Full Fee Paying Overseas Student Transfer Request Policy

Policy Audience: Public Document

	Help for non-English speakers. If you need help to understand this policy, please contact us at enquiries@kilvington.vic.edu.au

1.0 Rationale

When an overseas student (the Student) requests a transfer, Kilvington Grammar School (the School) will comply with Standard 7 of National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cwlth) (National Code).

This applies when the Student requests a transfer for an:

- Inbound Student Transfer – the overseas student enrolled at another registered provider requests to enrol with the School.
- Outbound Student Transfer – the overseas student enrolled at the School requests to enrol with another registered provider.

2.0 Purpose

The purpose of this Full Fee Paying Overseas Student Transfer Request Policy (the Policy) is to outline how the School will meet its obligations when considering a transfer request from the Student.

3.0 Definitions

For the purpose of this Policy, another school or Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) registered provider will hereinafter be referred to as registered provider.

4.0 Recruitment

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

5.0 Student Transfer Requests

5.1 Student Transfer Requests of an Overseas Student Under 18

If a Student Transfer Request is made by the Student under 18 years of age, the School must have written confirmation that the Student's parent or legal guardian is in agreement with this Transfer Request. This applies for an Inbound Student Transfer Request and an Outbound Student Transfer Request.

Where there is an Inbound Student Transfer Request from an overseas student under 18 years of age, and the Student is not being cared for in Australia by a parent or approved relative, the School must confirm that it accepts responsibility for approving the Student 's accommodation, support and general welfare arrangements in accordance with Standard 5 of the National Code.

5.2 Inbound Student Transfer Requests Within the First Six Months

It is the School's policy to not knowingly enrol an overseas student who has requested to transfer from another registered provider to the School within the first six months of their course unless the circumstances meet the exceptions prescribed in Standard 7.1 of the National Code.

The School will grant the Student's request for a transfer and thereby agree to that Student being enrolled at the School provided the Student has provided evidence they have met one of the following exceptions:

- The releasing registered provider, or the course in which the Student is enrolled, has ceased to be registered.

- The releasing registered provider has had a sanction imposed on its registration by the Education Services for Overseas Students (ESOS) agency that prevents the Student from continuing their course at that registered provider.
- The releasing registered provider has agreed to the Student 's release and recorded the date of effect and reason for release in Provider Registration and International Student Management System (PRISMS).
- Any government sponsor of the Student considers the change to be in the Student's best interests and has provided written support for the change.

5.3 Inbound Student Transfer Requests After the First Six Months

Where the Student who has requested to transfer from another registered provider to the School after the first six months of their course, the School will follow the enrolment process outlined in the School's Full Fee Paying Overseas Student Enrolment Policy.

5.4 Recruitment of Overseas Student

It is the School's policy to not recruit any overseas student who is enrolled at another registered provider where this is in conflict with the School's obligations prescribed in Standard 7.1 of the National Code.

5.5 Outbound Student Transfer Requests Within the First Six Months

It is the School's policy that an overseas student's request to transfer to another registered provider will be assessed according to the following principles and procedures:

1. In order to request a transfer to a registered provider, the Student or, where they are under 18 years of age, their parent or legal guardian, must complete an application form and write to the International Student Coordinator via email stating they support the transfer. This email must also include the following information:

   a) A copy of a letter of offer from the registered provider to which they are seeking to transfer.

   b) The reason for wanting to transfer from the School to that registered provider.

   c) Where the Student is aged under 18 years, written confirmation from their parent or legal guardian that supports the transfer.

   d) For overseas students for whom a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter has been issued, a written acknowledgement from the receiving provider confirming that it accepts responsibility for approving the Student's accommodation, support and general welfare arrangements in accordance with Standard 5 of the National Code.

2. The School will only grant a request by the Student to transfer to another registered provider where the School believes that the transfer is in the Student's best interests, which include:

   a) The Student will be reported or is at risk of being reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with the School's intervention strategy as outlined in the School's Full Fee Paying Overseas Student Academic Progress and Attendance Policy.

   b) There is evidence of compassionate or compelling circumstances such as those outlined in this Policy.

   c) The School fails to deliver the course as outlined in the written agreement.

d) There is evidence that the Student's reasonable expectations about their current course are not being met.

e) There is evidence that the 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.

f) An appeal (internal or external) on another matter results in a decision or recommendation to release the Student.

