

Overseas Student Transfer Policy and Procedure

1. Purpose

This document outlines and regulates the Edvantage Institute Australia (EIA) processes for managing the transfer in and transfer out request of overseas students.

This policy complies with the *Education Services for Overseas Students Act 2000*; and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 - Standard 7.

2. Responsibility

The Executive Manager of Marketing is responsible for implementing this procedure and ensuring that related staff are aware of and comply with its requirements.

3. Requirements

- 3.1 EIA must not knowingly enrol students seeking to transfer from another registered provider's course prior to the overseas student completing six months of their principal course (or for the school sector, until after the first six months of the first registered school sector course), except in the circumstances specified in the National Code (Standard 7.1). See paragraph 4.10 below.
- 3.2 No fee can be charged to the student by EIA for issuing a release.
- 3.3 If EIA intends to refuse the transfer request, EIA must inform a student in writing of the reasons for the refusal and their right to access EIA's Student Grievance, Complaints and Appeals Policy and Procedures for Non- Academic matters.

4. Procedures

Applying for a release

- 4.1 Students must apply for a release using the release application form. Students should submit supporting evidence together with the release application form. A valid enrolment offer from another registered provider must be submitted together with the release application form.
- 4.2 Applications for a release will be considered by the Student Admission and Enrolment Manager and responded to within 15 working days of being received by EIA.
- 4.3 A release will be granted in accordance with this procedure only if the student can provide evidence that a valid enrolment offer has been made by another registered provider.
- 4.4 A release will normally be granted (at no cost to the student), within 15 working days of the application, in the following situations:
 - EIA fails to deliver the course as outlined in the written agreement;
 - There is evidence that the overseas student's reasonable expectations about their current course are not being met;

- There is evidence that the overseas student was misled by EIA staff or its agent regarding the EIA 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.
- In exceptional compassionate or compelling circumstances beyond the students' control; such as serious illness or death of a close family member which has led to a permanent change in the student's circumstances that makes continued enrolment inappropriate (independent evidence of the exceptional compassionate or compelling circumstances is required).
- 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 EIA's intervention strategy to assist the overseas student in accordance with EIA's Student Progress and At Risk Policy and Procedure and the Standard 8 (Overseas student visa requirements). In the event that the release is granted based on 5.4.6, EIA will still report the overseas student course progress, which may affect the student's visa.

4.5 A release will normally not be granted in the following situations:

- The requirements of the written agreement have not been met by the student; or
- The student does not satisfy any of the situations which normally lead to a letter of release being granted; or
- The proposed transfer will jeopardise the student's progression through a package of courses; or
- The student has unsatisfactory academic progress and has not genuinely engaging with EIA intervention strategy with the intention of failing and being released.
- The student has unsatisfactory behaviour and has been or is about to have their enrolment suspended or cancelled and be reported to the Department of Home Affairs; or
- The student cannot provide a letter from another registered provider confirming that a valid enrolment offer of a course of the same or higher AQF level has been made.
- The student has recently started studying the EIA course and the full range of support services are yet to be provided (or offered) to the student
- circumstances when a transfer will be refused and when the transfer may be considered detrimental to the student.

4.6 If EIA intends to refuse the transfer request, EIA must inform a student in writing of the reasons for the refusal and their right of appeal using EIA's Student Grievance, Complaints and Appeals Policy and Procedures for Non- Academic matters.

4.7 EIA will not finalise the student's refusal status in PRISMS until the appeal finds in favour of EIA, or the overseas student has chosen not to access the Student Grievance, Complaints and Appeals Policy and Procedures for Non- Academic matters within the 20 working day period or the overseas student withdraws from the process.

4.8 Where an application for release is denied, the student is expected to continue in their current course of study as planned. If the student does not wish to continue their course of study at EIA, they need to formally apply for withdrawal/cancellation of their course (without release). EIA will then cancel the enrolment without granting a release. Note that this information will be reported to the Department of Home Affairs (DHA) via the Provider Registration and International Students Management System (PRISMS), this may result in cancellation of the student visa. Please refer to EIA's Enrolment Policy and Procedures for further details.

4.9 A copy of the student’s release application; notes recording the assessment of the application and a copy of the response letter sent to the student by EIA must be placed in the student’s file and retain for a minimum of two (2) years after the student ceases to be an accepted student of EIA.

Enrolling a transferring student

4.10 EIA will not knowingly enrol a student wishing to transfer from another registered provider’s course prior to the student completing six months of his or her principal course of study except where:

- the original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered; or
- the original registered provider has agreed to release the student and recorded the date of effect and reason for release in PRISM.
- the original registered provider has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing his or her principal course, 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.
- For a student who enrol into a package course, a student has gained the subsequent registered provider’s agreement to delay the start of those courses.

4.11 In the event that EIA knowingly enrolls a student wishing to transfer from another registered provider’s course prior to the student completing six months of his or her principal course of study, documentary evidence of at least one of the five conditions listed above must be obtained and placed in the transferring student’s file.

4.12 EIA will not seek to enrol a student who has not yet completed six months of their principal course of study with another registered provider unless the requirements of the National Code are met and then only in accordance with this procedure.

Document Title	Overseas Student Transfer Policy and Procedure
Date Created	10/05/2020
Created By	Executive Manager of Marketing
Current Version	1.1
Last Approved Date	19/05/2020
Approval Authority	Board of Directors
Custodian	Governance Officer
Responsible for Implementation	Executive Manager of Marketing
Version History	
Version Number	Amendments
1.0 (approved on 19/05/2020)	
1.1	Change company name to Edvantage Institute Australia (EIA); update responsibility