


POLICY		
<p>Ref. to Legislative Frameworks:</p> <p>HESF2015: Standard 1.1.1 / 1.1.2 / 1.1.3 / 1.2.1 / 1.3.1 / 1.3.2 / 1.3.6 / 1.4 / 2.4 (1-5) / 7.2.1 / 7.2.3</p> <p>SRTO2015: Standard 3.5 / 4.1 / 5.1 / 5.2 / 5.3 / 5.4 / 6.1 / 6.3</p> <p>National Code 2018: Standard 7</p> <p>Education Services for Overseas Students Regulations 2019: Section 11, Item 12</p>	Transfer of International Students between Registered Providers	
Version: 7	Approved By: Chief Executive Officer (CEO)	Issued on: 24/12/2019 Review by: 24/12/2021

Revision History

Current Version	Description of Change	Policy Developer	Effective Date
6.2	Added references to National Code 2018	General Manager – Operations and Risk Management	23/12/2017
7	Amended the policy and procedure and added a Termination of Studies document for the procedure to be carried out by the Student Services in updating PRISMS	Compliance Manager	24/12/2019

PURPOSE

This policy defines the principles that Academies Australasia Polytechnic (AAPoly) use to assess student transfer requests as per the National Code 2018.

POLICY STATEMENT

Under Standard 7 of the National Code 2018, Registered Providers must not knowingly enroll a Student wishing to transfer from another Registered Provider's program prior to the student completing six (6) calendar months of his/her principal program of study, except in limited circumstances as outlined in the Transfer Between Registered Providers Procedure.

Under Section 11, Item 12 of the Education Services for Overseas Students Regulations 2019 (Regulations), as part of AAPoly's Student Course Variations (SCV) reporting obligations for termination of studies, the *last day of the student's studies* and the *date a student's studies are terminated* are to be recorded in PRISMS.

AAPoly is entitled to determine the circumstances in which it will provide or refuse to grant a release. Where a student requests a transfer within the period of six (6) months of commencement of their principal program, AAPoly will assess the request for transfer according to the Transfer Between Registered Providers Policy.

Students have the right to appeal any decisions made as per the Complaints and Appeals Policy and Procedure.

SCOPE

- This policy applies to international students enrolled in Vocational Education and Training (VET) and Higher Education (HE) programs conducted by AAPoly, who wish to transfer to another Registered Provider in Australia.
- This policy also applies to Student Services and Marketing Staff who are involved in accepting an application from an international student wishing to transfer from their current Registered Provider to another within the first six (6) months of their principal program.

DEFINITIONS

Application for Transfer Between Registered Providers	An application by a student for Transfer Between Registered Providers (release).
ESOS Regulation	The Education Services for Overseas Students Regulations 2019 came into effect on 1 October 2019 replacing the Education Services for Overseas Students Act 2000 of the Commonwealth of Australia.
National Code	The National Code of Practice for Providers of Education and Training to Overseas Students 2018, established pursuant to Part 3 of the ESOS Regulation.
Provider Registration and International Student Management System (PRISMS)	A site that provides Australian education providers with the Confirmation-of-Enrolment (CoE) facilities required for compliance with the Education Services for Overseas Students (ESOS) Legislation.
Visa Entitlement Verification Online (VEVO)	A free online service that gives visa holders, employers and other registered organisations access to visa entitlements and status information 24 hours a day ¹ .
Principal Program	The main program of study to be undertaken by an overseas student where a student visa has been issued for multiple programs of study. The principal program of study would normally be the final program of study where the overseas student arrives in Australia with a Student Visa that covers multiple programs.
Program	A full-time registered program of education or training registered on CRICOS for the attainment of a testamur or certificate - defined as 'Course' in the ESOS Regulation and in the Government TAFE sector.
International Student	A person (whether within or outside Australia) who holds a Student Visa, who wishes to be released from AAPoly to study at another registered provider and is an 'overseas student' as defined by the ESOS Regulation.
Student Counsellor or equivalent	This role includes a student counsellor/student support officer/advisor or welfare officer appointed by and working at AAPoly.

