

Transfer Provider Policy and Procedure

Assessing Transfers to The Eagle Academy

The Eagle Academy will 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 Transfers from The Eagle Academy

The Eagle Academy will assess overseas student transfer requests prior to the overseas student completing six months of their principal course in a timely manner, with due regard to the individual circumstances of the request. There is no cost for this process of releasing a student.

Circumstances in which the transfer request is in the overseas student's best interests, includes but is not limited to:

- 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.

If the application does not meet the circumstances above or is not in the best interest of the student the transfer may be refused. If the transfer request is refused the student will receive a letter outlining the reasons for refusal and the overseas student's right to access the provider's complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.

Under 18 Students

If the overseas student is under 18 years of age:

- the registered provider must have written confirmation the overseas student's parent or legal guardian supports the transfer
- where the overseas student is not being cared for in Australia by a parent or suitable nominated relative, the receiving provider must confirm it accepts responsibility for approving the student's accommodation, support and general welfare arrangements in accordance with Standard 5 (Younger overseas students).

Transferring from The Eagle Academy Procedure

1. If the student has not completed 6 months of their principal course they must request a transfer in writing, giving reasons for the request. A VALID letter of Offer from the New Provider must be supplied. (Eg meets requirements of u/18 student if appropriate)
2. If the request contravenes one of the student's Visa's conditions, the request could be refused. In most cases the Director* will attempt to fulfil the wishes of the student.
3. A transfer will be granted if the student has put forward a reasonable request based on student welfare circumstance, lack of progress or attendance etc, if the student has made efforts to deal with the matters prior to making application. If the request is considered to be detrimental to the student, the request could be refused.
4. If the student is u/18, parental permission must be obtained, and a letter of offer from the new provider accepting full responsibility for accommodation, support and general welfare in accordance with legislation and National Code.
5. The request will be assessed and a reply given within 10 working days of request.
6. If a release is issued, this decision will be recorded in PRISMS and the student will be notified in writing with advice to contact Immigration to seek advice on whether a new student visa is required. If not approved, student is advised in writing of the reasons, and their right of appeal.
7. If the transfer is refused we will not finalise the student's transfer refusal status in PRISMS until the appeal finds in favour of The Eagle Academy, or the student has chosen not to appeal within the time frame (20 days) or the student withdraws from the process.
8. Copies of all forms will be kept on file for a minimum of 2 years after enrolment ceases.

Transfer Provider Request Form

Student Name: _____

Date: _____

Course Title: _____

Start Date of COE: _____ **End Date of COE:** _____

Current Study Wk: _____ **OSHC expiry Date:** _____

***Attach Offer from a New Provider.**

Why have you requested a transfer? (Attach pages if needed) _____

Students Signature: _____

Staff Signature: _____

****Please present this form in person to the Campus Manager or delegated staff member***

OFFICE USE ONLY			
Has the student completed 6 months of the principal course: Yes / No			
Director's* Action/Comment:			
Director's* signature:		Date:	