3. The International Student Coordinator will liaise with the School Principal and Director of Admissions in assessing the Student's transfer request and a decision on whether or not to grant the transfer will be made. Written notification of the decision, including the rationale for granting or refusing the Student's request, will be emailed to the Student within 10 working days.

4. The School may refuse to grant the transfer where it has determined it is not in the best interests of the Student because the request does not fall into one of the reasons outlined above or there are reasonable grounds for refusing the request.

5. If the Student's transfer request is granted, it will be issued at no cost to the student and will include the advice to contact Immigration to seek advice on whether a new student visa is required.

6. If the Student's transfer request is not granted, the School will advise the Student in writing of:

a) The reason for the refusal.

b) The Student's right to access the School's Complaints Resolution Policy (Parents, Guardians and Students) in accordance with Standard 10 of the National Code, within 20 working days.

7. The School will not finalise the Student's refusal status in PRISMS until:

a) the appeal finds in favour of the School; or

b) the Student has chosen not to access the complaints and appeals processes within the 20-working day period; or

c) the Student withdraws from the process.

5.5.1 Record Keeping

The School will maintain records of all requests from the Student for a release and the assessment of, and decisions regarding, the request for two years after the Student ceases to be an accepted student.

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5.5.2 Compassionate or Compelling Circumstances

The School will agree to an Outbound Student Transfer Request from the Student where:

- There is evidence of circumstances beyond their control.
- Those circumstances have an impact on their course progress and/or wellbeing.
- Their best interests would be served by studying at another registered provider.

It is the School's policy that when applying to transfer due to compassionate or compelling circumstances the Student must provide the following information from an independent source or authority:

- A description of the compassionate or compelling circumstances.
- Details regarding:
  - When the compassionate or compelling circumstances occurred.
  - How long compassionate or compelling circumstances lasted.
  - The level of impact on their course progress and/or wellbeing.

Examples of evidence provided by the overseas student of compassionate or compelling circumstances include, but are not limited to:

- Medical evidence that the physical environment at the School is unsuitable for them.
- Medical evidence demonstrating their current course or career path has become unsuitable.
- Medical evidence relating to a family member and needs to change their location due to the family member's medical needs.
- Compelling evidence that they will gain a significant and tangible benefit from being transferred to another registered provider. This could include situations such as an unforeseen change in their financial circumstances resulting in financial hardship, or a traumatic experience in the School's environment.

5.6 Outbound Student Transfer Requests After the First Six Months

Where the Student who has requested to transfer from the School to another registered provider after the first six months of their course, the School will follow the withdrawals process outlined in the School's Full Fee Paying Overseas Student Enrolment Policy.

5.7 Attendance Requirements

The submission of an Application for Transfer between Registered Providers form does not preclude the Student from meeting their attendance requirements as set out in the School's Full Fee Paying Academic Progress and Attendance Policy.

6.0 Relevant Legislation and Standards and Related Documents

6.1 Relevant Legislation and Standards

- Education Services for Overseas Students (ESOS) Act (2000).
- Migration Act (Cwlth) 1958.
- National Code of Practice for Providers of Education and Training to Overseas Students (2018).
- Victorian Child Safe Standards (2022).

6.2 Related Documents

- Child Safety and Wellbeing Policy
- Complaints Resolution Policy (Parents, Guardians and Students) Policy
- Full Fee Paying Overseas Student Academic Progress and Attendance Policy
- Full Fee Paying Overseas Student Assessment of English Language Proficiency Policy

- Full Fee Paying Overseas Student Business Regulations: International Students Enrolment and Written Agreement
- Full Fee Paying Overseas Student Education Agents Policy
- Full Fee Paying Overseas Student Enrolment Policy
- Full Fee Paying Overseas Student Enrolment Deferment, Suspension or Cancellation Policy
- Full Fee Paying Overseas Student Refund Policy
- Full Fee Paying Overseas Student Younger Overseas Student Policy
- Kilvington Grammar School Homestay Responsibility Agreement
- Privacy Policy

7.0 Evaluation

Policy reviewed: February 2026

Approval: The Executive

Review cycle: 5 years