

## TRANSFER BETWEEN REGISTERED PROVIDERS POLICY

<b>Approving authority</b>	Academic Board
<b>Purpose</b>	This Policy outlines the policy for the transfer of overseas students to other registered providers from the Institute and from other registered providers to the Institute
<b>Responsible Officer</b>	Head of Marketing (currently the Director of Marketing & Student Recruitment)
<b>Next scheduled review</b>	<b>February 2031</b>
<b>Document Location</b>	<a href="https://www.ozford.edu.au/policies-and-procedures/higher-education/">https://www.ozford.edu.au/policies-and-procedures/higher-education/</a>
<b>Associated documents</b>	Admissions Policy and Procedure Academic Progress Policy and Procedures Deferring, Suspending or Cancelling a Student's Enrolment Policy and Procedure International Student Fee Refund Policy and Procedure Records Management Policy and Procedure Student Grievances and Appeals Policy and Procedure Transfer Between Registered Providers Procedure

### 1. PRINCIPLES

The Institute is restricted from enrolling transferring students prior to the student completing 6 months of their principal course. This policy details acceptable reasons for transfer within this period, and the procedures for assessing applications to transfer. Students who have studied longer than this period can apply for a transfer without restrictions.

This Institute:

- does not knowingly enrol any transferring overseas student prior to the 6 months of their principal course being completed except in circumstances stated in this policy;
- assesses student requests for transfer to other providers using this policy;
- provides a written response to student requests for transfer;
- enables students to appeal through the *Student Grievance and Appeals Policy*; and
- maintains records of all associated documents for two years after the overseas student ceases to be an accepted student.

### 2. SCOPE

This Policy applies to all staff and to all overseas students applying to study with the Institute or currently enrolled at the Institute on student visas.

### 3. DEFINITIONS

#### ***Confirmation of Enrolment (CoE)***

The Confirmation of Enrolment (also called a CoE) is an official statement from the Institute via PRISMS that lists the student's details, course and the start and end dates of the course.

The Confirmation of Enrolment (COE) is an official document issued to international students by universities and other education providers in Australia. It confirms that the student has accepted a place in a course and has paid required tuition fees and Overseas Student Health Cover (OSHC). The COE is required by the Department of Home Affairs for the purpose of issuing a student visa.

#### ***Compassionate or Compelling Circumstances***

Compassionate or compelling circumstances are generally those beyond the control of the student and which have an impact upon the 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 student is unable to attend class;
- bereavement for the death of close family members such as parents or grandparents (documented evidence must be provided);
- serious illness, accident or family incident which requires immediate travel which has impacted the student to studies;
- the inability to begin study on the course commencement date stated on the CoE due to delay in receiving a student visa if relevant;
- major political upheaval or natural disaster in the home country requiring their immediate travel and this has impacted on the student's studies;
- a traumatic experience supported by police or psychologist's reports which could include but is not limited to:
  - involvement in or witnessing of an accident; or
  - a crime committed against the student; or
  - the student being a witness to a crime and this has impacted on the student.
- where the Institute was unable to offer a pre-requisite unit.

*Notes:*

- *misreading the examination timetable, examination anxiety or returning home will not be accepted as Compassionate and Compelling circumstances;*
- *religious or faith-based issues are not in themselves grounds for special consideration. However, they may be used in support of an application that meets the Compassionate and Compelling circumstances set out above.*

#### ***ESOS National Code***

The ESOS National Code refers to the National Code of Practice for Providers of Education and Training to Overseas Students 2018 established under the Education Services for Overseas Students Act 2000.

### ***Principal course***

Means the student's main course of study for which the student has confirmation of enrolment (**CoE**). If the student is enrolled in a package of courses that include one or more Institute's courses, the student's principal course is the course within the package that has the highest qualification and for which the student has CoE. Where the student has enrolled in only one course, the principal course means the student's nominated course of study with the Institute.

Transfer requirements apply to all courses of study prior to the overseas student's principal course.

### ***Provider Registration and International Student Management System (PRISMS)***

Means the Provider Registration and International Students Management System (the electronic system that holds CRICOS and the electronic confirmation of enrolment).

## **4. POLICY**

- 4.1. The Institute will not seek to recruit an overseas student within the first six months of his or her principal course unless:
- the original registered provider has ceased to be registered, or the course in which the student is enrolled has ceased to be registered.
  - the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course at that registered provider.
  - the original registered provider has agreed to the student's release and recorded the date of effect and reason for release in PRISMS; or,
  - any government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change.
- 4.2. All current overseas students seeking to transfer to other providers within six months of the commencement of their principal course are only able to enrol in another Institution after their transfer requests have been granted by the Institute.
- 4.3. Transfer requests will only be granted by the Institute if the transfer is determined to be in the student's best interest on the following grounds;
- there is evidence of compassionate or compelling circumstances.
  - the overseas student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with an intervention strategy to assist the overseas student.
  - the Institute fails to deliver the course as outlined in the written agreement;
  - there is evidence that the student's reasonable expectations about his or her current course are not being met.

