

International Students

Student Transfer and Release Policy

Policy

Kennedy Baptist College will not knowingly enrol an international student applying to transfer from another education provider prior to the student completing their first six (6) months of their principal course of study, except in certain circumstances.

As the principal course of study is the final course of study covered by the international student's visa, transfer requirements apply to all courses of study prior to the student's principal course.

Purpose

The purpose of this policy is to ensure compliance with *Standard 7 – Overseas student transfers* of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018*.

Scope

This policy applies to all current and prospective international students and their parents / guardians to Kennedy Baptist College.

Definitions

Term	Definition
Compassionate or compelling circumstances	<p>Compassionate or compelling circumstances are generally those beyond the control of the international student and which have an impact upon the student's course progress or wellbeing. These could include, but are not limited to:</p> <ul style="list-style-type: none"> • Serious illness or injury, where a medical certificate states that the international 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 international student's studies.

Definitions continued

Term	Definition
Compassionate or compelling circumstances continued.	<ul style="list-style-type: none">• A traumatic experience, which could include:<ul style="list-style-type: none">○ Involvement in, or witnessing of a serious accident; or○ Witnessing or being victim of a serious crime, and this has impacted on the international student (these cases should be reported by police or psychologists' reports); or <p>Compassionate circumstances do not extend to visiting relatives for weddings, graduations, or similar events; or requests for early departure or late return from holidays.</p>

1. Student Seeking to Transfer to Kennedy Baptist College

Students can apply to transfer to the College by requesting an *Application for Transfer Between Education Providers – International Students* form from the Registrar.

Upon receiving the request, the Registrar will:

- Verify the length of time that the student has been with their current provider.
- Check if the current provider has provided a *Letter of Release* to the student.
- Check if the student is sponsored by the government.
- Check the age, English proficiency, and school records of the student; and
- Check the status of the current provider and course registration.

Transfers to Kennedy Baptist College will be granted in the following situations:

- The student meets the College entry requirements.
- The student can meet the fees for the remainder of their study period; and
- The student has been complying with their visa conditions.

The College will refuse requests for a transfer from another provider prior to the student completing six (6) months in the following circumstances:

- The student does not meet the College's English language proficiency requirements; or
- The student has been warned by their current provider that they are close to breaching their visa conditions due to unsatisfactory progress.

The College will not knowingly enrol a student wishing to transfer from their current provider prior to the student completing their first six (6) months except where:

- The current provider has ceased to exist.
- The course in which the student is enrolled has ceased to be registered.
- The current provider has supplied a written *Letter of Release*.
- The current provider has had a sanction imposed on its registration by the Australian government that prevents the student from continuing their course; or
- Government sponsorship of the student (if applicable) considers the change to be in the student's best interest and has provided written support for the change.

Special consideration will be given to students requesting transfers if the College considers that compassionate or compelling circumstances of the student or academic grounds, make it difficult for the student to continue study with their current provider.

Once an application is assessed and a decision is made by the Principal, the student will be informed in writing by the College.

2. Student Seeking to be Released from Kennedy Baptist College

Students can apply to transfer from the College by requesting an *Application for Transfer Between Education Providers – International Students* form, from the Registrar.

If a student wishes to transfer to another education provider less than six (6) months after commencing their enrolment:

- The student must obtain a *Letter of Offer* from the other provider; and
- The student must inform the College of their intention to transfer at least 10 working days prior to the move.

The Deputy Principal – Pastoral Care and the Principal will meet to assess the student's request for transfer from the College to another provider and notify the student of a decision within 10 working days.

The College will release a student before completing the first six (6) months when the transfer is in the student's best interest, including but not limited to:

- The student provides evidence of compassionate or compelling circumstances.
- The international student will be reported because they are unable to achieve satisfactory course progression, even after engaging with the College's intervention strategies. It is important to note the report on the student's course progress should occur even if the transfer request is granted.
- The student has changed welfare and accommodation arrangements and is no longer within a reasonable travelling distance of the school.