¹ Visa Entitlement Verification Online (VEVO) - <https://immi.homeaffairs.gov.au/visas/already-have-a-visa/check-visa-details-and-conditions/check-conditions-online> accessed 06/11/2019

POLICY

1. The policy and procedure for Transfer between Registered Providers is accessible to all staff and students of AAPoly through the website and Student Handbook.
2. Applying to transfer between registered providers does not preclude students from the requirement to enrol on time. Non-enrolment will not automatically result in a Transfer Between Registered Providers. It will, however, result in the student being reported via PRISMS for failing to enrol to the new term/semester.
3. Every student requesting a transfer to another Registered Provider must submit their request to AAPoly in writing. To be considered, the request for transfer has to be supported by a valid enrolment offer from the proposed receiving provider.
4. A release will be granted by AAPoly for a student in the following circumstances:
 - 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.
 - After they have engaged in the intervention strategies*, the student is still unable to achieve satisfactory course progress at the level they are studying and is to be reported because they are unable to achieve satisfactory course progress at the level they are studying.
 - The College fails to deliver the course as outlined in the OL and SA.
 - An appeal (internal or external) on another matter results in a decision or recommendation to release the student.

A release should also be granted for a student where:

- a student can provide evidence that he or she was misled by the provider or an education or migration agent regarding the provider or its course, which constitutes a breach of the ESOS Act; or
- an appeal (internal or external) on a matter that may reasonably result in the student wishing to seek a transfer supports the student.

*Remarks:

- a. AAPoly reserves the right to refuse transfer requests from students who are not genuinely engaging with an intervention strategy with the intention of failing and being released.
- b. AAPoly will report on the student's course progress even if the transfer request is granted.

5. AAPoly may refuse to grant a release based on the following range of factors:
 - if the transfer may jeopardise the student's progression through a package of courses;
 - if the student has recently started studying the course and the full range of support services are yet to be provided or offered to the student (it is good practice to revisit the issue within a timeframe negotiated with the student); and

- if the student is trying to avoid being reported to Department of Home Affairs for failure to meet the provider's attendance or academic progress requirements.

Note: AAPoly will not finalise the refusal of the student's request until the appeal finds in favour of the College, or the student has chosen not to access the complaints and appeals process within 20 working days, or the student withdraws from the process.

6. No release is required where:

- a. the student has completed at least 6 calendar months' study in his or her principal program or
- b. the student is government sponsored and that government sponsor provides written support for the change as it considers the change to be in the student's best interests; or
- c. AAPoly has ceased to be registered or the program in which the student is enrolled has ceased to be registered; or
- d. AAPoly has a sanction imposed on it that prevents the student from continuing his or her principal program.

RESPONSIBILITIES

- The Designated Head - Student Services (DH-SS) is responsible for the Transfer Between Registered Providers Policy. The Dh-SS is also responsible for accepting, processing and approving transfer applications from students wishing to transfer from an AAPoly to another and grants a release to students who are transferring colleges within the first six months of their principal course, upon approval of the transfer. Also processes student application to change course location.
- The Faculty Head or Academic Dean, and Student Counsellor are responsible for making appropriate support services recommendations.
- Student Services Officer is responsible to ensure documentation is filed on student's file in Paradigm.
- Marketing Manager (MM) is responsible for processing applications from a potential student wishing to transfer from an external provider to AAPoly, MM also ensures that for students transferring colleges within the first six months of their principal course, an approved release is confirmed in PRISMS prior to accepting the student, where necessary, and that a copy is kept in the student file. MM also checks the visa status of all onshore applications on VEVO.
- Designated Marketing Officer (DMO) verifies admission documents on Student Management System prior to the beginning of the term.

FEEDBACK

Queries or comments about this policy should be emailed to the DH-SS through studentadmin@aapoly.edu.au. The DH-SS will respond to the inquiry or feedback in writing within two (2) weeks after the receipt of the email, unless an urgent or immediate response is required. The queries or comments will be recorded in the Continuous Improvement Register and form a part of policy and procedure review for quality assurance.

Related Documents

Source	Document Title	Version/Date
Internal	AAPoly Student Complaints and Appeals Policy and Procedure	v. 4.3 05042018
	AAPoly Fee Payment and Refund Procedure	v. 10.5 10012020
	AAPoly Refund of Fees Policy	v. 8.5 10012020
	AAPoly Student Selection and Admission Policy and Procedure	v. 2.4 07012020
	AAPoly Transfer of International Students Between Registered Providers Procedure	v. 7.0 13012020
External	ASQA Standards for Registered Training Organisations	2015
	Higher Education Standards Framework	2015
	National Code of Practice for Providers of Education and Training to Overseas Students	2018
	Education Services for Overseas Students (ESOS) Regulations	2019