



BRISBANE GRAMMAR SCHOOL

STUDENT TRANSFER REQUEST POLICY FOR OVERSEAS STUDENTS

DEFINITIONS

Parent or Guardian means the parent(s) or guardian(s) of the overseas student (or intending overseas student) who signed the letter confirming the overseas student's offer of placement at the School.

School means the Board of Trustees of the Brisbane Grammar School (trading as Brisbane Grammar School) who is a Registered Provider.

Registered Provider has the meaning under the Education Services for Overseas Students Act 2019 (Cth) as amended or replaced from time to time.

OVERVIEW

- (a) Under the ESOS National Code 2018, Registered Providers cannot enrol overseas students seeking to transfer from another Registered Provider before that overseas student has completed six (6) months of their principal course of study, except in some circumstances. This applies to transfers of overseas students to and from the School, from or to another school in Australia which is a Registered Provider.
- (b) If an overseas student has completed six (6) months of their principal course of study with the School, the overseas student may transfer to another school (which is a Registered Provider) without the School's permission. However, if the overseas student has not completed six (6) months of their principal course of study, the overseas student requires a letter of release to enable the overseas student to transfer to another school that is a Registered Provider.
- (c) In this policy, "six (6) months" means six calendar months from the date the student starts the course, not including any period of deferment or suspension.

TRANSFER OF AN OVERSEAS STUDENT TO ANOTHER SCHOOL BEFORE SIX (6) MONTHS

- (a) 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:
 - i. If the student's course or school becomes unregistered
 - ii. The school has a government sanction imposed on its registration
 - iii. A government sponsor (if applicable) considers a transfer to be in the student's best interests
 - iv. If the student is granted a release in PRISMS.

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- (b) Students can apply to be released by submitting a Student Transfer Request 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.
- (c) Brisbane Grammar School will only release a student before completing the first six months of their first registered school sector course in the following circumstances:
- The student has changed welfare and accommodation arrangements and is no longer within a reasonable travelling time of the school.
 - The student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with Brisbane Grammar School 's intervention strategy to assist them in accordance with Standard 8 (Overseas student visa requirements).
 - The student provides evidence of compassionate or compelling circumstances.
 - Brisbane Grammar School fails to deliver the course as outlined in the written agreement.
 - The student provides evidence that their reasonable expectations about their current course are not being met.
 - The student provides evidence that he was misled by Brisbane Grammar School or an education or migration agent regarding Brisbane Grammar School or its course and the course is therefore unsuitable to his/her needs and/or study objectives.
 - An appeal (internal or external) on another matter results in a decision or recommendation to release the student.
 - Any other reason stated in the policies of Brisbane Grammar School.
- (d) Students under 18 years of age MUST also have:
- Written evidence that the student's parent(s)/legal guardian supports the transfer application
 - 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.
- (e) Brisbane Grammar School 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:
- The student's progress is likely to be academically disadvantaged
 - Brisbane Grammar School is concerned that the student's application to transfer is a consequence of the adverse influence of another party
 - The student has not had sufficient time to settle into a new environment in order to make an informed decision about transfer

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- iv. The student has not accessed school support services which may assist with making adjustments to a new environment, including academic and personal counselling services
 - v. School fees have not been paid for the current term/semester.
- (f) To apply for transfer to another provider, students need to:
- i. Complete an Application for Student Transfer Form.
 - ii. Give this completed application form and a valid offer of enrolment from another provider for assessment.
 - iii. 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 Brisbane Grammar School, in accordance with Standard 5 (Younger overseas students) of the 2018 National Code of Practice for Providers of Education and Training for Overseas Students.
- (g) Brisbane Grammar School will assess the student's transfer request application and notify the student of a decision within 10 working days.
- (h) If Brisbane Grammar School grants the student's transfer request, the student will be notified, and the decision will be reported to the Department of Home Affairs (Immigration) via PRISMS.
- (i) If Brisbane Grammar School intends to refuse the student's transfer application request, Brisbane Grammar School will provide the student with reasons for refusal in writing and include a copy of Brisbane Grammar School's complaints and appeals policy. The student has the right to access Brisbane Grammar School's complaints and appeals process and has 20 working days to do this. The student's transfer request application will only be finalised in PRISMS after one of the following occurs:
- i. the student confirms in writing they choose not to access Brisbane Grammar School's complaints and appeals process, or
 - ii. the student confirms in writing they withdraw from any appeals process they have commenced, or
 - iii. the appeals process is completed, and a decision has been made in favour of the student or Brisbane Grammar School.
- (j) Applications to transfer to another registered provider may have visa implications. The student is advised to contact the Department of Home Affairs (Immigration) office as soon as possible to discuss any implications: <https://immi.homeaffairs.gov.au/help-support/contact-us>.

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STUDENTS WHO ARE NO LONGER SUBJECT TO THE TRANSFER RESTRICTION WHERE BGS HOLDS WELFARE RESPONSIBILITY VIA A CAAW

- (k) Students under 18 years of age MUST have:
- i. Written evidence that the student's parent(s)/legal guardian supports the transfer application
 - ii. 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.
- (l) To apply for transfer to another provider, students need to:
- i. Complete an Application for Student Transfer Form.
 - ii. Give this completed application form and a valid offer of enrolment from another provider to the Deputy Headmaster for assessment and response within 10 working days.
 - iii. 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 Brisbane Grammar School in accordance with Standard 5 (Younger overseas students) of the 2018 National Code of Practice for Providers of Education and Training for Overseas Students.

- (m) Brisbane Grammar School will negotiate the welfare transfer date with the receiving provider and will advise the student of the welfare transfer date within 10 working days.
- (n) Transfers to another registered provider may have visa implications. The student is advised to contact the Department of Home Affairs (Immigration) office as soon as possible to discuss any implications: <https://immi.homeaffairs.gov.au/help-support/contact-us>.

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