

TRANSFER BETWEEN REGISTERED PROVIDERS POLICY & PROCEDURE

1. PURPOSE

The ESOS regulatory framework restricts approved providers of courses to international students (“registered providers”) from enrolling transferring students prior to the student completing 6 months of their principal course of study¹.

2. POLICY

This policy is designed to ensure that Allman College (“the College”) does not enrol any transferring international student prior to 6 months of their principal course being completed, unless that student has valid evidence, such as a letter or an email from another registered provider agreeing to such a transfer, and which is recorded in PRISMS, or if other specific conditions are met.

This policy also details the procedures for assessing applications to transfer from the College to another registered provider within the initial 6 months of a student’s principal course.

International students are advised of the circumstances and consequences regarding transfer from the College prior to enrolment and during the student orientation process. International students are advised to contact the Department of Home Affairs regarding the potential impact any transfer may have on their student visa prior to formally lodging an application to transfer to another provider.

If the overseas student subsequently intends to study at a lower Australian Qualifications Framework (AQF) level, they will need to apply for a new student visa.

A. Students seeking to transfer to the College from another registered provider

The College will not recruit or knowingly enrol an international student wishing to transfer from another registered provider prior to the student completing 6 months of their principal course of study except in the following circumstances:

- the student has been released from another registered provider and the release has been recorded with the date of effect and reason for release in PRISMS;
- the original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered;
- the original registered provider has had a sanction imposed on its registration by the government that prevents the student from continuing their principal course of study;
- a government sponsor of the student considers the change to be in the student’s best interest and has provided written support for that change.

International students seeking to transfer to the College must comply with the College’s admissions procedures and meet the course entry requirements.

¹ A principal course of study is usually the final course of study undertaken by the student. For example, if an international student is studying a diploma program followed by an advanced diploma program, the advanced diploma is considered the principal course

B. Students seeking to transfer from the College to another registered provider

The College will generally agree to a request from an international student to transfer to another registered provider prior to completing 6 months of their principal course with the College where it can be demonstrated that such a transfer is in the best interests of the student. In assessing such a request, the following factors will be taken into account to determine if granting the request is in the best interests of the student:

- the student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with the College's intervention strategy to assist the student;
- there is evidence of compassionate or compelling circumstances;
- the College fails to deliver the course as outlined in the written agreement with the student;
- there is evidence that the student's reasonable expectations about their current course are not being met;
- the registered provider was unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol
- inability to begin studying on the course commencement date due to delay in receiving a student visa.
- there is evidence that the student was misled by the College or an education or migration agent regarding the College 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.

Where a release is granted, it will be issued to the student at no cost and will advise the student of the need to contact the Department of Home Affairs to seek advice on any implications to their student visa. <https://www.studyaustralia.gov.au/en/plan-your-studies/changing-your-course-or-provider>

The College will apply this policy and ensure that the student's best interest is specified in each case. Overseas students cannot make a general claim that a transfer will be in their best interests. Any request should be made with reference to the circumstances for granting a release as outlined in this Transfer policy.

The circumstances which the College considers as reasonable grounds to refuse a transfer are as follows:

- the student requesting a transfer does not have a clear understanding of what the transfer represents to their study options;
- the student has not made an attempt to discuss the reasons for seeking a transfer with either the Student Services Officer or Academic Manager;
- the student has outstanding course fees owing to the College;
- it is suspected that the student is seeking to transfer to another registered provider only to avoid being reported to the relevant government department for failure to meet academic progress requirements.

Where it is assessed that one of the above factors applies, the student's request for a release may be refused.

In the circumstance that the College does not grant a release, the student will be provided with written notification outlining the reasons for the refusal and informing the student of their right to appeal the decision through the College's complaints and appeals procedures within twenty (20) working days.

The College will not finalise the student's refusal status in PRISMS until the appeal finds in favour of the College, or the student has chosen not to access the complaints and appeals processes within the twenty (20) working day period, or the student withdraws from the process.

Students will be notified of the outcome of the assessment of their request for release within 5 working days of the request being submitted.

All requests for release and the decision made will be recorded in PRISMS.

The College will maintain records of all requests from students for a release and the assessment of and decision regarding the request on the student's file for a period of no less than two years from the date the student's enrolment with the College is terminated.

Definition

Compassionate or compelling' circumstances:

When considering compassionate or compelling circumstances, these are circumstances which are generally beyond the control of the overseas student and which have an impact upon the overseas student's course progress or wellbeing. The DHA propose these to include, but are not limited to:

- Serious illness or injury, where a medical certificate states that the overseas 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 overseas student's studies
- A traumatic experience, which could include:
 - o Involvement in, or witnessing of a serious accident; or
 - o Witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be supported by police or psychologists' reports)

3. RESPONSIBILITY

CEO is responsible for approving applications

Administration Manager is responsible for the implementation of this procedure, to maintain records as required by this policy and to ensure that all staff with responsibility are aware of and implement this policy

Academic Manager responsible for Intervention Plans with students

Student Services Officer is the main point of contact with students to implement this policy

All staff who interact with international students must be aware of and implement this policy

4. REQUIREMENTS

The College must meet the requirements the National Code Standard 7 Overseas Students Transfers.

