



CHRISTIAN HERITAGE COLLEGE

POLICY: Overseas Student Transfers

Policy Group(s)	Group C: Administration – 3: Students (Ref C3/1214.1; 0118)		
Related Policy:	Grievance Policy for Overseas Students Privacy Refund for Overseas Students		
Commencement Date:	January 2015	Review Date:	January 2016, December 2017 January 2023

POLICY STATEMENT

Intent:

Christian Heritage College (CHC) recognises that overseas students have rights as consumers and that certain circumstances exist for them to request a transfer between registered providers and CHC endeavours to assist them while they exercise their right of choice. The *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (the National Code 2018) Standard 7 provides the conditions for these circumstances and this policy ensures CHC's compliance with the National Code. CHC endeavours to engage all students in accordance with our Christian worldview practices.

Scope:

This policy applies to undergraduate and postgraduate students studying in Australia on a student visa.

Restrictions: Other overseas students undertaking a course of study at CHC.

Exclusions: Domestic Students

Objectives:

1. To provide clear guidelines and procedures to assess overseas student requests to transfer between registered providers.
2. To ensure compliance with *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (the National Code 2018) specifically Standard 7.

Policy Provisions:

1. General

- 1.1. Overseas students who request to be transferred from another registered provider may not transfer prior to the completion of six (6) months of their principal course of study except for the circumstances outlined in Policy Provision 2.1.
- 1.2. CHC are responsible for assessing a student's request to transfer to a CHC course and verify whether it is in the restricted period.
- 1.3. CHC will utilise the *Provider Registration and International Student Management System (PRISMS)* to determine whether a student has completed six (6) months of the principal course or not.
- 1.4. If the student transfers from a principal course to a new course, PRISMS assists to identify the student's new course as their principal course.

- 1.5. It is expected that a student's request will be granted where the transfer will not be to the detriment of the student.
- 1.6. After the first six (6) months of the principal course, no restrictions apply.
- 1.7. CHC will not actively recruit any student enrolled in a CRICOS course at another institution and particularly not before they have completed six (6) months of their principal course.
- 1.8. CHC will respond to requests from students enrolled at another provider to transfer to CHC, but will not make an offer to any student until they have completed six months of their principal course.
- 1.9. CHC will endeavour to ensure that each application for a request of transfer is considered fairly and that a student is informed of the decision within 10 working days.
- 1.10. CHC's *Refunds for Overseas Students* policy will determine if any refunds are payable to the student.
- 1.11. CHC will ensure that staff who interact directly with students are aware of the ESOS obligations and the potential implications for students.
- 1.12. CHC will maintain records of all requests from overseas students for a release and the assessment of, and decision regarding, the request for two years after the overseas students ceases to be an accepted student.

2. Circumstances in a which transfer request will be granted to CHC

- 2.1. CHC must not knowingly enrol a student requesting to transfer from another registered provider's course prior to the student completion of the principal course of study except where:
 - 2.2. the original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered;
 - 2.3. the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS;
 - 2.4. the original registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the student from continuing their principal course; or
 - 2.5. 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. Circumstances in which a transfer request will be granted from CHC

- 3.1. CHC recognise that students who wish to transfer to another registered provider may require support to transition their studies and that the individual circumstances of the student must be considered, particularly in order to determine whether the transfer will be to the students' detriment.
- 3.2. Circumstances in which CHC will grant the transfer request because the transfer is in the overseas student's best interests, including but not limited to where CHC has assessed that:
 - 3.3. the overseas student will be reported because they are unable to achieve satisfactory course progress at the level they are studying even after engaging with CHC's intervention strategy to assist the overseas student in accordance with Standard 8 (Overseas student visa requirements);
 - 3.4. there is evidence of compassionate or compelling circumstances;
 - 3.5. CHC fails to deliver the course as outlined in the written agreement;
 - 3.6. there is evidence that the overseas student's reasonable expectations about their current course are not being met;
 - 3.7. there is evidence that the overseas student was misled by CHC or an education or migration agent regarding CHC or its course and the course is therefore unsuitable to their needs and/or study objectives;
 - 3.8. an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student;
 - 3.9. Factors to consider include:
 - 3.9.1. if the course the student wishes to transfer to better meets the study capabilities of the student;

