

International Students

Student Transfer Request Policy

1. Policy

Kennedy Baptist College will not knowingly enrol an international student wishing to transfer from another education provider prior to that student completing their first six (6) months, except in certain circumstances.

International students are restricted from transferring to another education provider during their first six (6) months of enrolment at the College.

2. 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*.

3. Scope

This Policy applies to staff and international students and their parents/guardians during the first six (6) months of their enrolment at Kennedy Baptist College.

This Policy does not apply to students who have completed more than six (6) months at the College with no requirement for a *Letter of Release*. Students wishing to transfer after completing six (6) months at the College, must contact the Registrar to obtain instructions and the necessary forms for withdrawing from the College.

4. Definitions

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 well-being. These could include, but are not limited to:

- Serious illness or injury, where a medical certificate states that the 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 student's studies; or
- A traumatic experience, which could include:
 - Involvement in, or witnessing of a serious accident; or

- Witnessing or being the victim of a serious crime, and this has impacted on the student. These cases should be supported by police or psychologists' reports.

5. Student Requests Transfer to Kennedy Baptist College

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

When a request for transfer is received from an international student to enrol at the College, 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 from students for a transfer from another provider prior to the student completing six (6) months in the following circumstances:

- If the student does not meet the College's English language proficiency requirements; or
- If 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 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 by the College in writing.

6. Student Requests Transfer from Kennedy Baptist College

Students can apply for a transfer by requesting an *Application for Transfer between Education Providers* from the Registrar.

If a student wishes to transfer to another 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.

Students under the age of 18 must refer to section 6.1 below for additional requirements.

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 will be reported because they are unable to achieve satisfactory course progress, even after engaging with the College's intervention strategy to assist them in accordance with the *Course Progress Policy*. It is important to note the report on the student's course progress should occur even if the transfer request is granted;
- The student provides evidence of **compassionate or compelling circumstances**;
- The student has changed welfare and accommodation arrangements and is no longer within a reasonable travelling time 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;
- It has been agreed by the College the student would be better placed in a course that is not available at the College; or
- 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 progress is likely to be academically disadvantaged;
- The College is concerned that the student's application to transfer is due to 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; or
- School fees have not been paid for the current semester.

The College has the discretion to refuse transfer requests from students who are not genuinely engaging with an intervention strategy with the intention of failing and being released.

The College will refuse transfer requests where College tuition fees are outstanding, claims of financial hardship are provided as the reason for the transfer or on the basis of change of mind.

6.1 Transfer Request from Student Under the Age of 18

Students under the age of 18 must have:

- Written confirmation that the student's parents/legal custodian supports the transfer application;
- Written confirmation that the receiving 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 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 provider and will advise the student of the welfare transfer date within five (5) working days.

7. Transfer Request Outcome

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

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

- The College will issue a *Letter of Release* by email to the student and their parent/guardian at no cost;
- The College will provide instructions on how to complete the withdrawal process as well as a copy of the *Refund Policy*, noting penalties for giving less than ten (10) school weeks' notice (not including scheduled school holidays) 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 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 and include a copy of the *Complaints and Appeals Policy*.

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.

8. The College will maintain records of all transfer requests from international students, including assessments, decisions and appeals, for two (2) years after the student ceases to be enrolled at the College.

Adopted By:	Principal, Mr Mark Ashby Date Adopted: 13/09/2019	Date Reviewed: 01/09/2021 Updated: 09/06/2022
Policy Statement Endorsed By:	Board Date Endorsed: 24/11/2021	
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