

## STUDENT TRANSFER POLICY

### **RATIONALE:**

Schools regularly transfer students in and out for a variety of reasons. Also, parents/caregivers are entitled to request a transfer between schools.

### **AIM:**

To ensure student transfers between schools meet department requirements.

### **IMPLEMENTATION:**

During the transfer process, schools must avoid practices that:

- compel students to transfer or withdraw from school (e.g. for behavioural issues) through any other means than the formal expulsion process.
- restrict entry to eligible students.

Schools must:

- provide student information for all students transferring out
- receive student transfer information for all students transferring in
- seek parent/caregiver consent for a transfer if the transfer follows a behaviour or disciplinary incident that may have otherwise resulted in commencement in expulsion procedures
- use the [student exit form \(docx - 67.47kb\)](#) to obtain this consent
- update CASES21 and contact regional staff as appropriate for additional advice and support.

### **Approval**

School principals approve transfers when:

- the student residence changes and is now closer to a different government school (where requested)
- transfer is sought from an Australian school outside the state system
- the transfer is sought at the commencement of the school year or Term 3
- the transfer is requested (other than in those instances cited above) by a parent/caregiver and the principal of each school involved supports the request
- a student is expelled from a school via the formal expulsion policy. For students of compulsory school age, the principal of the school from which the student has been expelled is responsible for ensuring enrolment in another school; in consultation with the local area team and regional office.

For all other transfers where the parent/caregiver appeals against the Principal's decision to not enrol:

- the transferring principal makes recommendations to the regional director
- the regional director determines approval.

Additionally, schools cannot enrol international students wishing to transfer from another school (prior to the student completing six months of the principal course of study) without a release letter issued by the Department's International Education Division.

### **TRANSFER OF INFORMATION**

#### **Transfer of information between Victorian government schools**

When a Victorian government school student has been accepted at another Victorian government school, the transferring school will provide the student's information to that next school.

**Important:** Throughout this policy, '**student information**' means personal and health information about the student, including achievement information, foreseeable risk and wellbeing information.

**Parent/caregiver consent is not required to transfer student information or records (including Student Support Services (SSS) files and Department Confidential Student (DCS) file) to the student's next Victorian government school.**

Transferring student information to the student's next Victorian government school is in the best interests of our students, because it assists that next school to provide optimal education and support to the student. This also enables the Department to fulfil important legal obligations.

The Department, which includes all Victorian government schools, central and regional offices, is a single legal entity. This means that all student records and files, including DCS/SSS files, are owned by the Department (on behalf of the State of Victoria), not individual schools, networks or school staff. This also means that transferring student information to the student's next Victorian government school is a 'use' of that information for the same primary purposes it was collected, consistent with Victorian privacy law. From July 2017, all Victorian government schools are expected to transfer student information through CASES21.

If the student has received SSS support in the last two years, the SSS area based team must arrange for the SSS/DCS files to be sent to the SSS area based team for the receiving school.

### **Enquiries by a family about a potential transfer between Victorian government schools**

Victorian government schools may not share student information with another Victorian government school **before** that student has been **accepted at** that next school, **unless** consent is given. This means that when a parent/caregiver (or student on their own behalf) is enquiring about a possible placement at another Victorian government school, the student's current school cannot share student information with that potential new school, except for the following circumstances:

- the parent/caregiver (or student) has consented to the sharing of information
- the receiving school needs to consult with the student's current school to ensure that the person presenting to the school to enrol the student has decision making responsibility for that student and there are no Family Law Act orders or other court orders or documents that are relevant to determining who has decision making responsibility for that student.

A Principal or Regional Officer supporting a student to find a suitable educational setting following an expulsion may also share relevant information about the student with another Victorian government school, in order to determine how that school could best support the student's education.

### **Transfer process**

The 3 elements of the transfer process are:

[Transfer information required](#)

[Transferring students process](#)

[Receiving students process.](#)

### **Transfer information required**

This table describes transfer information that must be provided by the transferring school to the receiving school.

<b>Type of receiving school</b>	<b>Transfer information to be sent from transferring government school</b>
Victorian government school	Student information, including information on any foreseeable risks (if applicable) Note: From July 2017, all Victorian government schools will use CASES21 to transfer this information.
Non-government school including Catholic school	Transfer note (downloadable from CASES21), including information on any foreseeable risks (if applicable).
Interstate school	Interstate Student Data Transfer Note, including information on any foreseeable risks (if applicable). For the interstate student data transfer note, downloadable forms, protocols and fact sheets see: <a href="#">Interstate Student Data Transfer Note and Protocol for Government Schools</a>

### Transferring students process

This table describes the administrative process when Victorian government schools transfer students to other Victorian government schools.