- 3.9.2. if the course the student wishes to transfer to better meets the long-term goals of the student, whether these relate to future work, education or personal aspirations; or
- 3.9.3. if the student wishes to change course in order to get access to greater support
- 3.10. Factors that may be considered to be to the student's detriment, but which should be considered in the light of the student's individual circumstances include:
 - 3.10.1. if the transfer may jeopardise the students' progression through a package of courses;
 - 3.10.2. if the student has recently started studying the course and a full range of support services are yet to be provided or offered to the student;
 - 3.10.3. if the student is trying to avoid being reported to the Department of Home Affairs for failure to meet the provider's attendance or academic progress requirements.
- 3.11. CHC will not issue a Letter of Release unless a student has a valid enrolment offer from the receiving provider.
- 3.12. If the overseas student is under 18 years of age:
 - 3.12.1. CHC must have written confirmation the overseas student's parent or legal guardian supports the transfer
 - 3.12.2. 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).

4. Timeframe for the assessment and letter of release

- 4.1. CHC will inform a student of the outcome of their application for transfer within 10 working days.
- 4.2. The Letter of Release, if granted, will be issued at no cost to the student and will advise the student of their responsibility to contact Immigration to seek advice on the implications to their visa and whether a new student visa is required.
- 4.3. Where, CHC does not grant a letter of release, the student will be provided with written reasons for refusing the request and will be informed of their right to appeal CHC's decision in accordance with the *Grievance Policy for Overseas Students*, within 20 working days.
- 4.4. Where a student's enrolment has been cancelled under Standard 13 of the National Code ('Deferring, suspending or cancelling the student's enrolment'), there is no need for the provider to also issue a release letter - in this situation the cancellation would be sufficient.

5. Right of appeal

- 5.1. CHC will not finalise the student's refusal status in PRISMS until the appeal finds in favour of CHC, 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.
- 5.2. All decisions concerning a student is subject to the right of appeal.
- 5.3. Students should refer to the CHC *Grievance Policy for Overseas Students* policy for details regarding this process.

Supporting Procedures and Guidelines:

1. Students transferring to CHC

Student procedure

- 1.1. Complete the online *Application for Admission (Overseas Students)*, attach all the appropriate information, including details about your previous studies in Australia, and submit the completed application.
- 1.2. CHC may request permission to contact your previous institution to gain further information on your previous enrolment. In accordance with CHC's *Privacy* policy, such permission will be requested in writing and approved in writing by you.

- 1.3. Upon receipt of your application, CHC will assess your request and application' including your ability to demonstrate you meet the entry requirements of the course for which you are applying' and will verify that you have completed the first six months of your principal course.
- 1.4. If you have not completed the first six months of your principal course, CHC will not approve your request to transfer to CHC unless there are circumstances which meet Policy Provision 2.1.
- 1.5. If your application is approved, you will receive a letter of offer and *Written Agreement* as per CHC's *Formalisation of Enrolment* policy.

Staff procedure

- 1.6. CHC will utilise PRISMS to assist in determining the status of a student who requests a transfer to CHC. When attempting to create a new Confirmation of Enrolment (CoE) PRISMS will usually advise that the student has not completed six (6) months of the principal course.
- 1.7. if CHC wants to issue a CoE for a student who has not completed the first six (6) months of their principal course, PRISMS will ask the following questions:
 - 1.7.1. *Does the student require a letter of release?* [Answer: Yes or No]. The answer will be Yes unless one of the circumstances listed in section 2.1. have occurred. If the answer is No continue with the CoE.
 - 1.7.2. *Have you sighted the letter of release from the previous provider?* [Answer: Yes or No]. If the answer is Yes the response will be recorded and the CoE can be created.
 - 1.7.3. If the answer is No to aforementioned question the following warning will be shown "*it would appear that you may be in breach of the requirements in Standard 7 should you continue to create this CoE for this student. This information will be recorded.*" If the answer is Yes a reason must be given. If No the request will be cancelled.
- 1.8. Discussion with the student to consider the transfer benefits as expressed in section 3.1.1
- 1.9. Once a decision has been made (either to approve or refuse the request) the student will be advised in writing of the outcome; within 10 working days.

