

POLICY AND PROCEDURE DOCUMENT

INTERNATIONAL STUDENT TRANSFER BETWEEN EDUCATION PROVIDERS POLICY

1 Purpose and Scope

This policy outlines the way in which transfer requests from international students studying on a student visa are assessed. It also sets out the circumstances in which the College will accept enrolments from international students currently studying in Australia (onshore enrolments).

Scope:

- All campuses
- All international students holding an Australian Student Visa
- Admissions Staff
- Student Services
- Registrar's Office

2 Policy Statement

This policy has been developed in line with Standard 7 - Overseas Student Transfers of the National Code of Practice for Providers of Education and Training to Overseas Students (the National Code 2018). It covers two (2) types of request for transfer by international students studying on a student visa which occur before the student completes the first six months of their principal course of study:

- Transfer from ACPE to another education provider
- Transfer from another education provider to ACPE

2.1 Student Transfer Requests – Transfer to ACPE

Generally, international students cannot transfer between registered providers prior to completing six calendar months of their **principal** course. The principal course is the main course of study to be undertaken by an international student where the student visa has been

issued for multiple courses, and is usually the final course of study. The first six months is calculated as six calendar months from the date the student commences their principal course.

The College must not knowingly enrol an international student wishing to transfer from another registered provider's course prior to the student completing 6 months of their principal course of study, except where:

- the releasing registered provider or the course in which the student is enrolled, has ceased to be registered
- the releasing registered provider has provided the student with a written letter of release
- the releasing registered provider has had a sanction imposed on its registration by the ESOS Agency that prevents the student from continuing his or her principal course, or
- any government sponsor of the international student considers the change to be in the student's best interest and has provided written support for that change.

Proof of any of the above circumstances must be kept on the incoming students file. If the student has already completed 6 months of their principal course of study no release letter is required to enrol at the College.

2.2 Student Transfer Request to Another Education Provider

Students who wish to transfer to another provider must provide a valid letter of offer from the provider they wish to transfer to and fill out a *Student Transfer Request – Transfer Form*. Students must also attend a transfer interview if requested.

2.3 Letter of Release

The College must grant a letter of release where the Student has provided a letter from another education provider confirming that a valid enrolment offer has been made.

The letter of release sets out whether or not the student has maintained satisfactory course progress and paid all fees. This section must be completed for every student that is issued a letter of release.

The College shall process all applications for Release Letters at no cost. In addition, an appointment shall be scheduled to counsel students looking to transfer. If the Letter of Release is granted, the College must advise the international student to contact the

Department of Home Affairs to confirm if a new student visa is needed and/or discuss how this change to enrolment will impact their student visa.

2.3.1 Letter of Release – Granted

If the student is **within the first 6 months** of study in their principal course of study, transfer and a Letter of Release will only be granted under the special circumstances, including but not limited to:

- a. there is evidence of compassionate or compelling circumstances, as outlined in the *Special Consideration Policy*.
- b. the student will be reported because they are unable to achieve satisfactory course progress, even after engaging with the ACPE intervention strategy
- c. ACPE fails 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 student was misled by ACPE or its education agents regarding the College or its course and the course is therefore unsuitable to the needs and/or study objectives of the student.
- f. an internal or external appeal on another matter results in a decision or recommendation to release the overseas student

2.3.2 Letter of Release - Refused

If the College refuses the student transfer request, it will inform the student in writing of:

- the reasons for the refusal
- the student's right to access the ACPE grievances, complaints and Appeals process within 20 working days of receiving the College's decision.
- More information can be found in the *Grievances, Complaints and Appeals Policy*.

ACPE considers the following circumstances, among others, to be reasonable grounds to refuse a request for transfer prior to completing the first six months of the Principal Course:

- a. The student does not have a valid enrolment offer from another CRICOS registered provider;
- b. The program for which the student is intending to enrol in with the other provider, is similar to or the same as the programs offered at ACPE;

- c. Where the primary reason for the request is based on a personal preference, such as wishing to experience living in another city in Australia, or wishing to live and/or study with friends enrolled at another registered provider; or, on the basis of a change of mind;
- d. Where the student has failed to submit assessments that would have provided formative feedback to support the student;
- e. Where the student has not made a genuine attempt to participate in the course program, including accessing support to achieve academic success; Request to downgrade to a lower AQF qualification or another field of study not offered by ACPE for reasons unrelated to the student's academic ability;
- f. The student is experiencing accommodation problems;
- g. The student is experiencing program schedule conflict with personal, work, or other non-study commitments;
- h. The student has outstanding debts to ACPE.

2.3.3 Letter of Release - Assessment Application Timeframe

The College shall assess Release Letter applications and reply to the student within 10 working days.

2.4 Record Keeping

All records of applications for a Letter of Release and the assessment of, and decision regarding, are to be kept for two years after the international student ceases to be an accepted student. In addition, the change of provider (either leaving the College or entering the College) will be notified to DHA via the PRISMS database and COE adjustments.

ACPE will not finalise an international student's refusal status in PRISMS until any appeal against the refusal lodged by the international student is finalised and upholds ACPE's decision not to release the student; or the international student did not access ACPE's complaints and appeals processes within 20 working days of being notified of the refusal; or the international student withdraws their appeal against the refusal.

3 Definitions

- **COE** – Confirmation of Enrolment, a formal document generated in the PRISMS System when an international student's details are entered on this system related to specific course at the College.

- **Education agent** - An individual, company or other organisation that provides services, whether or not on a commercial basis, to prospective international students who wish to study at the College.
- **ESOS** – Education Services for Overseas Students Act 2000 and related regulations and amendments. A legislative framework, administered by the Australian Government, addressing the responsibility of education institutions towards overseas students.
- **Letter of Release** - a letter from one education provider to another that sets out the students, course progression and payment of fees that a student must provide to the provider they wish to transfer to if they have not completed 6 months of their principal course.
- **Principal Course** - the final course of study or the highest qualification for which student visa has been issued where a student has been issued a visa for multiple courses of study.
- **PRISMS** - Provider Registration and International Student Management System.
- **Special Circumstances** – Compassionate and/or compelling circumstances beyond the student’s control
- **Student** – an individual person who is formally enrolled to study at the College. The individual person is that who appears on the College’s documents such as enrolment, admission and payment documents, and who is assigned an individual student ID.

4 Related Documents

- Fees Policy
- Refund Policy
- Special Consideration Policy
- Grievances, Complaints and Appeals Policy

Related Legislation:

- Education Services for Overseas Students Act 2000
- National Code of Practice for Providers of Education and Training to Overseas Students.
- Higher Education Standards Framework (Threshold Standards) 2015

5 Policy Administration

Policy Name & Code:			Transfer Between Education Provider Policy - International (POL-34)
Policy Owner:			Registrar
Approval Authority:			Academic Board
Next Review:			September 2023
Approval Date	Effective Date	Version	Summary of changes
22 Dec 15	23 Dec 15	1	Policy harmonised and approved on 22 Dec 2015.
11 Jun 19	15 Aug 19	2	Revision date: 10 May 2019 <ul style="list-style-type: none"> • Policy reformatted in line with new ACPE template for policy and procedures. • Policy updated to reflect current College's practices. • Policy content revised to ensure compliance with the ESOS Act 2000 and National Code 2018. • Terminology updated for consistency, and 'Record Keeping' section updated to include details about students' status in PRISMS.

* Unless otherwise indicated, this policy will still apply beyond the review date.