

# FULL FEE-PAYING OVERSEAS STUDENTS (FFPOS) TRANSFER (BETWEEN REGISTERED PROVIDERS) POLICY



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## 1. PREAMBLE

The *National Code of Practice for Providers of Education and Training to Overseas Students 2018* sets out that in the education sector, providers must not knowingly enrol a Full Fee-Paying Overseas Student (FFPOS) seeking to transfer from another registered provider prior to completing six months of their registered course except under certain conditions outlined in the National Code (Standard 7). The provider must also have and implement a documented policy and process for assessing FFPOS transfer requests.

## 2. PURPOSE

The purpose of this policy is to ensure that both the parents of FFPOS and the FFPOS themselves are aware that providers have restrictions on FFPOS transfers and must abide by these when accepting new FFPOS.

## 3. DEFINITIONS

- **Compassionate or compelling circumstances** are circumstances beyond the control of the Student that are having an impact on the Student's wellbeing or progress through a course. These are determined by Hale School, but could include:
  - Serious illness, 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 their emergency travel that has impacted on their studies; or
  - A traumatic experience, which could include:
    - Involvement in or witnessing of a serious accident; or
    - Witnessing or being victim of a serious crime and this has impacted on the Student (these cases should be supported by police or psychologists' reports)
  - A global pandemic preventing the Student leaving his home country or border closures preventing entry to Australia.
  - Where Hale School was unable to offer a pre-requisite unit, or the Student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.

- **Day** means any day including weekend and public holidays in or out of Term time.
- **National Code** means *National Code of Practice for Providers of Education and Training to Overseas Students 2018*.
- **Student** means a full fee-paying overseas student.

## 4. POLICY STATEMENT/PRINCIPLES

### 4.1 Procedure to request a transfer from Hale School to another school.

If a Student wishes to transfer from Hale School to another provider, he must:

- Request the transfer in writing to the Headmaster with clear reasons stated for the request. If the Student is under 18 years old, the request must come from his parents. If the Student is over 18 years old, the request must be accompanied by a letter of support of the transfer by the Student's parents.
- The request will be responded to within 14 days.
- Hale School will uphold the requirements of Standard 7 of the National Code when assessing the transfer request.

### 4.2 Transfer Approval

The transfer is usually approved if one or more of the following criteria are met.

- The Student's enrolment has been suspended or cancelled.
- The Student has demonstrated a continued lack of engagement, absenteeism, or behavioural issues.
- Hale School judges that it is in the best interest of the Student for academic, personal, or cultural reasons.
- The Student demonstrates that the course at the new provider more appropriately meets their capabilities and/or long-term goals.
- Hale School is unable to deliver the agreed course outline as per the written agreement.
- There are compassionate or compelling circumstances.

Hale School can only permit a transfer to another provider once Hale School is assured that the new provider has accepted responsibility for the Student's safety, accommodation, and welfare. Documentation

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from the new provider with evidence of this will be required prior to permission for transfer being given.

### 4.3 Transfer Refused

Transfer from Hale School to another provider may be denied if one or more of the following conditions apply.

- The Student is unable to provide an offer letter and welfare arrangements from the new provider
- The Student does not have permission or support from their parents
- The Student is trying to avoid being reported to Department of Home Affairs for failing to meet attendance and progress requirements.

If the release *is not granted*, Hale School will confirm this in writing to family and outline the reasons for the decision. The Student and family may appeal this decision via Hale School's complaints and appeals process (in accordance with Standard 10 of the National Code).

If the release *is granted* the Student must contact the Department of Home Affairs to seek advice on whether a new Student visa is required.

### 4.4 Transfer to Hale School from another provider

Hale School will not knowingly enroll a Student wishing to transfer from another school or registered provider prior to the Student completing six months of his course except where:

- The original provider is no longer registered.
- The course in which the Student was enrolled is no longer provided.
- The original provider has granted the release and confirmed this in writing.
- The original registered provider has a sanction imposed on its registration by the ESOS agency that prevents the Student from continuing his course at that provider.

Hale School may accept new Students from another provider if they provide a letter of release and support from their previous provider.

### Related Legislation

- School Education Act 1999
- Education Services for Overseas Students Act (2000)

- National Code of Practice for Providers of Education and Training to Overseas Students 2018

### Related School Policies

- Code of Conduct- for all Students Policy
- Disputes and Complaints Policy
- FFPOS Deferment, Suspension and Cancellation of Studies Policy
- FFPOS Monitoring Course Progress and Attendance Policy
- FFPOS Refund Policy
- Student Attendance Policy
- Student Behaviour Management Policy

<b>Date originally approved:</b> February 2017	<b>Approving authority:</b> Director of Staff Development and Human Resources
<b>Date this version approved:</b> May 2022	<b>Date policy to be reviewed:</b> November 2023
<b>Policy Custodian: (Contact for queries)</b> Head of Admissions	<b>Policy Category:</b> Student, Curriculum and Co-curriculum

<b>Policy Version</b>
3
<b>Changes Made</b>
Not applicable