

International Students – Transfer, Suspend or Cancellation of Enrolment

ESOS Standard 7 and 9

- All of Brighton Grammar School's policies are intended to be up to date and be consistent with all relevant laws.
- Employees are expected to comply with all applicable policies.
- Various parts of the policies require managers and staff to exercise discretion and the policies are not intended to be applied in a legalistic or prescriptive manner.
- These policies may be varied by Brighton Grammar School from time to time, at its absolute discretion.
- Brighton Grammar School is fully committed to the protection of children and young people during all School activities and environments both within and outside of School hours.
- This is a whole of school policy and there may, from time to time, be variations in different parts of the School. In such circumstances, advice will be issued by the relevant Head of School

Introduction

The Education Services for Overseas Student (ESOS) Act sets out the legal framework governing delivery of education to overseas students studying in Australia on a student visa. Within the ESOS legislative framework are the standards to ensure quality with which Brighton Grammar School must comply in order to retain registration as an educational provider for an International Student.

Standard 7, transferring between registered providers, provides strict guidelines regarding the transferring of students requesting a transfer to a different education facility or course.

Standard 9, addresses cancellation of enrolment and requirements relating to notification through PRISMs should a student's enrolment be deferred, suspended or cancelled.

Purpose

Brighton Grammar School acknowledges that there may be circumstances that arise that would require a student to seek a transfer to a different education institution or course, require a suspension of studies or a need for deferment or cancellation.

This policy outlines the requirements and process in place should Brighton Grammar or the student wish to:

- Transfer to another Institution from BGS
- Transfer from another Institution to BGS
- Cancel a current enrolment
- Defer commencement of a course
- Suspend a current course

Transferring to and from another Institution

Brighton Grammar School will not knowingly accept an enrolment transfer from another institution where a student has been studying less than 6 months without full consultation with the student, the student's family and the institution involved.

However, there may be circumstance where this is acceptable and a transfer under 6 months is confirmed. This is the case if:

- a) The institution they are currently enrolled in ceases to operate, be registered as a provider to overseas students or has had sanctions imposed on its regulations as an operator under the code
- b) It is identified that the student should move due safety, wellbeing or welfare concerns
- c) The releasing provider as agreed to the transfer, has put the approval in writing to the school and recorded the transfer in PRISMS
- d) At the request of a government sponsor that has suggested the transfer is in the best interests of the student.

In addition to the above, the school will further support a request to transfer to another provider if the student has been studying with the school for over 6 months and one or more of the following has been acknowledged:

- a) The student is unable to achieve satisfactory course progress at the level they are studying, even after engaging with the school's intervention strategy to assist the overseas student and is at risk of being reported (in accordance with Standard 8)
- b) There is evidence of compassionate or compelling circumstances
- c) Brighton Grammar is unable to deliver the course as outlined in the written agreement
- d) There is evidence that the student's reasonable expectations about their current course are not being met
- e) There is evidence that the overseas student was misled by Brighton Grammar or an education or migration agent regarding the course and it is therefore unsuitable to their needs and/or study objectives
- f) An appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.

All transfer requests, whether transferring to or leaving Brighton Grammar School, in the first instance should be made to our Admissions Coordinator in writing and must include written confirmation of the below documents.

- A letter of offer from another registered provider confirming and supporting the request to transfer
- Confirmation from the transferring school that full responsibility for homestay and welfare arrangements will be undertaken (if applicable)
- A supporting letter from the student's legal guardian or parent is provided
- Parents have provided the school with 1 term notice as per the Business Regulations and original enrolment conditions

While the school will fully consider all applications to transfer and work with the student to ensure the best outcome there may be occasion where a transfer is refused. If the school considers the transfer to not in the best interests of the student's wellbeing, the student's safety is at risk, the welfare arrangements do not meet the set standards or the course may not meet the educational requirements of the student, the school may not grant the request.

Brighton Grammar will reply to all requests within 2 weeks of the application to transfer.

Replies will be made in writing from the Headmaster clearly defining the decision made and reasons why the decisions have been made.

While BGS will always endeavour to provide a satisfactory outcome the student and parents may wish to appeal any decision not in their favour via the Complaints and Appeals process as defined in the BGS Policy.

Once a transfer is granted for a student to leave BGS it is the responsibility of the student to advise and seek guidance from the appropriate authorities regarding any visa checks and for the new school to issue new CoE's in PRISMs. BGS will process a variation in PRISM's which will set the current CoE to cancelled status.

Where a student transfers to or from BGS under a welfare arrangement and CAAW the school will ensure there will be no gap in these arrangements.

If there is a complaint or appeals process relating to the transfer process the PRISMs records will not be updated until a resolution has been decided and agreed on by all parties; unless there is a risk to the student's health, wellbeing or welfare or others are parties are put at risk.

Deferring, Cancelling or Suspending enrolments

Suspension, deferring or cancelling may be due to a number of factors and not necessarily behavioural. Reasons may be permanent or temporary in nature and initiated by the student or Brighton Grammar School.

The reasons that programs may be deferred, suspended or cancelled may include but are not limited to:

- Delays in receiving student visas
- Failure to pay school fees
- Failure to meet attendance requirements
- Failure to comply with school rules (misbehaviour)
- Illness or bereavement of close family members such as grandparents or parents
- Illness of the student where a medical certificate state they are unable to commence
- Moving away from homestay accommodation with out consultation with the school

A request must be made by the student or family in writing directly to the students Head of House, Director of Students or the Admissions Coordinator (for deferment, cancelation or suspension prior to commencing studies). Full details of the reason for a deferment, suspension or cancelation, discussions undertaken as a result of the request and the outcome of the request will be recorded against the student profile on the school database.

Any suspension, deferment or cancelation made by the school to the student will be done so in writing with a full explanation of the reasoning behind the decision. Any decisions made by the school that the student is not happy with can be raised formally through the schools Complaints and Appeals process.

Where deferment, suspension or cancelation may affect a student visa the BGS Compliance Coordinator will contact the department of education, employment and workplace relations via PRISMs and alter the students records in the school database and PRISMs to reflect the correct status of the study arrangements (as per section 19 of the ESOS act).

If there is a complaint or appeals process relating to the deferment, suspension or cancelation of the course the PRISMs records will not be updated until a resolution has been decided and agreed on by all parties; unless there is a risk to the student's health, wellbeing or welfare or others are parties are put at risk.

Where a student is suspended from school the period of suspension will not be calculated in attendance calculations.

The school will direct the students to contact the Department of Immigration for advice on any visa implications as a result of cancelation, deferment or suspension.

Record Keeping

The school will maintain all records regarding a student's transfer, suspend, defer or cancelation request, including the initial request documentation, decision making process and outcomes, under the student profile within the school's database for a minimum of 2 years after the student ceases to study at the school.

This Policy is a controlled document. Any printing of this document is uncontrolled. Please refer to the school portal for the latest version of this policy	
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