

## Course Transfer Policy (International students)

### Purpose

The purpose of this policy is to ensure that:

- EIC does not enrol transferring students prior to the student completing six months of their principal course of study except for the circumstances outlined in this Policy.
- EIC has a policy and process for assessing student applications to:
  - transfer from EIC before completing six months of their principal course
  - transfer to another course provided by EIC

This ensures compliance with Standard 7 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

### Definitions

**DET** means Department of Education and Training

**DHA** means Department of Home Affairs

**PRISMS** mean Provider Registration and International Student Management System (PRISMS)

**Six months** means six calendar months from the date that the student commences their studies

**Course Package** means a package of courses included on a student's Visa that usually includes the principle course and any approved pre-requisite courses

**Registered Provider** means an Australian education provider approved to offer courses to overseas students and registered on CRICOS (the Commonwealth Register of Institutions and Courses for Overseas Students).

### Policy

- All decisions made by EIC about student transfer requests will be made in accordance with this policy and procedure, will be fair and consider the student's individual circumstances and any other relevant factors.

#### 1. Transferring from another registered provider

- EIC will not knowingly enroll a student wishing to transfer from another registered provider's course prior to the overseas student completing six months of his or her principal course unless one or more of the following conditions apply:
  - the releasing registered provider or the course in which the student is enrolled has ceased to be registered.
  - the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the student from continuing his or her principal course at that registered provider.
  - the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS.
  - 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.

#### 2. Transferring to another registered provider

- For EIC students seeking to transfer to another registered provider's course of study prior to completing six months of their principle course, the transfer request will be assessed and granted in any of the following circumstances:
  - the student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with EIC's intervention strategy to assist the overseas student in accordance with Standard 8 (Overseas student visa requirements).
  - there is evidence of compassionate or compelling circumstances.
  - EIC fails to deliver the course as outlined in the student agreement.
  - there is evidence that the student's reasonable expectations about their current course are not being met.

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- there is evidence that the student was misled by EIC or an education or migration agent regarding EIC 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 student.
- A transfer to another course will not be granted where:
  - The transfer may jeopardize the student's progression through a package of courses.
  - 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. In this case, the student will be requested to wait a further 4 weeks before applying for a transfer to another registered provider during which time the full range of support services will be provided to the student.
  - The student is trying to avoid being reported to DHA for failure to meet the provider's attendance or academic progress requirements.
  - There are no legitimate compassionate or compelling circumstances.
- For a request for transfer to be considered and a letter of release provided, students must provide a valid offer of enrolment from another registered provider.
- The outcome of the student's application for course transfer will be provided in writing within 10 working days of receipt of application.
- Where a student's application is refused, the reasons for this will be communicated plus the right to access the complaints and appeals process as outlined below.
- There is no cost in releasing students. However, where a student transfers to another registered provider, any refund of course fees, where applicable, will be paid in accordance with EIC's *Fees and Refunds Policy and Procedures*.

### 3. Transferring to another course offered by EIC

- Students may transfer to another course offered by EIC in the following circumstances:
  - Where it is considered that the course that the student wishes to transfer to.
  - better meets the study capabilities of the student; and/or
  - better meets the long-term goals of the student, whether these relate to future work, education or personal aspirations; and/or
  - Or, where the student claims or can provide evidence that his or her reasonable expectations about the current course are not being met.
- A transfer to another course within EIC will not be granted where:
  - The transfer may jeopardise the student's progression through a package of courses.
  - 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.
  - The student is trying to avoid being reported to DHA for failure to meet the provider's attendance or academic progress requirements.
- For a request for transfer to be considered, students must complete an *Internal Course Transfer Application Form*.
- The outcome of the student's application for course transfer will be provided in writing within 10 working days of receipt of application.
- Where a student is under 18, the student must either have written evidence from their legal guardian or parent supporting the transfer
- Cost involved in transferring to another course plus any refund of course fees paid for the student's current course will be in accordance with EIC's Fees and Refunds Policy and Procedure.

### 4. Visa advice

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All students who are either considering a course transfer, or have had their transfer request approved, will be advised that they must contact DHA to seek advice on whether a new visa is required. To find out more about visa requirements, students will be advised to contact DHA on 131881 or visit the following website:

<https://www.homeaffairs.gov.au/trav/stud>

### 5. Complaints and Appeals

Where the decision is made to refuse a course transfer or EIC does not respond to the request in the timeframe set out in this Policy, the student may appeal against the decision by accessing EIC's Complaints and Appeals process within 20 days. If the appeal finds in favour of a student wishing to transfer, a letter of release will be granted.

- The refusal status will not be finalised in PRISM until the complaints and appeals process is finalised within the 20-working day period or the student withdraws from the course.

### 6. Records

- All records relating to course transfers will be kept for two years after the student ceases to be an enrolled student. This includes requests for release, the assessment of the request and the decision.

### 7. Publication

- This policy is provided to students in the *International Student prospectus*, which is provided to students prior to or upon commencement of a course, and via EIC's website.

