

INTERNATIONAL STUDENT TRANSFER POLICY

1. Policy Statement and Purpose

Study Group Australia Pty Limited (SGA) will consider all requests for transfer fairly and take into consideration the individual circumstances of each student. As a registered provider, SGA is required to assess all transfer requests in accordance with *Standard 7 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007* (The National Code) and SGA's policies and procedures.

2. Scope

This policy applies to overseas students enrolled within programmes offered by SGA, VET and University Partnership programs.

3. Definitions and Abbreviations

Overseas Student- A person (whether within or outside Australia) who holds a student visa as defined by the ESOS Act

Principal Course - The main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study, i.e. a 'package' of courses. The principal course would normally be the final course of study and that leads to the highest qualification in the 'package'. Where a study visa has been issued for only one course that course is the student's principal course of study.

Letter of Release - A letter provided by a current provider indicating agreement to release a student *a)* who is on a student visa and *b)* has not completed the first 6 months of his/her principal course, to transfer to study at another institution. It also provides information about whether or not the student:

- a. demonstrated a commitment to the student's studies during the course;
- b. had a good attendance record for the course; and
- c. paid all fees for the course.

4. Policy Provisions and Procedures

4.1 Transfers from another Registered Provider to SGA

4.1.1 *Course Incomplete*

In accordance with *The National Code 2007*, SGA will not enrol any international student visa holders who seek to transfer from another registered provider prior to their having completed six months of their principal course at that provider, except where:

- a. the original registered provider or course has ceased to be registered or a sanction has been imposed that prevents the original provider from continuing to deliver the principal course;

- b. the original registered provider has provided a written letter of release, agreeing to such a transfer and stating that the student has demonstrated a commitment to previous studies, has maintained good attendance, and has paid all tuition fees due;

Students who have studied longer than six months within their principal course can apply as normal, and no letters of release need to be sighted or produced.

4.1.2 Relevant Course Previously Completed

SGA will not process an acceptance of offer to a student who has previously completed a relevant CRICOS registered course unless it is satisfied the student demonstrated a commitment to previous studies, maintained a good attendance record, and paid all tuition fees due.

4.2 Transfers from SGA to another Registered Provider

The National Code requires SGA to assess requests from students for a transfer to another registered provider if the students have not completed six months of their principal course of study and SGA is the principal provider.

SGA will consider all requests for transfer fairly and take into consideration the individual circumstances of each student in order to ascertain whether the transfer would be to the detriment of the student, in which case the application would be refused. Examples of factors that may be considered to the student's detriment include:

- a. the transfer may jeopardise the student's progression through a package of courses;
- b. 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 will be advised that SGA will revisit the issue within a timeframe negotiated with the student); and
- c. SGA forms the view that the student is trying to avoid being reported to DIBP for failure to make satisfactory academic progress or to meet attendance requirements.

Requests for transfer within the restricted period will be refused unless:

- a. the student has a valid letter of offer of enrolment from another registered provider; and
- b. a student under 18 has written evidence that the student's parent or legal guardian supports the transfer and, if appropriate, written confirmation that the new provider will accept responsibility for approving the student's accommodation, support and general welfare arrangements (as per Standard 5 of *The National Code*).

The welfare period nominated by the new provider must be at least the length of the student's Confirmation of Enrolment (CoE) plus 7 days at the end of the CoE, or until the student turns 18.

Provision of these essential documents does not preclude SGA from refusing to release the student if SGA believes the transfer would be to the detriment of the student.

4.2.1 Special Circumstances

SGA will consider the following circumstances as reasonable grounds for transfer, and will provide a Letter of Release where the student has supplied evidence in support of at least one of the following:

- a. the student wishes to change course in order to gain access to special services or pathways that can be confirmed as being offered by another registered provider, which SGA is not able to provide;
- b. the student has undertaken an individually tailored intervention strategy, but is still not coping with the study requirements and wishes to transfer to an alternative course that is not offered by the college;
- c. compassionate or compelling circumstances which necessitate transfer to another provider; and/or
- d. an appeal (internal or external), on a matter.

4.2.2 Other Provisions

Students enrolled in a package should note that changing their preliminary courses(s) may exclude them from admission to their principal course as a preliminary course can be a prerequisite for the principal course.

The approval of transfer of a student to another institution does not remove the requirement for the student to pay any outstanding fees nor does it indicate the agreement to provide any refund. The *Cancellation and Refund Policy*, independent of this policy, govern refunds.

After six months within the principal course, no restriction for transferring to another provider applies.

4.3 Transfer Requests

4.3.1 Non-packaged offers

For a request for transfer to be considered, it must be submitted in writing to the Head of College/Campus Director/ Manager or delegate, include detailed reasons and supporting evidence for the transfer request. Students will be provided with written advice of the outcome of their request within 10 working days of SGA's receipt of the application.

A Fact Sheet is available that is provided by *Australian Education International*, encapsulating the steps recommended in a transfer between registered providers. It is recommended students review this Fact Sheet before deciding to transfer (refer to Supporting Documents in this policy).

The student will be given the opportunity to discuss the reasons for the request with the Campus Director/ Manager or delegate who will make the decision as to whether a Letter of Release will be provided to the student, ensuring the reasons are adequately supported by the evidence gathered and documented. The evidence will be retained on the student's file.

Approved Transfer

Where the transfer request is agreed, a Letter of Release will be granted at no cost to the student and he/she will be advised of the need to contact Department of Immigration and Border Protection (DIBP) to ascertain whether a new visa is required.

Refused Transfer

If the request for transfer is refused, SGA will provide the student with written notification of the reasons for refusing the request and advise that he/she is welcome to re-activate the application in accordance with an agreed timeframe.

Included in the notification will be a reminder of the student's right to appeal against the refusal decision through the *Student Complaints and Appeals Policy and Procedures* and the student has 28 days from the nominated date in which to do so. All subsequent processes will be in accordance with that process.

4.3.2 Packaged offers

When there is a packaged offer, whereby a student has an offer for a SGA program followed by a conditional offer into a principal course with another non SGA partner institution, SGA cannot grant release from that principal course.

The student must seek permission to cancel the principal course directly from the provider of that course. SGA will not issue a release letter for the preliminary course without a release letter for the principal course.

5. Roles and Responsibilities

- SGA will consider all requests for transfer fairly and take into consideration the individual circumstances of each student.
- The Head of College/Campus Director/ Manager or delegate will assess requests for transfer and provide a letter of release or notification of refusal to the student.

6. Supporting Documents

- *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007*
- *Cancellation and Refund Policy*
- *SGA Student Complaints and Appeals Policy and Procedure*

Approval and Review

STUDENT TRANSFER POLICY	
ELT Custodian	Executive Director VET and Executive Director University Partnerships

Policy owner	PEO
Version Number	V1.0
Approval Authority	Executive Director VET and Executive Director University Partnerships
Approval Date	11 April 2016
Next Review Date	April 2021