

Student Transfer Policy



Date first approved:	28 May 2018
Date of effect:	28 May 2018
Date last amended:	26 September 2023
Date of next review:	26 September 2025
Approved by	Stanley College Academic Board Stanley College VET Council
Authorised Officer	Vice President of Business Development
Supporting documents, procedures and forms of this policy	<ul style="list-style-type: none"> • Application for Admissions Form (Higher Education) <ul style="list-style-type: none"> ○ International Students • Application for Admissions Form (VET/ELICOS) <ul style="list-style-type: none"> ○ International Students • Application for Transfer of Provider Form • Course Admission Information Set • • Letter of Offer and Student Agreement (Higher Education) • Letter of Release • Refund Policy and Procedure • Student Grievance and Complaint Policy and Procedure • Student Transfer Procedure
Related Legislation and Codes of Practice	<ul style="list-style-type: none"> • Consumer Law Act • Education Services for Overseas Students (ESOS) Act 2000 • ESOS National Code of Practice for Education Providers • Higher Education Standards Framework 2021 • Standards for Registered Training Organisations (RTOs) 2015
Audience	Public

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1. PURPOSE

- 1.1 This policy provides the framework for international students seeking to transfer from Stanley College to another Education Provider or transfer to Stanley College.

2. SCOPE

This policy applies to:

- 2.1 All international students at Stanley College, and
2.2 Staff who are involved in the assessment of transfer requests.

3. RESPONSIBILITY

- 3.1 The Student Services Team is responsible for the assessment of transfer requests.

4. DEFINITIONS

- 4.1 Please refer to *Glossary of Terms* at:

- 4.1.1 Website: <https://www.stanleycollege.edu.au/studying-with-us/policies-and-procedures/>
4.1.2 Higher Education website: <https://highereducation.stanleycollege.edu.au/essential-information/policies-procedures/>

5. POLICY PROVISIONS

Principles

- 4.1 Stanley College's process for transfers is applied fairly and consistently to all students.
- 4.2 Stanley College's *Student Transfer Policy* and accompanying Procedure are in accordance with the ESOS [National Code of Practice for Education Providers](#), Standard 7, which prescribes the requirements education providers must follow when assessing transfer requests.

Transfer from Stanley College to another Provider

- 4.3 Any Stanley College student who wishes to transfer to another higher education provider must have completed more than six months of study in their Principal Course at Stanley College. The Principal Course is the main course of study to be undertaken by an international student where the Student Visa has been issued for multiple courses – it refers to the final course of study in the packaged offer. The first six months is calculated as six calendar months from the date the international student commences their Principal Course.
- 4.4 If a student has not completed more than six months of study in their Principal Course, Stanley College will only grant the transfer request if it is in the student's best interests. that is (including and not limited to):
- 4.4.1 The student will be reported to DHA for unsatisfactory course progress at the level they are studying (in order for this circumstance to apply, the student must have genuinely engaged in Stanley College's Intervention Strategy);
 - 4.4.2 Evidence has been provided of compassionate or compelling circumstances as specified in
 - [ESOS National Code – Standard 7 Factsheet](#); or
 - [OSO Factsheet](#)
 - 4.4.3 Stanley College is unable to deliver the course, as outlined in the *Letter of Offer* and the *Student Agreement*;
 - 4.4.4 Evidence has been provided that Stanley College has not met the student's reasonable expectations of the course;
 - 4.4.5 Evidence has been provided that the student was misled by Stanley College or an Education Agent regarding the College or the course, and the College or the course is therefore unsuitable to their needs and/or study objectives;
 - 4.4.6 The student is genuinely unable to achieve satisfactory course progress at the level they are studying, even after attending all classes, submitting all assessments and engaging with the College's intervention strategy aimed at assisting the student;
 - 4.4.7 Where the international student's study in Australia is sponsored by the government of another country, the government sponsor of the international student considers the change to be in the student's best interests and has provided written support for the change; or
 - 4.4.8 An appeal (either internal or external) on another matter results in a decision or recommendation to release the student.
- 4.5 Circumstances where Stanley College will refuse the request:
- 4.5.1 If the student does not have a valid *Letter of Offer* from another Higher Education Provider;

