



TRUSTEES OF EDMUND RICE EDUCATION  
AUSTRALIA TRADING AS  
**ST JAMES COLLEGE**  
*A Catholic School in the  
Edmund Rice Tradition*



## 7.1 OVERSEAS STUDENT TRANSFER POLICY IN QUEENSLAND

*St James College's* Overseas student transfer 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 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.
3. *St James 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 *St James 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) *St James 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 *St James College* or an education or migration agent regarding *St James 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 *St James 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. *St James 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) *St James 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 Student Transfer Form available from [www.stjamescollege.qld.edu.au](http://www.stjamescollege.qld.edu.au) or the *International Student Coordinator* or the *International Administration Assistant*.
  - b) Give this completed application form and a valid offer of enrolment from another provider to the *International Student Coordinator* or the *International Administration Assistant* for assessment.
  - c) If under 18 years of age, complete an Application for Student Transfer Form with signature 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 *St James 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. *St James College* will assess the student's transfer request application and notify the student of a decision within 15 working days.
8. If *St James College* grants the student's transfer request, the student will be notified and the decision will be reported to the Department of Immigration via PRISMS.
9. If *St James College* intends to refuse the student's transfer application request, *St James College* will provide the student with reasons for refusal in writing and include a copy of *St James College* 's complaints and appeals policy available at: [www.stjamescollege.qld.edu.au](http://www.stjamescollege.qld.edu.au). The student has the right to access *St James College* '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:
  - a) the student confirms in writing they choose not to access *St James 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 *St James College*.
10. Applications to transfer to another registered provider may have visa implications. The student is advised to contact the Department of Immigration office as soon as possible to discuss any implications. The address of the nearest Office is: 299 Adelaide Street, Brisbane QLD 4000 or see <http://www.border.gov.au/about/contact/offices-locations/australia> Alternatively, students can contact the Department of Immigration through their web enquiry form: <https://www.border.gov.au/about/corporate/information/forms/online/student-visa-enquiry-form>.

Student who are no longer subject to the transfer restriction but St James College holds welfare responsibility via a CAAW.

11. 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

12. To apply for transfer to another provider, students need to:
- a) Complete an Application for Student Transfer Form available from [www.stjamescollege.qld.edu.au](http://www.stjamescollege.qld.edu.au)
  - b) Give this completed application form and a valid offer of enrolment from another provider to *the International Student Coordinator or the International Administration Assistant* for assessment and response within 15 working days.

If under 18 years of age, complete an Application for Student Transfer Form with signature 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 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 *St James 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.

13. *St James College* will negotiate the welfare transfer date with the receiving provider and will advise the student of the welfare transfer date within 15 working days.
14. Transfers to another registered provider may have visa implications. The student is advised to contact the Department of Immigration office as soon as possible to discuss any implications. See <http://www.border.gov.au/about/contact/offices-locations/australia>. Alternatively, students can contact the Department of Immigration through their web enquiry form: <https://www.border.gov.au/about/corporate/information/forms/online/student-visa-enquiry-form>.

Updated January, 2018