

Transfer Between Registered Providers Policy

Purpose

This policy establishes the principles and processes by which ICAT will assess international student requests to transfer between registered providers to ensure compliance with the Education Services for Overseas Students (ESOS) Act 2000 and the requirements of Standard 7 of the National Code of 2018.

Scope

This policy applies to all requests from international students to transfer their enrolment to (or from) ICAT prior to them having completed of six months of their principal course of study. This policy also applies to staff who assess transfer requests.

Related Policies and Documents

This policy should be read in conjunction with the following college policies and documents which can be accessed via [Forms & Policies](#):

- International Admissions Policy
- Complaints & Appeals Policy
- Application to Transfer to Another Registered Provider

Definitions

<i>Appeal</i>	a formal written request by a student to have a matter heard and/or reconsidered in accordance with the college four-stage grievance resolution framework
<i>Enrolled</i>	where an international student has been issued with a CoE to confirm acceptance by the registered provider and is occupying a place in the CRICOS registered course for which the student was accepted and is progressing towards completion of the course requirements
<i>External Appeal</i>	written request by a student to have a matter heard and/or reconsidered by the Overseas Student Ombudsman if they are not satisfied with the outcomes of their internal appeal
<i>New Provider</i>	the registered provider to whom the student is seeking to transfer
<i>Original Provider</i>	the original provider from whom the student is seeking to transfer

Principal Course of Study

is the main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study. The principal course of study would normally be the final course of study, where the overseas student arrives in Australia with a student visa that covers multiple courses

Policy Statement

Transferring to ICAT from Another Registered Provider

ICAT will not enrol, nor seek to enrol, any international student wishing to transfer from another registered provider's course prior to that student having completed six months of their principal course of study. The following exceptions may apply, where:

- a) the original registered provider has ceased to be registered or the course in which the student was enrolled has ceased to be registered
- b) 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 their principal course of study or any prerequisite courses
- c) 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

Transferring from ICAT to Another Registered Provider

An international student wishing to transfer from ICAT to another CRICOS registered provider, prior to having completed six months of their principal course of study at ICAT, must submit an application with the following supporting documentation:

- a) a certified copy of their student visa; and
 - b) a copy of the letter of offer from the registered provider to which they wish to transfer
- OR
- c) evidence of compassionate or compelling circumstances, generally those beyond the control of the overseas student

ICAT will only consider an application complete if it has been signed and the above documentation is attached. ICAT will assess and respond to all completed applications within ten working days.

A copy of the application, decisions and outcomes will be kept on the student file.

Grounds for the Provision of Release

ICAT will assess an Application for Release and provide a release, at no cost to the international student, on one or more of the following grounds:

- ICAT is no longer able to provide the course of in which the student is due to commence or has enrolled
- the student is unable to complete the course of study due to compassionate or compelling circumstances i.e., emotional or financial hardship, welfare or personal safety
- the student has justifiable claims that their reasonable expectations of the course of study are not being met

- the course is academically unsuitable for the student and does not meet their educational or development needs
- the government sponsor of a student considers the change to be in the student's best interest and has provided written support for that change

In accordance with the National Code [7.2] this policy also supports the intent of the standard which recognises overseas students as consumers and supports them to exercise choice, while acknowledging the support mechanisms they require to transition to study in Australia.

The individual circumstances of the student need to be considered in order to determine if the transfer will be to the detriment of the student.

This may include if the course the student wishes to transfer to:

- better meets the study capabilities of the student
- better meets the long-term goals of the student, whether these relate to future work, education or personal aspirations
- If the student wishes to change course in order to get access to greater support (may be through the services offered by another provider, commercial or non-for-profit services or through access to family, friends or a cultural support network)
- If the student claims or can provide evidence that his or her reasonable expectations about the current course are not being met

Where an Application for Release is successful, the student will be notified in writing, along with processing the release in PRISMS. A student who is granted a Release should contact the Department of Home Affairs (DHA) to seek advice on whether a new student visa is required.

In accordance with National Code Standard 7.2, requests for release will be considered with due diligence, considering the specific nature and documentation of the circumstances presented by the student.

.1 Grounds for Denying a Letter of Release

ICAT will assess an Application for Release and refuse the request on one or more of the following grounds where:

- the student has unpaid tuition fees (or other charges)
- the transfer would be detrimental to the student's ability to complete the requirements of the new course of study
- the Government sponsor of a student does not consider the change to be in the student's best interest and has not provided written support for the change

Where an application is denied, ICAT will not provide a Release. The student will be sent a Refusal of Release Letter outlining the reasons for the decision and their right to appeal the decision.

