

Transfer between Education Provider Policy - International

Policy Code: INT-009**Version:** 14.0**Effective Date:** 14 December 2020

Purpose

This Policy outlines the way in which transfer requests from international students studying on a **student visa** are assessed. It also sets out the circumstances in which the College will accept enrolments from international students currently studying in Australia (onshore enrolments).

Definition of “College” – *In the higher education sector, the Australian College of Natural Medicine Pty Ltd (ACNM) trades as Endeavour College of Natural Health. For the purpose of this policy, any reference to ‘College’ or ‘the College’ should be considered a reference to each or any of these respective trading names / entities.*

Definition of “International students” – *The College defines an International Student as someone who is not an Australian citizen or permanent resident or a New Zealand citizen or a permanent visa holder. This definition includes students studying onshore on a range of temporary visas (working holiday visa, tourist visa, student visa etc.) or offshore as an online student. Information that applies only to students studying on specific visa classes (e.g.: Student Visa) is specified when relevant. It should be noted that all international students pay fees specified for international students, regardless of visa subclass.*

Scope

- All campuses
- All International Students holding an Australian Student Visa.
- Student Services team

Policy Statement

This Policy covers three (3) types of request for transfer by international students studying on a **student visa** which occur before the student completes the first six (6) months of their principal course of study:

- Transfer from the College to another education provider
- Transfer between Campuses
- Transfer from another education provider into the College

Student Transfer Requests – Transfer from the College

If the student is within the first six (6) months of study in their principal course of study (transfer restriction period), transfer will only be granted under special circumstances where the transfer is in the best interests of the overseas student, including but not limited to:

- 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 the College Intervention Strategy
- there is evidence of compassionate or compelling circumstances (*ECNH - Special Consideration Application Form* and supporting documentation required. Refer to *Special Consideration Policy – Higher Education*)
- the course accepted by the student has been cancelled, ceased to be registered on CRICOS or ceased to be offered, or the College fails to deliver the course as outlined in the written agreement

- there is evidence that the overseas student's reasonable expectations about their current course are not being met
- there is evidence that the overseas student was misled by the College or an education or migration agent regarding the College 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 overseas student.

After completing 6 calendar months of the principal course, an overseas student can transfer without needing to meet one of these conditions.

The College may reasonably refuse a request to transfer to a new Provider including but not limited to:

- the overseas student request is based on personal preference only
- the student owes tuition or other fees and charges to the College
- the student has not enrolled or has made no genuine attempt to engage with an Intervention Strategy with the intention of failing and being released (if the student subsequently wishes to transfer to a qualification of a shorter duration or lower AQF level they will need to apply for a new visa)
- the student has been in breach of their student visa conditions
- the College considers that the student poses an unacceptable visa risk should they move to another provider, or
- the student has provided false or misleading information to the College

Transfer application process – from College

Students who wish to transfer to another provider must:

- provide a valid letter of offer from the provider they wish to transfer to.
- fill out and submit an *ECNH - Transfer of Campus or Provider Form* at least one month prior to the date by which the transfer is to take effect (submission direct to local Student Services or via email to student.services@endeavour.edu.au). This form should be accompanied by the relevant evidence to support the request, depending on the circumstances of transfer, as well as the letter of offer from the proposed new provider.
- attend a transfer / exit interview.

Outcomes of the transfer requests are provided in writing as per the process outlined below (see *Written Confirmation of Release*).

Student Transfer Requests – Transfer between College Campuses

The College acknowledges that its national presence and availability of CRICOS-registered courses in multiple campuses can be a drawcard for international students who wish to see parts of Australia while completing their degree. As such, the College has an internal transfer process in place to ensure international students remain supported if they choose to transfer campuses throughout their studies.

Internal transfers are subject to enrolment and course availability.

This transfer process is **required** regardless of how far the student has progressed through the course, to ensure the College's records are accurate and the student's enrolment is supported on their local campus at all times.

Transfer application process - internal

Students who wish to transfer to another of the College's campuses (remaining enrolled at the same CRICOS provider) must:

- fill out and submit an *ECNH - Transfer of Campus or Provider Form* at least one month prior to the date by which the transfer is to take effect (submission direct to local Student Services or via email to student.services@endeavour.edu.au). It is noted that internal campus transfers will usually take effect at the commencement of the next teaching period, unless special circumstances apply (and evidence provided as per the *Special Consideration Policy – Higher Education*).
- attend a transfer interview.

Outcomes of the transfer requests are provided in writing as per the process outlined below (see *Written Confirmation of Release*).

Student Transfer Requests – Transfer to the College

The College must not knowingly enrol a student wishing to transfer from another registered provider's course prior to the student completing 6 months of their principal course of study (the principal course is generally the final course or highest qualification of study where a student has been issued a visa for multiple courses of study) except where:

- the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered;
- the releasing registered provider has provided a written notification of release from study in PRISMS;
- 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 with that registered provider;
- any government sponsor of the overseas student considers the change to be in the overseas student's best interests and has provided written support for the change. This usually applies where the overseas student's study in Australia is sponsored by the government of another country.

After completing 6 calendar months of the principal course, an overseas student can transfer without needing to meet one of these conditions.

Proof of any of the above circumstances must be kept on the incoming students file. If the student has already completed 6 months of their principal course of study no release is required from their current provider to enrol at the College.

Transfer application process – to College

Students who wish to transfer to the College from another provider must:

- apply to the College through the regular Admissions process for international students, using the International Enrolment Form and including an enrolment interview.
- provide a valid letter of release from the provider they wish to transfer from.
- provide any other relevant evidence to support the request, depending on the circumstances of transfer.

