

## TRANSFER BETWEEN REGISTERED PROVIDERS POLICY

<b>Approving authority</b>	Academic Board
<b>Purpose</b>	This policy outlines the policy and procedures 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 Student Services and Administration (HOSSA) & Head, Student Recruitment & Admissions
<b>Next scheduled review</b>	June 2021
<b>Document Location</b>	<a href="http://www.ozford.edu.au/higher-education/policies-and-procedures/">http://www.ozford.edu.au/higher-education/policies-and-procedures/</a>
<b>Associated documents</b>	Academic Progress Policy and Procedures Deferring, Suspending or Cancelling a Student's Enrolment Policy & Procedures Transfer Between Registered Providers Procedure

### 1. PRINCIPLES

This policy aims to ensure that Ozford Institute of Higher Education (the "Institute") complies with Standard 7 of the ESOS National Code 2018– Overseas Student Transfers. This means that the 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 section 4.1 of 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 Grievances and Appeals Policy;
- maintain records of all associated documents for two years after the overseas student ceases to be an accepted student.

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.

### 2. SCOPE

This policy and accompanying procedures apply to all overseas students applying to study with the Institute or currently enrolled at the Institute on student visas.

### 3. DEFINITIONS

#### *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.

#### *PRISMS*

Provider Registration and International Students Management System (PRISMS). It provides Australian education providers with the Confirmation-of-Enrolment (CoE) facilities required for compliance with the Education Services for Overseas Students (ESOS) Legislation.

#### *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 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; or
- where the Institute was unable to offer a pre-requisite unit.

#### **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 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.

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 student, after engaging with the Institute's intervention strategy, is unable to achieve satisfactory course progress because the level they are studying is deemed to be inappropriate;
- 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 A 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 Student Services & Administration (HOSSA) 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 Refund policy as specified in the student's Acceptance Agreement. independent of this policy.
- 4.8 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.
- 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 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 Institute's Student Grievances and Appeals policy. 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 students withdraws their appeal against the refusal
- 4.11 The records of student transfer requests will be kept for two years after the student ceases to an accepted student.

## 5. QUALITY ASSURANCE

To ensure that this policy is fit for purpose and meet the requirements of the HES Threshold Standards 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 HES Threshold Standards 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 HES threshold Standard 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 initially developed with reference to the following institution's policy:

CQUniversity, Overseas Student Transfer Policy and Procedure, December 2013

University of Ballarat, Transfer between Registered Providers Procedures, December 2013

## 8. VERSION CONTROL

Version	Date approved	Description	Approved by
1.0	May 2014	Initial issue	AB
2.0	June 2018	Internal Review	AB
3.0	May 2019	Internal Review	AB
Related legislation/ regulation/standard	HES Threshold Standards 2015 ESOS National Code 2018 Standard 7		