This standard sets out that registered providers must not knowingly enrol an overseas student wishing to transfer from another registered provider's course prior to the student completing six months of his or her principal course, except in certain circumstances.

5. SCOPE

This policy applies to all College staff, including contractors and students.

6. PROCEDURE

A. Students seeking to transfer to the College from another registered provider

Where an international student seeks to transfer from another registered provider before they have completed 6 months of their principal course of study the following procedure will apply:

- a. The College receives an application from a student who is on-shore and is currently undertaking study at another registered provider.
- b. Utilising information from the student's passport, including their study visa and the date the student arrived in Australia, the Administration Manager will determine if the student has completed 6 months of their principal course of study with the other registered provider.
- c. If the student has completed 6 months study in their principal course of study, the application process proceeds as for all other on-shore international student applications.
- d. If the student has not completed 6 months study in their principal course of study, they are required to provide evidence of their release from the registered provider they are currently studying with and the release has been recorded with the date of effect and reason for release in PRISMS.
- e. Where the student states that their current registered provider has entered their release into PRISMS without providing the student any written notification, the College will seek to create a new Confirmation of Enrolment (CoE) in PRISMS. Where PRISMS notifies that the student is still currently enrolled with another registered provider the transfer application cannot proceed.
- f. If the student is a government sponsored student, they are required to provide written support from their sponsor agreeing to the change.
- g. Once evidence of release is provided the application proceeds as for all other on-shore international student applications
- h. In the circumstances where the original registered provider or course has ceased to be registered, or sanctions have been placed on the original institution by the Australian government which do not allow the student to continue with the course, no formal release is required.

B. Students seeking to transfer from the College to another registered provider

The following procedure applies to international students wishing to transfer from the College to another registered provider within 6 months of commencement of their principal course of study:

- a. The international student will present, in person, to the Student Services Officer or Academic Manager and provide a written request that they wish to transfer from the College to another registered provider. The Student Services Officer or Academic Manager will arrange an exit interview where the student will provide an original copy of a valid enrolment offer from the registered provider to which the student wishes to transfer.
- b. The Student Services Officer will check with the Administration Manager or their delegate the financial status of the student to determine if there are fees owing or if the student is entitled to a refund under the College's refund policy. The Administration Manager or their delegate will advise the student if there are any fees owing and discuss how payment will be settled or, if a refund is due, how much will be refunded and when.
- c. During the exit interview the Academic Manager or Student Services Officer will:
 - discuss the reasons for the student wishing to transfer to another registered provider;
 - sight the original valid enrolment offer from the registered provider that the student wishes to transfer to; and
 - make a copy of the enrolment offer.
- d. Following the exit interview the Academic Manager or Student Services Officer will make an assessment of whether or not the student's request for a transfer to another registered provider is in the best interests of the student by taking into account the factors mentioned above and come to a decision on whether to provide the student with a release.
- e. If the Academic Manager or Student Services Officer agrees to the student's request for a transfer to another registered provider, they will provide the student with written notification within 5 working days and update PRISMS. The release will be provided to the student at no charge and will advise the student of the need to contact Department of Home Affairs to seek advice on whether a new student visa is required.
- f. The student must, if applicable, pay any outstanding fees or return any library books or equipment before receiving the release.
- g. If the Academic Manager or Student Services Officer denies the student's request for a transfer to another registered provider, the student will be provided with a letter detailing the reasons to refuse the request within 5 working days and will be informed of their right to appeal the decision within 20 working days through the College's complaints handling procedures.
- h. The request for transfer to another registered provider, a copy of the valid enrolment offer from the other registered provider and a copy of the written advice to the student of the decision will be placed on the student's file.
- i. The Student Services Officer will ensure that the following tasks are undertaken:
 - notify the Administration Manager to prepare a *Record of Results* for the transferring student, if applicable;

- email the relevant personnel advising them that the student has withdrawn from the course so that records can be updated, and any necessary arrangements are made for the student's release.
- j. A notification of release will always be provided when, or if:
 - the College's registration or accreditation has been revoked;
 - sanctions imposed on the College by the government prevent the student from continuing in the course;
 - a government sponsor deems that the transfer is in the best interest of the student.

7. POLICY IMPLEMENTATION

This policy will be made available to all staff members and stakeholders through the internal communication channels, the website and the Student Handbook.

8. REVIEW

This Policy and Procedure will undergo an annual review, or sooner if required, to ensure it remains relevant and effective in guiding the operations and strategies or as needed to reflect any changes in the regulatory environment or operational practices.

Feedback will be collated and analysed and discussed at the monthly management meetings, for noting or action with any necessary changes documented in a Continuous Improvement Form and in the Continuous Improvement Register.