Student Transfer Policy (VET)

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Approved By: VET Council
Policy Owner: Vice President, Wellbeing and Engagement
Policy Area: VET
Audience: Public

1. Purpose

1.1 This policy outlines the framework for international students studying a VET course seeking to transfer to another provider, or transfer to, Stanley College, from another provider.

2. Scope

2.1 This policy applies to:

2.1.1 all international students studying a VET course at Stanley College; and

2.1.2 all staff 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

Appeal	A request for a decision to be reviewed by an independent area. Appeals can be lodged about academic and non-academic decisions made, including: • student misconduct • refused transfer requests • course progress • student enrolment cancellation.
Australian Consumer Law	A national law guaranteeing consumer rights when buying goods and services to ensure false or misleading information is not provided. Education Services provided by Stanley College is covered by Australian Consumer Law.
CoE	A document, provided electronically, that is issued by Stanley College to an international student when they enrol in a Stanley College course. This CoE must accompany their application for a student visa, submitted through DoHA.
Compassionate or Compelling Circumstances	Circumstances generally out of the student's control which will have an impact upon the student's wellbeing or course progress.
DoHA	The Department of Home Affairs, which includes responsibility for immigration matters.
Education Agent	A person or organisation (in or outside Australia) who recruits overseas students and refers them to education providers. In doing so, the education agent may provide education counselling

	to overseas students as well as marketing and promotion services to education providers. Education agent does not refer to an education institution with whom an Australian provider has an agreement for the provision of education (that is teaching activities).
Homestay	An approved homestay provider who enters into an agreement to provide accommodation services to under 18 international students.
International Student	A student studying in Australia on a student visa issued by DoHA.
Intervention Strategy	Action taken by Stanley College to assist a student who is making unsatisfactory progress in their program.
National Code 2018	The National Code of Practice for Providers of Education and Training to Overseas Students 2018, established pursuant to Part 4 of the ESOS Act.
Non-AQF Degree	The AQF is the national policy for regulated qualifications in Australian education and training in Australia. It comprises different qualification levels. Non-AQF courses do not lead to a qualification or award that is covered by the AQF.
Offer Letter	An offer for admission into a Stanley College course. Some offers may include conditions placed on the admission, which may include pre-requisites.
Principal Course	The principal course refers to the main course of study to be undertaken by an international student where a student visa has been issued. The principal course of study is typically the final course of study where the international student is granted a student visa to study multiple courses in Australia.
PRISMS	Provider Registration and International Students Management System: the Australian Government database that provides Australian education providers with Confirmation of Enrolment facilities required for compliance with the ESOS legislation.
Unsatisfactory Course Progress	A student who is: • at risk of failing a grade point average (pass grade); • failing more than 50% of units attempted within a semester; or failing the same unit for a second time.
VET	Vocational Education and Training.

5. Policy Provisions

Principles

5.1 Stanley College's process for transfers is applied fairly and consistently to all international students.

5.2 Stanley College's *Student Transfer Policy (VET)* and accompanying procedure are in accordance with the National Code 2018, which prescribes the requirements education providers must follow when assessing transfer requests for international students.

5.3 Stanley College will make available to all international students, via our Student Handbook, the policy and process for assessing student transfer requests

Transferring from Another Provider to Stanley College

5.4 Stanley College will not enrol international students transferring from another provider prior to the student completing six months of their principal course of study.

5.5 Exceptions to this are:

5.5.1 the releasing registered provider, or the course in which the student is enrolled, has ceased to be registered;

5.5.2 the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing their course at the registered provider;

5.5.3 the releasing registered provider has agreed to the student's release and recorded the date of effect and reason for release in PRISMS.

5.5.4 the student's Government sponsor of the student considers that the change is in the best interest of the student, and provided a written letter to support the change of provider.

5.6 International students with a valid student visa and who have studied longer than six months within their principal course can enrol without a letter of release.

Transferring from Stanley College to Another Provider

5.7 Any Stanley College international student who wishes to transfer to another provider must have completed more than six months of their principal course at Stanley College.

5.8 Where an international student has not completed more than six months of their principal course, they can apply for a 'release' by completing our Application for Transfer Form, and submit together with a valid enrolment offer from another registered provider.

5.9 Stanley College will only grant the transfer request if it is in the student's best interests including, but not limited to where Stanley College has assessed that:

5.9.1 the student will be reported because they are unable to achieve satisfactory course progress at the level they are studying (in order to consider these circumstances, the student must have engaged in Stanley College's Intervention Strategy);

5.9.2 evidence has been provided of compassionate or compelling circumstances;

5.9.3 Stanley College is unable to deliver the course, as agreed in the *Offer Letter*/ Written Agreement;

5.9.4 evidence has been provided that the student's reasonable expectations of their current course are not being met;

5.9.5 the student is not coping in the program and has sought academic assistance from Stanley College. The student has not improved their academic performance;

5.9.6 evidence has been provided that the student was misled by Stanley College or an education or migration agent regarding Stanley College or its course and the course is therefore unsuitable to their needs and/or study objectives;

5.9.7 an appeal (either internal or external) on another matter results in a decision or recommendation to release the student.