Where release is denied, the applicant has the right to appeal the decision within 20 working days in accordance with the college *Complaints & Appeals Policy*.

Procedure

Submission (and Receipt) of an Application Release

The international student must submit a completed Application for Release with all supporting documentation attached. Applications will only be assessed if they are deemed complete and have all the necessary documentation attached at the time of submission.

The form can be requested by sending an email to registrar@icat.edu.au. It must be completed and the basis for the request, clearly set out, with necessary documentation attached.

- a) a certified copy of the current student visa, and
- b) a copy of the Letter of Offer from the registered provider to which they wish to transfer
- c) evidence of compassionate or compelling circumstances, generally those beyond the control of the overseas student

The Application for Release should be lodged with the Office of the Registrar. The application will not be accepted if it has not been completed in full, signed and including any required supporting documentation as outlined above.

Review and Assessment of Completed Application Form

.2 Confirm necessary supporting documentation is attached to the application form

The completed Application for Release is reviewed by the Office of the Registrar for completeness. Application forms are not accepted nor deemed complete without the following supporting documentation:

- a) a certified copy of their student visa; and
- b) a copy of the Letter of Offer from the registered provider to which they wish to transfer
- c) evidence of compassionate or compelling circumstances, generally those beyond the control of the overseas student

.3 Review and Assess the Completed Application Against the Grounds for

Approval

The completed Application for Release is assessed by the Office of the Registrar against the grounds for approval.

If the application is successful, a Release will be provided within ten working days of receipt of the completed application.

If the application is unsuccessful, the Release will be refused, and the applicant notified of the reasons for the decision and the available avenues for appeal.

Process on PRISMS

- When a provider releases a student from their transfer restricted enrolment, it allows a new provider to enrol the student without breaching Standard 7.
- Locate the student in PRISMS and proceed to the CoE tab
- Once the student has been located proceed to the 'CoE(s)' tab
- On the CoE listing, you will find a 'Release' column and a 'Transfer Restricted' column
- Transfer restricted enrolments will have a 'Y' against the corresponding column
- Enrolments no longer restricted due to a 'release' being recorded in the system will have a 'Y' against the 'Release' column
- Follow the steps to process a release

Once all necessary steps have been taken in PRISMS, the record of the release must be documented in the Institute's Student Management System.

If a release is denied, follows the prompts instead to 'Refuse Student Release'.

In accordance with Standard 7.6 and maintaining records of the student's requests and the provider's response, the Institute complies with the following by maintaining records of:

- The Institute's policy and procedure is available to staff and students
- request from students for a letter of release, e.g. the provider's request for release form completed and signed by the students
- the assessment of the request, e.g. the provider's decision written on the request form
- a copy of the letter informing the student of the decision and reasons if the student's request is refused
- if there is an appeal, evidence that the appeal was conducted in accordance with the provider's appeal processes outlined in Standard 8

- a copy of a letter of release for any student it has enrolled before the student had completed six months of the principal course of study.

As an extension of the Institute's *Student Record Management Policy*, records for international students that are related to release, appeals and/or other applications are kept on file for two years from the date of submission.

Appeal

The student has the right to appeal against the decision to refuse a Release within twenty working days.

The college has a four-stage resolution process and students electing to appeal the decision should refer to the college Complaints & Appeals Policy for the procedure on how to deal with grievances.

If successful in appeal, a Release will be provided within ten working days of the decision.

If unsuccessful in appeal, the Release will be refused, and the applicant notified of the reasons for the decision and the avenues available for further appeal. International students also have the right to contact the Commonwealth Ombudsman in relation to grievances under the ESOS Act.

Cancellation of Enrolment & Refunds

- Students receiving a Release approving their transfer request to another provider must cancel their enrolment with ICAT and apply for a refund of fees as per the process outlined in the Student Handbook.
- Any such applications are to be processed by the Office of the Registrar as per the normal process for cancelling enrolment and refunding fees.

Filing for the Student Record

As each task is completed in relation to the application and the outcomes, it should be marked off from the ICAT Office Use Only section of the application form. These tasks include:

- Application Checked for Completeness
- Director of Education Advised
- Student Notification Sent
- PRISMS & Paradigm Updated
- Outcome and Documentation sent to Student File

Change and Version Control

Version	Date Approved	Authored by	Approved by	Description
24052023 V1.0	25 May 2023	QA Manager	Academic Board	Policy prior to change of Ownership
25112023 V1.1	30 Nov 2023	Director of Operations	Academic Board	Revisions made to include

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		and Compliance		e references to National Code for CRICOS purposes
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Policy Information

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