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Overseas Student Transfer Policy & Procedure

YARRA VALLEY
G R A M M A R

This Policy outlines Yarra Valley Grammar (**the School**)'s policy and procedures for assessing inbound and outbound requests to transfer enrolment as well as its obligations under the National Code of Practice for Providers and Education and Training to Overseas Students 2018 (**National Code**). This Policy will be made available to staff and all overseas students.

Inbound Transfer Request

Transfers prior to the overseas student completing six months of school sector course

The School will not knowingly enrol an overseas student seeking to transfer from another registered provider's course prior to the overseas student completing six months of their first registered school sector course, except where any of the following apply:

- When the releasing registered provider has provided a written letter of release for the overseas student and has recorded the date of effect and reason for release in PRISMS;
- When the releasing registered provider or the course the student is enrolled in has ceased to be registered;
- When the releasing registered provider has had a sanction imposed on its registration by the ESOS agency preventing the overseas student from continuing their course with that provider; or
- When any government sponsor of the overseas student considers to the change to be in the overseas student's best interests and has provided written support for the change.

Regardless of the above exceptions, if the overseas student is under 18 the School requires received written confirmation that the parent/guardian supports the transfer

Procedure

The applicant must submit a completed Enrolment Application containing all required paperwork and supporting documentation. The Enrolment Application will then be assessed by the School and the applicant may, at the discretion of the School, be required to attend an interview with the Director of Marketing and Admissions and International Students Coordinator. The applicant will then be advised of the outcome of the application as soon as is practicable. If the student is successful in securing a place after an approved release by the student's current education provider, the School will liaise with the provider for the transfer of CAAW and update PRISMS.

Active recruitment

The School will not actively recruit an overseas student who is already enrolled at another registered provider, regardless of whether or not they have completed six months of the course.

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Determination of suitability for transfer

The School will not accept an overseas student who is seeking to change registered providers because of poor grades, poor attitude to study, disciplinary action taken by the school, or when the transfer can be considered detrimental to the overseas student.

Outbound Transfer Request

If the overseas student seeks to transfer from the School before completion of the first six months of their registered school sector course, the School will consider the request in accordance with this Policy and Standard 7 of the National Code.

Request must be in writing

The student and/or the student's parents must request the transfer in writing. The parents or student should send an email to the Director of Marketing and Admissions at admissions@yvg.vic.edu.au detailing:

- reason for the transfer;
- name of school the student plans to move;
- intended transfer date; and
- a valid enrolment offer from another registered provider.

The School will then consider the request in accordance with its responsibilities under the National Code and the law more broadly.

Reasons for granting request for transfer

The School will grant the transfer request if the School considers it is in the overseas student's best interests, including but not limited to where:

- The overseas student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with that the School's intervention strategy to assist the overseas student in accordance with Standard 8 of the National Code;
- There is evidence of compassionate or compelling circumstances which may include:
 - 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; or
 - a traumatic experience such as involvement in, or witnessing of a serious accident or witnessing or being the victim of a serious crime, and this has impacted the overseas student (these cases should be supported by police or psychologists' reports)
- The School has failed to deliver the course as outlined in the overseas student's Enrolment 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; or
- An appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.

Reasonable grounds refusal of transfer

The School will not grant a transfer request if:

- The move to another registered provider would be detrimental to the overseas student. This will be discussed with the overseas student, Local Support Person and the overseas student's parents; or
- The move to another registered provider is to avoid issues that can be resolved by the School.

Overseas students aged under 18

If the student is under 18 years of age, the School must have received written confirmation that:

- The parent/guardian supports the transfer; and
- The student is being cared for in Australia by a parent or Department of Home Affairs approved guardian as nominated by the parent, or the new valid enrolment offer confirms that the new registered provider will accept the responsibility for approving the overseas student's accommodation, support and general welfare arrangements as outlined in Standard 5 of the National Code.

Procedure

Once the School has received a written request to transfer in accordance with this policy, the School will consider the application and advise the student and their parents of its decision within 14 working days of receipt of the transfer request.

Granted requests

The School will not cancel the Coe of the overseas student who is allowed to transfer to another registered provider until the school has sighted the valid enrolment offer and confirmation from the new registered provider clearly stating that it accepts the responsibility for approving the overseas student's accommodation, support and general welfare arrangements as outlined in Standard 5.

The overseas student or their parents must contact Department of Home Affairs to seek advice on whether a new visa needs to be issued.

Transfer requests that are granted will be at no cost to the overseas student or their parents.

Refused requests

If the transfer request was refused, the overseas student will be notified in writing regarding the reasons for refusal and their rights to appeal the decision under the School's Complaints and Appeals Policy in accordance with Standard 10 of the National Code within 20 working days.

The School will not finalise the student's refusal status in PRISMS until any such appeal finds in favour of the School or the student has chosen not to access the appeals process within 20 working days, or the overseas student withdraws from the process.

Record retention

The School will retain all records of all requests from overseas students for a release and the assessment of, and decision regarding, the request for two years after the overseas student ceases to be an accepted student.