- The College fails to deliver the course as outlined in the *Written Agreement*.
- There is evidence that the student's reasonable expectations about their current course are not being met.
- There is evidence that the student was misled by the College regarding its course and the course is therefore unsuitable for their needs and / or study objectives.
- An appeal (internal or external) on another matter results in a decision or recommendation to release the student.

The College will not agree to the transfer before the student completes the first six (6) months in the following circumstances:

- The student's school fees have not been paid for the current semester or claims of financial hardship.
- The student is currently in a complaints and resolution process for unsatisfactory progress or for not meeting course attendance requirements.
- The student is not genuinely engaging with the intervention strategies.
- The student has breached a student visa condition(s) and has been reported on PRISMS.
- The transfer may jeopardise the student's progression through a semester of courses.
- A valid letter of offer has not been received from the education provider the student requests to transfer to.
- The transfer is perceived as detrimental to the student.
- The transfer is based on change of program and this program is also offered by the College.
- The commencement date on the letter of offer has passed (i.e., after the program of study into which the student requests to transfer has already begun).
- The student has changed their mind.
- The student has not utilised support services or academic resources and assistance.

2.1 Transfer Request from Student Under the Age of 18

Students under 18 years must have:

- Written confirmation that the student's parents / legal custodian supports the transfer application.
- Written confirmation that the receiving education provider will accept responsibility for approving the student's accommodation, support, and

general welfare arrangements from the proposed date of release, where the student is not being cared for in Australia by a parent / legal custodian or a suitable nominated relative; and

- Evidence that the student is always in Department of Home Affairs (DHA) approved welfare and accommodation arrangements.

It is the responsibility of the receiving education provider to ensure that there are no gaps in welfare arrangements. This may include agreeing to accept welfare responsibility at an earlier time.

The College will negotiate the welfare transfer date with the receiving education provider and will advise the student of the welfare transfer date within five (5) working days.

3. Transfer Request Outcome

The College will communicate its decision within 10 working days of receiving the completed *Application for Transfer between Education Providers – International Students* form.

If the request for transfer is **approved**:

- The College will issue a *Letter of Release* by email to the student and their parent / guardian.
- The College will provide instructions on how to complete the withdrawal process as well as a copy of the *International Students Refund Policy*, including the requirement to give ten (10) school weeks' notice of a student's withdrawal, in writing to the Registrar.
- The decision will be reported to the DHA and the student's *Confirmation of Appropriate Accommodation and Welfare* (CAAW) (where relevant) and *Confirmation of Enrolment* (CoE) cancelled on the appropriate dates; and
- The College will inform the student that it is their responsibility to contact the DHA to determine whether a new student visa is required. As requests for transfer to another education provider may have visa implications, students are advised to contact the DHA as soon as possible to discuss any implications.

If the request for transfer is not approved, the College will:

- Issue a written response including the reasons for the refusal; and
- Inform the student of their right to appeal the decision within 20 working days.

The student's transfer request will only be finalised in PRISMS after one of the following occurs:

- The appeals process is completed, and a decision has been made in favour of the student or the College.

- 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.

The College will maintain records of all transfer requests from international students in accordance with the *Records Retention and Disposal Schedule*.

Related Documentation

- *Application for Transfer Between Education Providers – International Students Form*
- *Course Attendance, Progress and Duration Policy*
- *International Students Refund Policy*
- *International Students Complaints and Appeals Policy and Process*
- *Records Retention and Disposal Schedule*

Version control					
Version	Amendments	Date Reviewed	Endorsed by Board	Next Review	Author of version
1			13/09/2019	09/2021	
2		01/09/2021	24/11/2021	08/2023	
3		02/12/2021		08/2023	
4		09/06/2022		08/2023	C Acciano
5		27/11/2023	15/05/2024	08/2024	C Acciano