

## Overseas Student Transfer Request Assessment Policy

### FOR INTERNATIONAL STUDENTS

Freshwater Christian College's Overseas Student Transfer Request Assessment Policy and processes apply to:

- overseas students requesting to transfer prior to completing the first six months of their first registered school sector course or
- where the student has completed the first six months of their enrolment in their first registered school sector course and wishes to transfer but the provider holds welfare responsibility via a CAAW.

Overseas students requesting to transfer prior to completing the first six months of their first registered school sector course:

1. Overseas students are restricted from transferring from their first registered school sector course of study for a period of six months. This restriction also applies to any course(s) packaged with their first registered school sector course of study. Exceptions to this restriction are:
  - a) If the student's course or school becomes unregistered
  - b) The school has a government sanction imposed on its registration
  - c) A government sponsor (if applicable) considers a transfer to be in the student's best interests
  - d) If the student is granted a release in PRISMS.
2. Students can apply to be released by submitting a Overseas Student Transfer Request Assessment Application at no charge to enable them to transfer to another education provider. However, if a student has not completed the first six months of the first registered school sector course of study or is under 18 years of age, conditions apply.
3. Freshwater Christian College will only release a student before completing the first six months of their first registered school sector course in the following circumstances:
  - a) The student has changed welfare and accommodation arrangements and is no longer within a reasonable travelling time of the school.
  - b) The student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with Freshwater Christian College's intervention strategy to assist them in accordance with Standard 8 (Overseas student visa requirements).
  - c) The student provides evidence of compassionate or compelling circumstances.
  - d) Freshwater Christian College fails to deliver the course as outlined in the written agreement.
  - e) The student provides evidence that their reasonable expectations about their current course are not being met.
  - f) The student provides evidence that he/she was misled by Freshwater Christian College or an education or migration agent regarding Freshwater Christian College or its course and the course is therefore unsuitable to his/her needs and/or study objectives.
  - g) An appeal (internal or external) on another matter results in a decision or recommendation to release the student.
  - h) Any other reason stated in the policies of Freshwater Christian College.
4. Students under 18 years of age MUST also have:
  - a) Written evidence that the student's parent(s)/legal guardian supports the transfer application
  - b) Written confirmation that the receiving provider will accept responsibility for and communicate with the student about approving the student's accommodation, support, and general welfare arrangements from the proposed date of release where the student is not living with a parent/legal guardian or a suitable nominated relative.
5. Freshwater Christian College will NOT agree to the transfer before the student completes the first six months of their first registered school sector course in the following circumstances:
  - a) The student's progress is likely to be academically disadvantaged
  - b) Freshwater Christian College is concerned that the student's application to transfer is a consequence of the adverse influence of another party
  - c) The student has not had sufficient time to settle into a new environment in order to make an informed decision about transfer
  - d) The student has not accessed school support services which may assist with making adjustments to a new environment, including academic and personal counselling services
  - e) School fees have not been paid for the current term/semester.
6. To apply for transfer to another provider, students need to:
  - a) Complete an Application for Overseas Student Transfer Request Assessment Form available from the Principal.

- b) Give this completed application form and a valid offer of enrolment from another provider to the Principal for assessment.
- c) If under 18 years of age, attach written confirmation of the parent/s or legal guardian/s support for the transfer to the nominated provider. In this case, the valid offer of enrolment must also confirm the new provider's acceptance of responsibility for approving the student's accommodation, support and general welfare arrangements from the proposed date of the student's release from Freshwater Christian College, in accordance with Standard 5 (Younger overseas students) of the 2018 National Code of Practice for Providers of Education and Training for Overseas Students.
7. Freshwater Christian College will assess the student's transfer request application and notify the student of a decision within 10 working days.
8. If Freshwater Christian College grants the student's transfer request, the student will be notified and the decision will be reported to the Department of Home Affairs via PRISMS.
9. If Freshwater Christian College intends to refuse the student's transfer application request, Freshwater Christian College will provide the student with reasons for refusal in writing and include a copy of Freshwater Christian College's complaints and appeals policy (available at [www.freshwatercc.qld.edu.au](http://www.freshwatercc.qld.edu.au)). The student has the right to access Freshwater Christian College's complaints and appeals process and has 20 working days to do this. The overseas student's transfer request application will only be finalised in PRISMS after one of the following occurs:
  - a) the student confirms in writing they choose not to access Freshwater Christian College's complaints and appeals process, or
  - b) the student confirms in writing they withdraw from any appeals process they have commenced, or
  - c) the appeals process is completed and a decision has been made in favour of the student or Freshwater Christian College.

Applications to transfer to another registered provider may have visa implications. The student is advised to contact the Department of Home Affairs office as soon as possible to discuss any implications. The address of the nearest Office is: 85 Spence Street, Cairns. See also <https://www.homeaffairs.gov.au/about/contact/offices-locations> Alternatively, students can contact the Department of Home Affairs through their web enquiry form: <https://www.homeaffairs.gov.au/about/contact/make-enquiry>

Students who are no longer subject to the transfer restriction but where Freshwater Christian College holds welfare responsibility via a CAAW.

10. Students under 18 years of age MUST have:
  - a) Written evidence that the student's parent(s)/legal guardian supports the transfer application.
  - b) Written confirmation that the receiving provider will accept responsibility for and communicate with the student about approving the student's accommodation, support, and general welfare arrangements from the proposed date of release where the student is not living with a parent/legal guardian or a suitable nominated relative.
11. To apply for transfer to another provider, students need to:
  - a) Complete an Application for Overseas Student Transfer Request Assessment Form available from the Principal.
  - b) Give this completed application form and a valid offer of enrolment from another provider to the Principal for assessment and response within 10 working days.
  - c) If under 18 years of age, attach written confirmation of support for the transfer to the nominated provider by a parent/s or legal guardian/s.  
In this case, the valid offer of enrolment must confirm acceptance of responsibility for approving the student's accommodation, support and general welfare arrangements from the proposed date of the student's release from Freshwater Christian College in accordance with Standard 5 (Younger overseas students) of the 2018 National Code of Practice for Providers of Education and Training for Overseas Students.
12. Freshwater Christian College will negotiate the welfare transfer date with the receiving provider and will advise the student of the welfare transfer date within 10 working days. Transfers to another registered provider may have visa implications. The student is advised to contact the Department of Home Affairs office as soon as possible to discuss any implications. See <https://www.homeaffairs.gov.au/about/contact/offices-locations>. Alternatively, students can contact the Department of Home Affairs through their web enquiry form: <https://www.homeaffairs.gov.au/about/contact/make-enquiry>

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