

INTERNATIONAL STUDENT TRANSFER BETWEEN REGISTERED PROVIDERS POLICY AND PROCEDURE

1. Background

The ESOS regulatory framework¹ 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 study².

This policy is designed to ensure that Australian Performing Arts Conservatory (“the Institution”) 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 Institution to another registered provider within the initial 6 months of a student’s principal course.

2. Students seeking to transfer to the Institution from another registered provider

Overview

The Institution 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 Institution must comply with the Institution’s admissions procedures and meet the course entry requirements.

Procedure

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:

- 2.1 The Institution receives an application from a student who is on-shore and is currently undertaking study at another registered provider.
- 2.2 Utilising information from the student’s passport, including their study visa and the date the student arrived in Australia, the [Admission’s Officer] will determine if the student

¹ Refer to *ESOS Compliance Framework*

² A principal course of study is usually the final course of study undertaken by the student. For example, if an international student is studying an English language program followed by a Bachelor program, the Bachelor degree is considered the principal course

- has completed 6 months of their principal course of study with the other registered provider.
- 2.3 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.
 - 2.4 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.
 - 2.5 Where the student states that their current registered provider has entered their release into PRISMS without providing the student any written notification, the Institution 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.
 - 2.6 If the student is a government sponsored student, they are required to provide written support from their sponsor agreeing to the change.
 - 2.7 Once evidence of release is provided the application proceeds as for all other on-shore international student applications (refer *Student Selection and Admissions Policy and Procedure*).
 - 2.8 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.

3. Students seeking to transfer from the Institution to another registered provider

Overview

Grounds for release

The Institution 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 Institution 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 Institution's intervention strategy to assist the student;
- there is evidence of compassionate or compelling circumstances;
- the Institution 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;
- there is evidence that the student was misled by the Institution or an education or migration agent regarding the Institution 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.

Compassionate or compelling circumstances

The National Code Fact Sheet for Standard 7: Overseas Student Transfers lists the following as examples of compassionate or compelling circumstances:

‘Compassionate or compelling’ circumstances are generally those beyond the control of the overseas student and which have an impact upon the overseas student’s course progress or wellbeing. These could 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; or
- 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);
- where 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.’

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.

Grounds for refusal of transfer

The circumstances which the Institution 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 Course Coordinator or Student Support Officer;
- the student has outstanding course fees owing to the Institution;
- 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.

Record-keeping

Students will be notified of the outcome of the assessment of their request for release within 5 working days of the request being submitted. In the circumstance that the Institution 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 Institution’s grievance procedures within twenty (20) working days.

All requests for release and the decision made will be recorded in PRISMS. The Institution will not finalise the student’s refusal status in PRISMS until the appeal finds in favour of the Institution, 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.

The Institution will maintain records of all requests from students for a release including the assessment and decision for a period of no less than two years after the overseas student has ceased to be an accepted student, in accordance with National Code Standard 7.7.

Procedure

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

- 3.1 The international student will present, in person, to the [Director of Higher Education] and provide a written request that they wish to transfer from the Institution to another registered provider. The [Director of Higher Education] 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.
- 3.2 The [Admission's Officer] will check the financial status of the student to determine if there are fees owing or if the student is entitled to a refund under the Institution's refund policy. The [Admission's Officer] 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. The [Admission's Officer] will also check to see if there are any library books or other items on loan to the student and make arrangements for their return.
- 3.3 During the exit interview the [Director of Higher Education] will:
 - discuss the reasons for the student wishing to transfer to another registered provider, including any compassionate or compelling circumstances;
 - 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.
- 3.4 Following the exit interview the [Director of Higher Education] 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.
- 3.5 If the [Director of Higher Education] 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.
- 3.6 The student must, if applicable, pay any outstanding fees or return any library books or equipment before receiving the release.
- 3.7 If the [Director of Higher Education] 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 in accordance with the Student Grievance Policy.
- 3.8 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.
- 3.9 The [Admission's Officer] will ensure that the following tasks are undertaken:
 - an Academic Transcript is prepared 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.

3.10 A notification of release will always be provided when, or if:

- the Institution's registration or accreditation has been revoked;
- sanctions imposed on the Institution 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.