- there is evidence that the overseas student misinterpreted or was misled by the information provided by the Institute or an education or migration agent regarding the Institute or its course and the course is therefore unsuitable to their needs and/or study objectives.
  - an appeal (internal or external) results in a decision or recommendation to release the student.
- 4.4. Transfer requests from the Institute will not be granted where:
- the transfer might have a negative impact on the student's future study options including breaking an agreed package of programs for which eCoEs have been issued.
  - the student has outstanding course fees.
  - the student is subject to an outstanding disciplinary penalty.
  - the student is seeking transfer to avoid being reported for failure to meet academic or visa requirements.
- 4.5. The student's request to transfer to another Institution will be granted unconditionally when or if:
- there is a provider default due to the Institute no longer offering the course;
  - sanctions are imposed on the Institute by the Australian government prevent the student from continuing in the course;
  - a government sponsor deems that the transfer is in the best interest of the student.
- 4.6. The Head of Marketing will make any final decision as to whether to grant a transfer request for any overseas student.
- 4.7. The approval of transfer of a student to another institution does not indicate the agreement to provide any refund. Refunds are governed by the ***International Student Fee Refund Policy and the Refund Procedure*** as specified in the ***Student Acceptance Agreement***.
- 4.8. A conditional offer of enrolment may be made to a student who is currently enrolled in another registered provider's course, subject to the current registered provider granting the student's transfer request. A Confirmation of Enrolment cannot be issued to the student unless the current provider grants the student's transfer request and records the student's release in PRISMS.
- 4.9. The Institute will assess and respond to a student's request to transfer within 10 working days of the request being submitted.
- 4.10. If transfer requests are refused, the response to student will provide the reason for refusing the transfer requests and students' right to access the appeal process within 20 working days in accordance with the Institute's ***Student Grievances and Appeals Policy and Procedure***.
- 4.11. The students' refusal status in PRISMS will not be finalised until:
- any appeal against the refusal lodged by the student is finalised and upholds the Institute's decision not to release the students; or
  - the students did not access the Institute's appeal processes within 20 working days of being notified of the refusal; or
  - the student withdraws their appeal against the refusal
- 4.12. The records of student transfer requests will be kept for two years after the student ceases to an accepted student as set out in the ***Records Management Policy and Procedure***.

## 5. QUALITY ASSURANCE

To ensure that this policy is fit for purpose and meet the requirements of the TEQSA Compliance Frameworks the policy will be;

- 5.1 internally endorsed by the Executive Management Team on development or review, prior to approval by Governing Board, or the Academic Board or other delegated authority;
- 5.2 externally reviewed as part of any independent review of the TEQSA Compliance Frameworks approved by the Governing Board;
- 5.3 internally reviewed by the Responsible Officer every three years from the date of approval (if not earlier);
- 5.4 referenced to the applicable TEQSA Compliance Frameworks requirement(s) and/or other legislation/regulation.

## 6. FEEDBACK

Feedback or comments on this policy is welcomed by the listed Responsible officers of the Institute.

## 7. ACKNOWLEDGEMENT

This Policy was developed with reference to the following:

- Federation University, Transfer Between Registered Providers Procedure, 2023 ([Transfer Between Registered Providers Procedure \(federation.edu.au\)](#))
- Monash University, International Student Transfer between Providers Procedure, 2021 ([International Student Transfer Between Providers Procedure \(monash.edu\)](#))
- University of Queensland, Transfer of Provider - Overseas Students - Procedures, 2020 ([Transfer of Provider - Overseas Students - Procedures - Policies and Procedures Library - The University of Queensland, Australia \(uq.edu.au\)](#))
- University of Tasmania, International Student Transfer Request Procedure, 2023 ([International-Student-Transfer-Request-Procedure.pdf \(utas.edu.au\)](#))
- Ozford College, Transfer Between Registered Providers Policy and Procedure (See Ozford website)
- Australian Government Department of Education, Standard 7: Overseas Student Transfers Fact Sheet ([Education Fact Sheet Title \(internationaleducation.gov.au\)](#))

## 8. VERSION CONTROL

Version	Date approved	Description	Approved by
1.0	May 2014	Initial issue	AB
2.0	June 2018	Internal Review	AB

Version	Date approved	Description	Approved by
3.0	July 2019	Internal Review	AB
4.0	April 2021	Internal Review	AB
5.0	June 2023	Internal Review	AB
5.1	September 2023	Internal review – minor formatting changes and add external referencing	EMT
5.2	February 2026	Internal Review to remove under 18 student obligations after change in policy	EMT
Related legislation/ regulation/standard	Tertiary Education Quality and Standards Act 2011 Education Services for Overseas Students Act (ESOS) 2000 Education Services for Overseas Students Regulations 2019 The National Code of Practice for Providers of Education and Training to Overseas Students 2018 Standard 7 Higher Education Standards Framework (Threshold Standards) 2021		

Notes:

AB = Academic Board

EMT = Executive Management Team