Step	Description
1	<p>Update student details in CASES21, including:</p> <ul style="list-style-type: none"> <li>the transfer date as the last date the student attended / will attend classes</li> <li>transfer note (if used) that has been reviewed by the transferring principal</li> <li>immunisation status for primary students.</li> </ul> <p>Note: CASES21 automatically updates the Victorian Student Register (VSR) as well as generating the Student Enrolment Information Form and Student Information Full Details Report.</p>
2	Complete the student exit process in CASES21.
3	<p>When the student has been accepted by the receiving school, send the receiving school:</p> <ul style="list-style-type: none"> <li>all required student information, including any foreseeable risks, and the immunisation certificate for primary students. (From July 2017 this information must be transferred through CASES21)</li> </ul> <p>Note: Parents/caregivers are required to provide the receiving school with:</p> <ul style="list-style-type: none"> <li>evidence of the student's name and date of birth.</li> <li>passport or travel documentation for non-Australian born students</li> <li>Court orders or written consent of both parents/caregivers agreeing to admission, for separated parents/caregivers</li> </ul>

### Receiving students process

**Where students are transferring between Victorian government schools student information can be transferred using CASES21 (mandatory from July 2017).** In this instance the receiving school receives notification through CASES21 that data has been transmitted from the transferring school. The Victorian Student Register is automatically updated when the student data is imported by the receiving school.

When students transfer or transition between government schools, student names must not be changed unless new legal documentation with an amended name is provided.

When student information is transferred using CASES21:

- Parents/caregivers are not required to complete a new enrolment form
- schools are not required to create a new student record in CASES21 because that would create a duplicate record
- receiving schools must send a copy of the Student Enrolment Information Form to the parent/caregiver for checking, updating and signing to ensure the student data is current and accurate.

Before a student is offered a place, receiving schools may consult with the transferring school to ensure that the person presenting to the school to enrol the student has decision making responsibility for that student and that there are not Family Law Act orders or other orders or documents that are relevant to determining who has decision making responsibility for that student.

The table below describes how the receiving government school deals with missing or conflicting transfer information which may include considering a conditional enrolment.

When the	Then the receiving school principal
student information is not received	<ul style="list-style-type: none"> <li>seeks further information from the transferring school</li> </ul> <p>chooses between:</p> <ul style="list-style-type: none"> <li>- deferring admission for 1 day, or</li> <li>- admitting the student conditionally and maintaining a record</li> </ul>

	of attendance until the information is provided.
principal is unable, after reasonable enquiries, to obtain information	<ul style="list-style-type: none"> <li>reports all circumstances to the regional director</li> <li>keeps the student in attendance as a conditional enrolment until the matter is resolved.</li> </ul> See: Missing enrolment information in <a href="#">Admission</a> .
transferring school provides conflicting information about family circumstances	seeks further information from the parents/caregivers <b>before</b> the School Enrolment Information Form is issued and the transfer proceeds.
parents/caregivers do not provide documentation to clarify conflicting information	<ul style="list-style-type: none"> <li>may defer the admission of the student for up to 5 days and advises the parents/caregivers that:               <ul style="list-style-type: none"> <li>they are required under the Education and Training Reform Act 2006 to enrol compulsory school age children at school and ensure the student attends</li> <li>enrolment is conditional upon provision of the required information in a specified timeframe</li> <li>the student should continue attending their current school where their record of attendance is being maintained.</li> </ul> </li> </ul> See: <a href="#">Decision Making Responsibilities for Students</a>
	Note: The Principal can seek advice from: <ul style="list-style-type: none"> <li>the regional director and/or the Department's Legal Services Division.</li> </ul>

This table displays how schools deal with unresolved matters.

<b>When the matter is not resolved and</b>	<b>Then the receiving school principal</b>
there are no pressing circumstances	does not proceed with the transfer and the student returns to the transferring school. The transferring school reactivates the student in CASES21.
both principals agree that the child's education is likely to be adversely affected by not proceeding with the transfer	<ul style="list-style-type: none"> <li>proceeds with the transfer</li> <li>advises the parents/caregivers in writing that the enrolment is conditional and will only be completed when these conditions are met</li> <li>records the conditions.</li> </ul> Examples: written consent from both parents/caregivers to the enrolment or production of a court order.

#### **EVALUATION:**

This policy will be reviewed as part of the school's three year review cycle.

#### **REFERENCES:**

DET A-Z Policy Guide

<http://www.education.vic.gov.au/school/principals/spag/participation/pages/transfers.aspx> DET

Expulsion and Suspension Policy

Privacy Policy

Enrolment Policy

Student Placement Policy

DET International Division

Education and Training Reform Act 2006

<https://www.education.vic.gov.au/about/department/legislation/Pages/act2006.aspx>

Family Law Act 1975

[http://classic.austlii.edu.au/au/legis/cth/consol\\_act/fla1975114/](http://classic.austlii.edu.au/au/legis/cth/consol_act/fla1975114/)