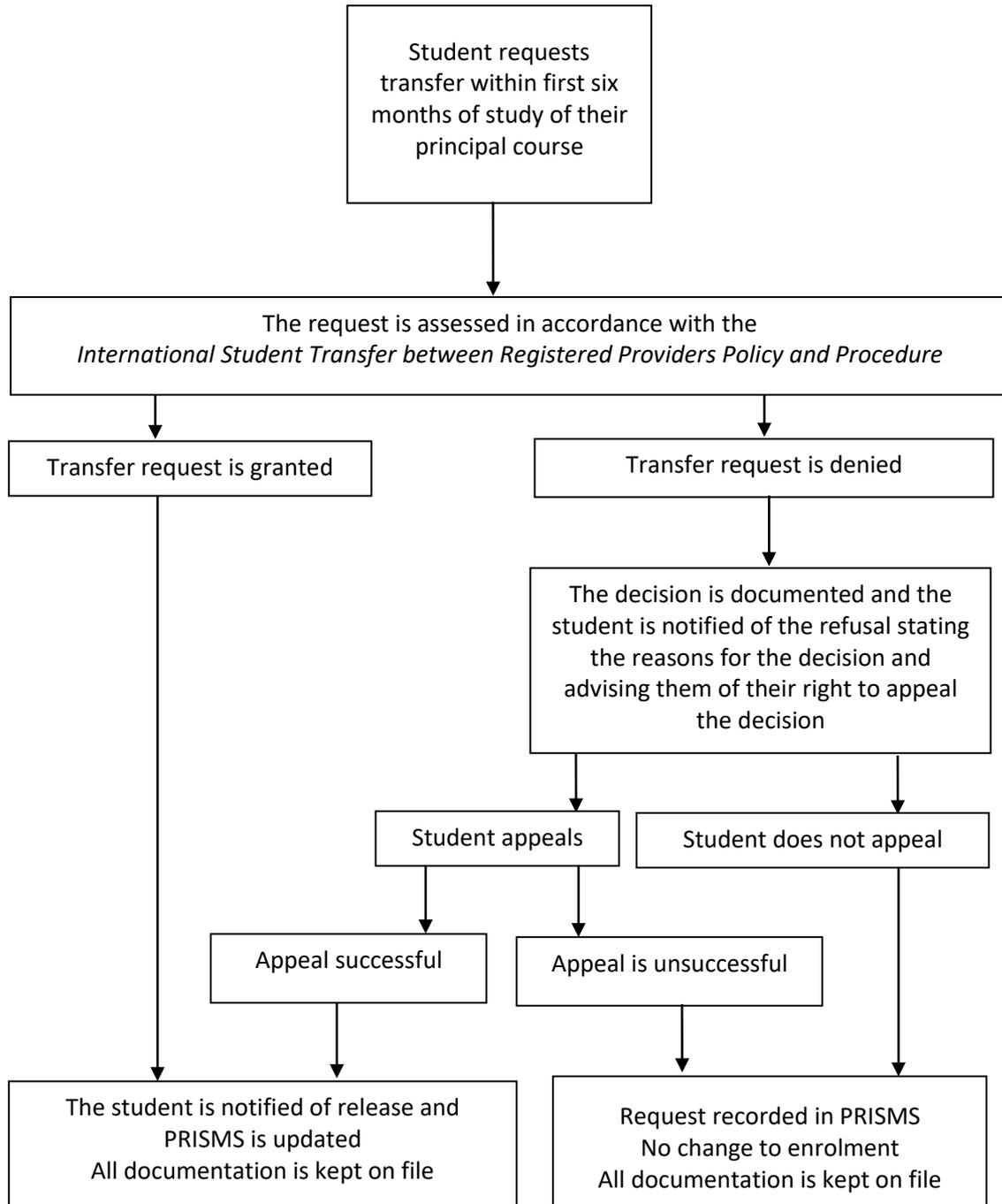
4. Publication

International students and staff have access to this policy through publication on the Institution's website (www.institution.edu.au).

5. Related documents

- International Student Notification of Release
- International Student Notification of Refusal to Release

6. Student transfer request assessment flowchart



7. Version control

Version	Approved by	Approval Date	Details
1.0	Academic Board	12/12/2019	Document creation
2.0	Academic Board	13/01/2021	Minor changes