2. Students transferring from CHC

Student procedure

- 2.1 CHC will only provide a letter of release within the first six months in accordance with Policy Provision 3.4.
- 2.2 If you wish to transfer from CHC to another provider within the first six months of your primary course, you must apply in writing outlining your reasons for your transfer.
- 2.3 CHC must have evidence of a valid enrolment offer from the receiving provider before providing a letter of release.
- 2.4 If you are outside the first six months of study, but your CHC course is not your principal course of study, CHC will not provide you with a letter of release if this will affect the start dates of any subsequent courses covered by your visa. You need to obtain letters of release for those courses or gain the new providers' agreement to delay the start of those subsequent courses and provide this documented evidence to CHC.
- 2.5 If you are outside the first six months of your principal course, CHC will provide you with any assistance you require to ensure your transition to study at another provider is finalised.
- 2.6 When CHC has evidence of a valid enrolment offer from the receiving provider, your CoE will be cancelled.

Staff Procedure

- 2.7 Issue a receipt of acknowledgement to a student who lodges a request for a letter of release.
- 2.8 Acknowledging the ESOS legislation the member of staff will assess the request for transfer in light of the student's circumstances.

2.9 Once a decision has been made (either to approve or refuse the request) the student will be advised in writing of the outcome; within 10 working days.

2.10 CHC will maintain records of all requests from students for a letter of release and the assessment of, and decision regarding the request on the student's file.

POLICY FURTHER INFORMATION

Relevant Commonwealth/State Legislation	ESOS Act (2000) ESOS Regulation (2001) National Code 2018 Standard 7 HESF 2015
--	---

ACCOUNTABILITIES

Implementation:	Academic Registrar
Compliance:	Academic Registrar
Monitoring and Evaluation:	Academic Registrar
Development/Review:	Academic Registrar
Approval Authority:	CHC CEO
Interpretation and Advice:	Academic Registrar's Office

WHO SHOULD KNOW THIS POLICY?

Academic Administration Staff
Students
Academic Staff
Course Coordinators
Deans

EFFECTIVENESS OF THIS POLICY

Performance Indicators:	<ul style="list-style-type: none">• The number of transfers from CHC to other registered providers• The number of appeals
Other	Nil
Definitions and Acronyms:	<p>CoE – Confirmation of Enrolment</p> <p>CHC – Christian Heritage College</p> <p>Dean – the head of the School administering a course, includes the Executive Director of the Millis Institute.</p> <p>The Department of Home Affairs</p> <p>Principal Course – defined as the student's main course of study or that leading to the highest qualification on the student's current visa. If the student is on a package of courses, the course leading to the highest qualification will be the student's principal course and the restriction will apply to the first six (6) months of that course and any packaged courses before it.</p> <p>PRISMS – The Provider Registration and International Student</p>

Management System.

School – the academic organisational units of CHC, includes the Millis Institute.

Six months – the start date for calculating six months is when the student starts the course. Where a student has had a break from their studies due to a deferment or suspension, the break is not counted for the purposes of determining if the student has completed six months of the principal course.

Student support – [as noted in section 3.1.3] 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.

APPROVAL – section maintained by the Director of Quality and Standards

Reference No.	Approved	Date	Committee/Board	Resolution No. / Minute Ref.
C3/1214.1	Yes	28/04/2015	CHC CEO	NA

REVISION HISTORY – section maintained by the Director of Quality and Standards

Revision Reference No.	Approved/Rescinded	Date	Committee/Board	Resolution No. / Minute Ref.
0118	Yes	19/12/2017	CHC CEO	NA

Other changes	
Previous	Current (2018)
Transfer between registered providers	Overseas Student Transfers