed by the College Council. The Principal works closely with and is accountable to the College Council for leading the College to deliver high quality curriculum and educational outcomes, excellence in teaching and learning, a strong College community and driving market growth.
Manager Human Resources and Compliance:	Is responsible for ensuring the achievement of College strategic objectives through the development and application of best practice Human Resource Management principles and practices that comply with legislative requirements. The Manager Human Resources and Compliance works closely with and is accountable to the Principal for developing, implementing and evaluating an appropriate policy framework compliant with all statutory requirements.
Employees:	Are expected to abide by all College policies and procedures.

9 Related policies, procedures and other documents

9.1 Policies

Complaints and Appeals Policy

Course Progress, Attendance and Course Duration Policy

Deferment, Suspension and Cancellation Policy

Entry Requirements Policy

International College Homestay Management Policy

Refund Policy

9.2 Procedures

Accommodation and Welfare Procedure

Privacy Procedure



9.3 Other documents

Australian Privacy Principles

College Vision, Mission and Values Statement

Student Code of Conduct

9.4 Legislation

Child Protection Act 1999 (Qld)

Education Services for Overseas Students Act 2000

National Code of Practice for Providers of Education and Training to Overseas Students 2018

Privacy Act 1988

10 Approval

This policy was issued on 23 July 2018 under the authority of the Principal. This document represents the current policy of the College until it is revised or rescinded.

11 Managing this policy

11.1 Review

This policy is to be reviewed every two years or earlier if necessary. The Manager Human Resources and Compliance is responsible for reviewing or making approved modifications to the policy.

12 Authorisation

Suzanne Bain

Principal

Date: 23 July 2018