

## TRANSFER BETWEEN REGISTERED PROVIDERS POLICY AND PROCEDURES

<b>Approving authority</b>	Executive Management Team
<b>Purpose</b>	This policy and procedure has been developed to ensure Oxford College has policies and procedures to assess student requests to transfer between registered providers within the first 6 months of studying their principle course
<b>Responsible Officer</b>	International Student Coordinator (ISC)
<b>Associated documents</b>	Admissions and Enrolment Policy and Procedures Refusal, Deferral, Suspension and Cancellation of Student Enrolment Policy and Procedures Students Complaints and Appeals Policy and Procedures

### 1. RATIONALE

This policy aims to ensure that Oxford College (the College) complies with Standard 7 of the ESOS National Code 2018 Overseas Student Transfers.

Providers are 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.

The College:

- ⌚ will 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 Students Complaints and Appeals Policy;
- ⌚ maintains records of all associated documents for two years after the overseas student ceases to be an accepted student.

### 2. SCOPE

This policy and the procedures apply to all currently enrolled international students and staff involved in assessing transfers to or from the College and another provider.

### 3. POLICY

- 3.1 Oxford College (“**Oxford**”) 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 original registered provider has agreed to the student's release and recorded the date of effect and reason for release in PRISMS; or,
  - Ⓟ the original registered provider has had a sanction imposed on its registration by the Australian Federal, State or Territory Government that prevents the student from continuing his or her course with the original registered provider; 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.
- 3.2 All current international students seeking to transfer to other providers within six months of the commencement of their principal course are only able to enrol in another provider after their transfer requests have been granted by the College.
- 3.3 Transfer requests will only be granted 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 student, after engaging with Oxford College's academic intervention strategy, is unable to achieve satisfactory course progress because the level they are studying is deemed to be inappropriate;
  - Ⓟ the College 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 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) results in a decision or recommendation to release the student.
- 3.4 Transfer requests 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, attendance or other enrolment or visa requirements.
- 3.5 A student's request to transfer to another provider will be granted unconditionally when or if:
- Ⓟ there is a provider default due to the College no longer offering the course;
  - Ⓟ sanctions are imposed on the College 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.

- 3.6 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 was unable to attend classes;
  - ⌚ bereavement of close family members such as parents or grandparents;
  - ⌚ major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies;
  - ⌚ a traumatic experience that has impacted on the student which could include involvement in, or witnessing of a serious accident; and witnessing or being the victim of a serious crime, supported by police or psychologist's reports.
- 3.7 The College will assess and respond to a student's request to transfer within 10 working days of the request being submitted. The ISC will make any final decision as to whether to grant a transfer request for any overseas student based on evidence provided for the application.
- 3.8 A student under 18 must have written evidence that the student's parent or legal guardian supports the transfer AND, if appropriate, written confirmation that the new provider will accept responsibility for approving a student's accommodation, support and general welfare arrangements as per Standard 5 of National Code.
- 3.9 If transfer requests are refused, the response to students 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 Student Complaints and Appeals policy.
- 3.10 The approval of transfer of a student to another provider does not indicate the agreement to provide any refund. Refunds are governed by the Refund policy as specified in the student's Acceptance Agreement independent of this policy.
- 3.11 A conditional offer of enrolment may be made by Admissions to a student who is currently enrolled in another provider's course, subject to the current provider's grant of 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 record the student's release in PRISMS.
- 3.12 The records of student transfer requests will be kept for two years after the student ceases to be an accepted student.

#### **4. PROCEDURES TO ASSESS TRANSFER REQUESTS FROM ANOTHER PROVIDER TO OZFORD COLLEGE**

##### **Application to transfer to the College**

- 4.1 When the College receives an application from a student who is onshore and who has indicated that they are currently studying at another provider, the Admissions Department reviews PRISMS to determine if the student has completed six months of his or her principal course. The copy of the student visa in the passport is also reviewed to ascertain what the principal course is and when the student arrived in Australia.
- 4.2 If the student has completed six months of his or her principal course, the Admissions and Enrolment Policy and procedures will be implemented.

- 4.3 If the student has not completed six months of his or her principal course, the student will be asked to apply for transfer with his or her current course provider.
- 4.4 A “conditional” offer will be supplied to the student that states that an offer of a place is contingent on the approval of the student’s release by his or her current school.
- 4.5 If the student is receiving a Government scholarship, the student will need to supply written support from the government department/agency sponsor agreeing to the change, which will stand in lieu of a release by the original course provider.
- 4.6 The above assessment process should not take more than 15 working days once the student has provided the necessary documentation.
- 4.7 All requests, considerations, decisions and copies of letters of release will be placed on the student’s file with the application documentation.