### Procedures

#### 1. Transfers from another provider

| Procedure  | Responsibility         |
|--|------------------------|
| <b>A. Process application.</b> <ul style="list-style-type: none"> <li>Check PRISMS to see if the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS.</li> <li>If required, contact the student or student's agent to confirm the student's status with the previous registered provider.</li> <li>Review application and check standard enrolment requirements such as entry requirements and pre-requisites are met.</li> <li>Process application within 5 working days of receipt.</li> </ul> | CEO/authorised officer |
| <b>B. Approve application</b> <ul style="list-style-type: none"> <li>Where the application is approved by the CEO, inform the student in writing.</li> <li>Refer the application for enrolment per the <i>Student Administration P&amp;P</i>.</li> <li>Include all documentation on the student's file.</li> </ul>   | CEO/authorised officer |
| <b>C. Refuse application</b> <ul style="list-style-type: none"> <li>Where the application is not approved by the CEO, inform the student in writing.</li> <li>Include all documentation on the student's file.</li> </ul>  | CEO/authorised officer |

#### 2. Transfers to another provider

| Procedure  | Responsibility         |
|--|------------------------|
| <b>A. Process application</b> <ul style="list-style-type: none"> <li>Where a student requests to transfer to another provider, provide the student with an <i>Application for Withdrawal Form</i> for completion.</li> <li>On receipt of form, acknowledge receipt by post and/or email to the student.</li> <li>Where the application is from a student under 18, check the application to ensure there is a supporting letter from a parent or legal guardian or a letter from the registered provider that they will be responsible for approving the student's accommodation, support and general welfare arrangements.</li> </ul> | CEO/authorised officer |
| <b>B. Review application</b>   | CEO/authorised         |

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| Procedure   | Responsibility         |
|---|------------------------|
| <ul style="list-style-type: none"> <li>Review the application and supporting evidence provided within 10 working days of receipt of application.</li> <li>Make a decision based on the circumstances in which a transfer will be granted as set out in this policy.</li> </ul>  | officer                |
| <p><b>C. Approve application</b></p> <ul style="list-style-type: none"> <li>Where the application is approved, inform the student in writing, including a <i>Letter of Release</i>, information on any refund of course fees (if applicable in accordance with EIC's <i>Fees and Refunds P&amp;P</i>) and advising the student to contact DHA to confirm whether they will need a new visa.</li> <li>If a student's appeal is successful, a letter of release will be granted and emailed to the student.</li> <li>Report the 'Student Course Variation' into PRISMS immediately.</li> <li>Include all documentation on the student's file, to be kept for a minimum of 2 years.</li> </ul> | CEO/authorised officer |
| <p><b>D. Refuse application</b></p> <ul style="list-style-type: none"> <li>Where the application is refused, inform the student in writing, including the reasons for the decision and advising the student of their right to access EIC Complaints and Appeals P&amp;P and that they have 20 working days in which to do this from the date specified on the letter.</li> <li>Include all documentation on the student's file.</li> <li>If the student does not appeal against the decision or if their appeal is unsuccessful, the matter will be closed.</li> <li>Include all documentation on the student's file, to be kept for a minimum of 2 years.</li> </ul>                       | CEO/authorised officer |

### 3. Transfers to another course offered by EIC

| Procedure   | Responsibility         |
|---|------------------------|
| <p><b>A. Process application</b></p> <ul style="list-style-type: none"> <li>Where a student requests to transfer to another course within EIC, provide the student with an <i>Internal Course Transfer Application Form</i> for completion. Documentation required is stated on this form. This will include any documentation required relevant to the entry requirements for the course into which the student wishes to transfer.</li> <li>Acknowledge receipt of <i>Internal Course Transfer Application Form</i> by post and/or email to the student. This should include advice to the student that they must stay in their current course until their application is assessed and that the student must contact DHA for advice on visa implications.</li> <li>Where the application is from a student under 18, check the application to ensure there is a supporting letter from a parent or legal guardian.</li> </ul> | CEO/authorised officer |
| <p><b>B. Review applications</b></p> <ul style="list-style-type: none"> <li>Review the application and supporting evidence provided within 10 working days of receipt of application.</li> <li>Make a decision based on the circumstances in which a transfer will be granted as set out in this policy.</li> </ul>   | CEO/authorised officer |
| <p><b>C. Approve application</b></p> <ul style="list-style-type: none"> <li>Where the application is approved, inform the student in writing, information on any additional fees and/or refund of course fees in accordance with EIC's <i>Fees and Refunds P&amp;P</i> and advising the student to contact DHA to confirm whether they will need a new visa.</li> <li>Create CoE and all required documentation for new course in accordance with standard</li> </ul>   | CEO/authorised officer |

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|---|----------------|
| <p>procedures for enrolment as per the <i>Student Administration P&amp;P</i>.</p> <ul style="list-style-type: none"> <li>• Include all documentation on the student's file.</li> <li>• Report the 'Student Course Variation' into PRISMS within 14 days of student leaving EIC.</li> </ul>  |                |
| <p><b>D. Refuse application</b></p> <ul style="list-style-type: none"> <li>• Where the application is refused, notify the student including the reasons for the decision and advising the student of their right to access EIC <i>Complaints and Appeals P&amp;P</i> and that they have 20 working days in which to do this from the date specified on the letter.</li> <li>• If the student does not appeal against the decision or if their appeal is unsuccessful, the matter will be closed.</li> <li>• If a student's appeal is successful, a letter of release will be granted and emailed to the student.</li> <li>• Include all documentation on the student's file.</li> </ul> |                |