- 4.5.2 If the student is under 18 years old and has not provided the College with written evidence confirming alternative welfare arrangements as specified in s. 4.7 below;
- 4.5.3 The student has not addressed, nor provided evidence to show how it will be in their best interest (as outlined in 4.4);
- 4.5.4 The student has not genuinely engaged with the College's intervention strategy with the intention of failing and being released;
- 4.5.5 If the student intends to transfer to a lower Australian Qualifications Framework (AQF) level or a non-AQF course, they will need to apply for a new Student Visa a lower-level course,
- 4.5.6 The student has not met the requirement for International Students to be [Genuine Temporary Entrants \(GTE\)](#) who have complied with all Student Visa requirements;
- 4.5.7 Stanley College believes that the transfer will be detrimental to the student because, but not limited to:
 - The transfer will not aid their progress through a set of packaged courses
 - The student has not satisfactorily explained the actual benefits they will attain from the transfer;
 - The student has recently had an intervention strategy put in place and there has not been sufficient time to assess whether or not this will be an effective solution to the problem.
- 4.5.8 The student has submitted false information or fraudulent documents include those linked to [Public Interest Criterion \(PIC 4020\)](#); or
- 4.5.9 There are outstanding fees owing to Stanley College.

Application Requirements

- 4.6 The following will need to be provided to apply for a transfer:
 - 4.6.1 A *Course Variation Form*;
 - 4.6.2 Evidence to demonstrate the student meets one of the requirements outlined in 4.4; and
 - 4.6.3 A valid *Letter of Offer* from the new Provider.

Students Aged Under 18 Years of Age

- 4.7 Where the student is under 18 years of age, special provisions will apply:
 - 4.7.1 Stanley College requires written evidence that their parent or legal guardian supports the transfer;
 - 4.7.2 Where appropriate, the student must confirm alternative welfare arrangements under CAAW
 - 4.7.3 The new Education Provider must confirm that it accepts full responsibility for approving the student's accommodation, support and welfare arrangements in accordance with ESOS National Code, Standard 5.

Time Frames

- 4.8 Stanley College will process the transfer request within 14 working days of receiving a complete application to transfer.

Approved Transfer Requests

- 4.9 If the transfer request has been approved, Stanley College will:

- 4.8.1 Issue a *Letter of Release* at no cost to the student;
- 4.8.2 Cancel the student's CoE via PRISMS; and
- 4.8.3 Notify the student to contact DHA to seek advice on whether a new visa is required.

Refusal of Transfer Requests

- 4.10 If Stanley College refuses the request to transfer, Stanley College will:
 - 4.9.1 Issue a written response to the student outlining the reasons for the refusal; and
 - 4.9.2 Inform the student of their right to appeal the decision within 20 working days, as per *Student Grievance and Complaint Policy and Procedure*.

Record Keeping

- 4.11 Stanley College will record the following information for two years after the student ceases to be a Stanley College student:
 - 4.10.1 Applications for Release;
 - 4.10.2 The assessment of the Release Request, and
 - 4.10.3 The decision of the Release Request.

Review of Decisions and Appeals

- 4.12 Applicants may seek a review of a decision if they are dissatisfied with the transfer request outcome. Refer to the *Student Grievance and Complaint Policy and Procedure*.
- 4.13 This Policy and the availability of complaints and appeals procedures do not remove the rights of the student to take action under Australia's consumer protection laws (Australian Consumer Law) and the *ESOS Act 2000*, or to pursue other legal remedies.

Refunds

- 4.14 If the student is granted a *Letter of Release* and is entitled to a refund, the refund will be assessed in accordance with Stanley College's *Refund Policy*.

Transfer from another Provider to Stanley College

- 4.15 International Students who have a packaged offer with another Provider and have not yet completed a minimum of **six months of study in their Principal Course**, will not be eligible to apply for entry into Stanley College. Transfer to Stanley College can only be approved once the student has completed six months of study in their Principal Course or has written evidence of approval to transfer ("Release Letter") from their Principal Provider.
- 4.16 Exceptions are:
 - 4.16.1 Their initial provider is no longer registered to deliver courses to international students (only if the student seeking to transfer is an international student);
 - 4.16.2 Their initial provider has been sanctioned by an Australian, State or Territory Government Department in a way that prevents the student from continuing their course;

- 4.16.3 Their Principal course is no longer available to international students;
 - 4.16.4 Their initial provider has issued a *Letter of Release* and recorded the date of effect and recorded the reason for release in PRISMS;
 - 4.16.5 The student's Government sponsor has provided a written letter to support the change of provider.
- 4.17 Students wishing to transfer from another provider will be required to:
- 4.17.1 Complete an *Application for Admissions Form– International Students*; and
 - 4.17.2 Provide written evidence to demonstrate that they meet a requirement outlined in 4.15.