

GCA Education Agent Monitoring Policy

Context

This policy ensures that Group Colleges Australia (GCA) has documented procedures and guidelines regarding requests from overseas students to transfer between registered providers.

Principles

This Policy is founded on the following principles:

- that GCA will not actively recruit, nor knowingly enrol, an international student who has not completed six months of their principal course with their original provider, except under limited circumstances;
- that GCA ensures that this Policy is available and communicated to international students and relevant staff; and
- that GCA advises applicants in writing of the outcome of a course transfer request and includes an explanation of any decision to refuse the transfer.

This document has been developed to ensure GCA compliance with all legislation concerning provider responsibilities. It seeks to establish a transparent, consistent, and equitable process for transfer between courses, and promotes the integrity of Australian education.

Scope

This Policy applies to all students who hold an Australian Student Visa, and to all staff at GCA involved in administering and/or advising students on the conditions governing course transfers.

Definitions

The following definitions apply to this Policy:

- **International Student:** a student who does not hold Australian or New Zealand citizenship or full permanent resident status in Australia.
- **Principal course of study:** the highest, usually most recent, qualification covered by a Student Visa.

Policy Details

Transfer from GCA

The conditions of transfer from GCA to another provider are that:

- Students may transfer from GCA to another provider if they have completed at least six (6) months of study at GCA. In those circumstances, students do not require a Letter of Release from GCA.
- Students wishing to transfer from GCA need to submit a request in writing, with reference to the possible grounds for release listed below and supply a valid enrolment offer from the other provider.

GCA will assess the request and provide a written response to the student within fourteen (14) days of the date on which the request was made.

Transfer to GCA

The conditions of transfer to GCA from another provider are that:

GCA will not admit an international student who wishes to transfer from another provider during the first six (6) months of their principal course of study, unless:

- o the original provider has agreed to the release and a written Letter of Release to this effect is supplied to GCA;
- o either the releasing provider, or the course in which the student is enrolled, have ceased to be registered;
- o the releasing provider has had a sanction imposed on it which prevents the student from continuing his or her course; or
- o a government sponsor of the student considers that the transfer is in the best interests of the student, and has provided written support for the change.

Transfers from GCA within the first six (6) months

If a student wishes to transfer to another provider within the first six (6) months of study at GCA, they must obtain a Letter of Release from GCA.

GCA will consider the request and, if approved, provide a Letter of Release to the student within fourteen (14) days from the date of receiving the request.

Conditions under which students may be released from GCA within the first six (6) months

- GCA will issue students with a Letter of Release within the first six (6) months where it is deemed in the best interests of the student. Such circumstances include:
 - Either GCA and/or the course in which the student is enrolled have ceased to be registered, or GCA fails to deliver the course as outlined in the written agreement, or the student believes and can demonstrate that they have been misled by information provided to them by GCA and/or an agent acting on behalf of GCA;
 - There is evidence of compelling or compassionate circumstances;
 - The student is in breach of academic progress requirements of their student visa even after genuinely engaging with an intervention strategy;
 - An internal or external appeal on another matter results in a decision or recommendation to release the student;

- A government sponsor considers that a change of provider is in the best interests of the student.

Approved applicants are granted a Letter of Release at no charge and will be advised to contact the Department of Home Affairs to ascertain any potential consequence on their visa.

Grounds for Refusal to Release a Student

GCA may refuse an application for release within the first six (6) months if:

- The transfer is not considered to be in the best interests of the student;
- None of the conditions outlined earlier above has been met; and/or
- The student does not hold, or has not provided, a valid enrolment offer from another registered provider.

Notification of Refusal and Finalisation of Status

Where a request to transfer has been refused, students will be advised in writing within fourteen (14) days from the date of receiving the request.

Notification of refusal will include:

- the reason/s for the refusal;
- information concerning access to GCA grievance processes, as set out in Grievance Policy (Non Academic);
- information on the student's entitlement to a refund;
- The final outcome of a transfer request is only reported to the Department of Education and Training and the Department of Home Affairs after the student has had an opportunity to access GCA's complaints and appeals processes.

Compelling or compassionate circumstances

GCA may find that compelling or compassionate circumstances exist based on which it might grant a transfer request. Such circumstances include, but are not limited to:

- serious illness or injury, where a medical certificate states that the international 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 emergency travel and this has impacted on the international student's studies; or
- a traumatic experience, which could include:
 - involvement in, or witnessing of a serious accident; or
 - witnessing or being the victim of a serious crime, and this has impacted on the international student;
- where GCA was unable to offer a prerequisite unit, or the international student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.

Record Keeping

GCA will maintain records of all documentation pertaining to requests from international students for release, including assessments and decisions, for not less than two (2) years after the student ceases to be enrolled.

Legislative Context

- Education Services for Overseas Students Act 2000 (Cth)
- The Education Services for Overseas Students Regulations 2001 (Cth)
- The Migration Act 1958 (Cth)

- The Migration Regulations 1994 (Cth)
- National Code of Practice for Registration Authorities and Providers of Education to Overseas Students 2018 (National Code) and
- Any other legislation or regulations relevant to the provision of education to overseas students in Australia.

Related Documents

- Student Agreement
- GCA Agent Management Policy
- Grievance Policy (Non Academic)

Version Control and Accountable Officers

Policy Category	GCA		
Responsible Officer	Business Development and Admissions Director		
Review Date	January 2022		
Approved By	EMT		
Previous Version/Date	V9		January 2021
Version	Authored By	Description of Changes	Approved By
001	AK	New template ¹	EMT March 2021

¹ Note the new template was approved by the EMT 4 March 2021