5.10 Circumstances where Stanley College will refuse the request include, but are not limited to:

5.10.1 the student does not have a valid *Offer Letter* from another provider;

5.10.2 the student is under 18 years old and has not provided to the College written evidence that their parent or legal guardian supports the transfer (and, if appropriate, the student has not confirmed alternative welfare arrangements approved by another registered provider, as detailed within 5.15-5.16);

5.10.3 the student is transferring to a non-AQF degree; or

5.10.4 Stanley College believes the transfer will be detrimental to the student. This could include, but is not limited to, the following circumstances:

5.10.4.1 the transfer will not aid their progress through a set package of courses;

5.10.4.2 the student has not highlighted to Stanley College the actual benefits they will attain from making the transfer;

5.10.4.3 the student has recently had an intervention strategy put in place and there has been insufficient time to assess whether or not this will be an effective solution for the student.

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

5.12 After six months within the principal course, no restriction for transferring to another provider applies, and therefore students can simply request to cancel their enrolment, by complete the Course Variation Form.

Compassionate or Compelling Circumstances

5.13 Compassionate or compelling circumstances include general or personal circumstances that are adversely affecting a students' enrolment at Stanley College, and must:

5.13.1 be beyond the control of the student; and

5.13.2 occur subsequent to the student accepting an offer to study at Stanley College; and

5.13.3 have an impact on the student's general well-being or their capacity and/or ability to progress through their course.

It will normally be expected that such circumstances were unexpected and beyond the control of the student. In order for a request for a Letter of Release to be considered, the student must provide relevant supporting documentary

Application Requirements

5.14 The following will need to be provided to apply for a transfer:

5.14.1 a completed *Application for Transfer Provider form*

5.14.2 evidence to demonstrate the student meets one of the requirements outlined in 5.8; and

5.14.3 a valid *Offer Letter* from the new provider.

Under 18 Students

5.15 For students under the age of 18 years old that apply to transfer to another provider, written evidence that their parent or legal guardian supports the transfer is required.

5.16 If the student is within a Stanley College approved welfare arrangement (as signed CAAW is in place) the receiving provider must confirm it accepts the responsibility for approving the student's accommodation, support and general welfare arrangements in accordance with Standard 5. This must be provided together with the Application for Transfer Provider form.

Timeframes

5.17 Stanley College will process the transfer request within 14 working days of a complete application to transfer has been received.

Approved Transfer Requests

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

5.18.1 issue a *Letter of Release* at no cost to the student;

5.18.2 report against the student's CoE via PRISMS; and

5.18.3 notify the student to contact DoHA to seek advice on whether a new visa is required.

Refused Transfer Requests

5.19 If Stanley College refuses the request to transfer, Stanley College will:

5.19.1 issue a written response to the student outlining the reasons for the refusal; and

5.19.2 inform the student of their right to appeal the decision within 20 working days, as per the *Student Complaints and Appeals Policy*.

5.19.3 Stanley College will not finalise the student's refusal status in PRISMS until the appeal finds in favour of the registered provider, or the overseas student has chosen not to access the complaints and appeals processes within the 20 working day period, or the international student withdraws from the process.

Record Keeping

5.20 Stanley College will maintain copies of all records, including those detailed below, in the student management system, relating to all transfer requests for a period of two years after the student ceases to be a Stanley College student:

5.20.1 completed Application for Transfer Provider forms;

5.20.2 the assessment of the release request; and

5.20.3 the decision of the release request.

Review of Decisions and Appeals

5.21 Applicants may lodge an appeal of a decision if they are dissatisfied with the transfer request outcome. Refer to the *Student Complaints and Appeals Policy.*

5.22 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 (including the *ESOS Act 2000*) or to pursue other legal remedies.

Refunds

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 and Cancellation Policy (VET).*

6. Policy Information

Policy Area	Student Services
Authorised Officer	Vice President, Wellbeing and Engagement
Supporting documents, procedures & forms of this policy	*Student Transfer Procedure (VET)* *Student Complaints and Appeals Policy* *Refund and Cancellation Policy (VET)* *Course Variation Form* *Application for Transfer Provider form* *Offer Letter* *Letter of Release* *Student Handbook – International*
Related Legislation and Codes of Practice	National Code of Practice for Providers of Education and Training to Overseas Students 2018 Education Services for Overseas Students (ESOS) Act 2000
Audience	Public