#### **Transfer granted by the other provider**

- 4.8 If an approved release has been recorded in PRISMS and there are no other outstanding matters of concern, the Admissions Policy and the relevant procedures will be implemented.
- 4.9 If the student is under 18 years of age and has welfare arrangements approved by the other registered provider, the College will:
  - ⌚ negotiate the transfer date for welfare arrangements with the releasing registered provider to ensure there is no gap
  - ⌚ inform the student of their visa obligation to maintain their current welfare arrangements until the transfer date, or have alternate welfare arrangements approved or return to their home country until the new approved welfare arrangements take effect.

#### **Transfer not granted by the other provider**

- 4.10 If the student’s transfer request is not granted by the original course provider, the application process is halted and the student will be informed that the College cannot accept their application at this time.
- 4.11 The student will be advised that they will be welcome to re-activate their application when the initial six-month period has passed.

#### **Transfer due to provider ceasing to be registered or due to sanctions**

- 4.12 In the rare circumstances where the original provider or course has ceased to be registered, or sanctions have been placed on the original provider by the Australian government which do not allow the student to continue with the course, no record of release in PRISMS is required and the Admissions Policy and the relevant procedures will be implemented.

### **5. PROCEDURES TO ASSESS TRANSFER REQUESTS FROM OZFORD COLLEGE TO ANOTHER PROVIDER**

#### **Application to transfer to another provider**

- 5.1 Student who wishes to transfer to another provider must lodge a written transfer request.
- 5.2 The student must attach:
  - ⌚ supporting evidence that sets out why the student is transferring to another provider

- ⌚ the letter from the registered provider of the course to which they wish to transfer, confirming that a valid conditional enrolment offer has been made;
- ⌚ any other documentary evidence in support of their application or that is referred to in their application;
- ⌚ If the overseas student is under 18 years of age:
  - o There must be written confirmation the overseas student's parent or legal guardian supports the transfer
  - o where the overseas student is not being cared for in Australia by a parent or suitable nominated relative, the receiving provider must confirm it accepts responsibility for approving the student's accommodation, support and general welfare arrangements in accordance with Standard 5 (Younger overseas students).
  - o the transfer date for welfare arrangements must ensure there is no gap

### **Assessment of the transfer request**

5.3 With these documents sighted, the ISC will assess the transfer request considering the following:

- ⌚ if there is evidence that there are compassionate or compelling circumstances;
- ⌚ if there is evidence that the student, after engaging with the Ozford academic intervention strategy, is unable to achieve satisfactory course progress because the level they are studying is deemed to be inappropriate;
- ⌚ if the College has failed to deliver the course as outlined in the written agreement;
- ⌚ if there is evidence that the student's reasonable expectations about his or her current course have not been met;
- ⌚ if there is evidence that the overseas student misinterpreted or was misled by the information provided by Ozford or an education or migration agent regarding Ozford College or its senior secondary course and the course is unsuitable to their needs and/or study objectives
- ⌚ if there has been an appeal (internal or external) where the result is a decision or recommendation to release the student.

5.4 The ISC will determine whether the transfer request should be refused or granted based on the presented evidence and the considerations below:

- ⌚ 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

5.5 The assessment process will not take more than 15 working days once the student has provided the necessary documentation.

- 5.6 All records relating to the transfer requests, considerations, and decisions will be placed on the student's file.

#### **Transfer Request granted**

- 5.7 If the evidence to the above is supportive then in accordance with this procedure, the student's transfer request will be granted at no charge to the student.
- 5.8 The student will be advised in writing that the request has been granted and of the need to contact Immigration to obtain a new visa if the course that he or she is transferring to is not under the same visa code as the present course.
- 5.9 The Student Services Department will follow the Refusal, Deferral, Suspension and Cancellation of Student Enrolment Policy and Procedures to cancel the enrolment.

#### **Transfer request not granted**

- 5.10 If there is no evidence to support matters or the transfer consideration are justified then the request will be refused.
- 5.11 The College will inform the student in writing that the request has not been granted with reasons and state that the student may access the appeal process as detailed in the Student Complaints and Appeals Policy within 20 working days.
- 5.12 The College will not finalise the student's refusal status in PRISMS until the appeal finds in favour of the College, or the overseas student has chosen not to access the complaints and appeals processes within the 20 working day period, or the overseas student withdraws from the process.
- 5.13 If the student is under 18 years of age, the student will be informed of their visa obligation to maintain their current welfare arrangements until the transfer date or have alternate welfare arrangements approved or return to their home country until the new approved welfare arrangements take effect.

#### **Complaints and appeals**

- 5.14 The Student Complaints and Appeals Policy and procedures will be followed for any complaints lodged in respect to this policy.

### **6. FEEDBACK**

Feedback or comments on this policy and procedure is welcomed by the listed responsible officer.