

Policy: International Students Student Transfer

Under Standard 7 of the National Code 2018, Victoria Park Christian School must not knowingly enrol an overseas student seeking to transfer from another registered provider's course prior to the overseas student completing six months of his or her principal course (or for the school sector, until after the first six months of the first registered school sector course), except where any of the following apply:

- the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered
- the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course at that registered provider
- the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
- any government sponsor of the overseas student considers the change to be in the overseas student's best interests and has provided written support for the change.

Assessing Requests for a Letter of Release

Registered Providers, from whom the student is seeking to transfer, are responsible for assessing the student's request to transfer within the restricted period.

If a student requests a transfer from Victoria Park Christian School within the restricted period, the Principal will assess the request on an individual basis. The assessment will be determined in regard to the best interest of the student.

Student will be informed as to the outcome of his or her request for a letter of release within 10 working days from the date the student lodges their application for release.

Granting a Letter of Release

A letter of release will not be granted unless the student shows a valid letter of offer of enrolment from another provider. Students must also show written evidence that their parent or legal guardian supports their transfer AND, if applicable, a letter from the new provider that states they will take responsibility for approving the student's accommodation, support and general welfare arrangements. If a release is granted it will be at no cost to the overseas student and we will advise the student to contact Immigration to seek advice on whether a new student visa is required.

Circumstances in which Victoria Park Christian School will grant the transfer request because the transfer is in the overseas student's best interests, including but not limited to where we have assessed that:

- 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 registered provider's intervention strategy to assist the overseas student in accordance with Standard 8 (Overseas student visa requirements)
- there is evidence of compassionate or compelling circumstances
- the registered provider fails to deliver the course as outlined in the written 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 registered provider or an education or migration agent regarding the registered provider or its course and the course is therefore unsuitable to their needs and/or study objectives
- an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.

Refusing a Letter of Release

If a request for a letter of release is refused, the school will give the student written reasons for doing so. These should note the factors taken into consideration and reflect due consideration of the student's individual circumstances. The reasons for refusal should help the student decide if he or she will appeal the decision. The document must also tell the student that he or she has the right to appeal the decision in accordance with Standard 10 (Complaints and Appeals) within 20 working days.

Victoria Park Christian School will not finalise the students refusal status in PRISMS until the appeal finds in favour of our school, or the overseas student has chosen not to access the complaints and appeals process within 20 working days, or the overseas student withdraws from the process.

Students Withdrawing from a Course

If a student withdraws from a course the Education Services for Overseas Students (ESOS) Act 2000 requires that the provider advise the Commonwealth Department of Education, Employment and Workplace Relations (AGDET) through PRISMS within 14 days. This information is transmitted to the Department of Home Affairs (DHA) and has implications for the student's visa.

Record Keeping

Victoria Park Christian School will maintain records of all requests from overseas for a release and the assessment of, and decisions regarding, the request for 2 years after the overseas student ceases to be an accepted students.

Provider Obligations Under Standard 1.5 and 4.6.2

Under Standards 1.5 providers must not actively recruit a student where this clearly conflicts with its obligations under Standard 7. Furthermore, Standard 4.6.2 of the National Code requires providers not to accept students from or enter into agreement with an educational agent where it knows or suspects that the education agent has deliberately attempted to recruit a student where this clearly conflicts with the obligations under Standard 7.

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