Outcomes of incoming transfer requests are provided in writing as per the process outlined below (see *Written Confirmation of Release*).

Written Confirmation of Transfer Decision and Release

All transfer application decisions will be communicated to the student / applicant in writing within 10 working days of request for transfer, except where the normal Admissions process applies and takes longer than that period.

The College shall process all applications for Transfer of Provider at no cost. In addition, an appointment shall be scheduled to counsel students looking to transfer. The student should contact the Department of Home Affairs (DHA) to confirm if a new student visa is needed and/or discuss how this change to enrolment will impact their student visa.

Transfer of Provider – from College

The College shall assess transfer applications along with accompanying applications for Special Circumstances that may be required to demonstrate compassionate or compelling circumstances, and reply to the student in writing within 10 working days.

Where the student has provided an offer letter from another education provider confirming that a valid enrolment has been made, the College will provide confirmation of release status in PRISMs and confirm the change of status to the student in writing.

Where the College has assessed the transfer application as not meeting the requirements to transfer and not being accompanied by relevant evidence, the College will provide the reasons for refusal to the student in writing within 10 working days.

Transfer of Provider – internal

The College shall assess internal campus transfer applications along with accompanying applications for Special Circumstances that may be required to demonstrate compassionate or compelling circumstances, and reply to the student in writing within 10 working days.

Where possible, all applications for campus transfer will be approved, dependent on course availability and timing of the transfer request.

If the College refuses the campus transfer request, the reasons will be provided to the student in writing within 10 working days. This refusal does not limit the student from applying for future internal transfers.

Transfer of Provider – to College

The College shall assess incoming transfer applications along with accompanying applications for Special Circumstances that may be required to demonstrate compassionate or compelling circumstances in line with its Admissions processes.

Where the applicant has provided a letter of release from another education provider confirming that the student's other College is aware of the transfer request, the College will provide the applicant with an *Offer Letter – International* and *International Student Written Agreement* and confirm the change of status to the student in writing. A new CoE will be created in PRISMs and provided to the student on return of the Written Agreement and payment of fees, as per the Admissions process.

Where the College has assessed the transfer application as not meeting the requirements to transfer to the College and not being accompanied by relevant evidence, the College will provide the reasons for refusal of admission to the applicant in writing within 10 working days.

Appeals

In the event that the College refuses a request for release the student has the right to appeal the decision (by following the *Complaints and Appeals Policy – International*) and the refusal status in PRISMs will not be finalised until:

- any appeal against the refusal lodged by the overseas student is finalised and upholds the registered provider's decision not to release the student; or
- the overseas student did not access the Colleges complaints and appeals processes within 20 working days of being notified of the refusal; or
- the overseas student withdraws their appeal against the refusal.

For students that wish to appeal the decision, this may be pursued in accordance with the *Complaints and Appeals Policy – International* and its supporting *Procedure*.

This policy, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under *Australian Consumer Law* if the *Australian Consumer Law* applies.

Record Keeping

All records of applications for a transfer to / from the College and the outcomes of those applications will be kept in the relevant student's file until at least two (2) years after the student ceases to be an accepted student at the College. In addition, the change of provider student release (either leaving the College or entering the College) will be notified to Department of Home Affairs (DHA) via PRISMs and relevant Confirmation of Enrolment (CoE) adjustments.

Definitions

CoE: Confirmation of Enrolment; a formal document generated in PRISMs when an international student's details are entered on this system related to a specific course at the College.

ESOS: *Education Services for Overseas Students*. A legislative framework, administered by the Australian Government, addressing the responsibility of education institutions towards overseas students.

Letter of Release: A letter from one education provider to another that sets out the student's attendance, course progression and payment of fees that a student must provide to the provider they wish to transfer to if they have not completed six (6) months of their **principal course**.

Principal Course: The final course of study or the highest qualification for which **student visa** has been issued where a student has been issued a visa for multiple courses of study.

PRISMS: Provider Registration and International Student Management System. The Department of Education and Training's database for international student management.
<https://prisms.education.gov.au/Logon/Logon.aspx>

Special Circumstances: Compassionate and / or compelling circumstances beyond the student's control. Refer to the *Special Consideration Policy – Higher Education*.

Student: An individual person who is formally enrolled to study at the College. The individual person is that who appears on the College's documents such as enrolment, admission and payment documents, and who is assigned an individual student ID.

Related Procedures

Complaints and Appeals Procedure - International

Further Information

Related Policies

Admission and Enrolment Policy - International
Complaints and Appeals Policy - International
Fees Policy – International
Refund Policy – International
Special Consideration Policy – Higher Education

Related Documents

ECNH - Special Consideration Application Form
ECNH - Transfer of Campus or Provider Form
International Student Written Agreement
Offer Letter – International
Release Letter Template - New Provider

Guidelines

Not Applicable

Benchmarking

Not Applicable

Supporting Research and Analysis

Australian Government, Department of Education and Training (n.d.) The ESOS legislative framework. Retrieved from <https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/ESOS-Regulations/Pages/default.aspx>

Related Legislation

[Education Services for Overseas Students \(Registration Charges\) Act 1997 \(Cth\).](#)
[Education Services for Overseas Students \(TPS Levies\) Act 2012 \(Cth\).](#)
[Education Services for Overseas Students Act 2000 \(Cth\).](#)
[Education Services for Overseas Students Regulations 2001 \(Cth\).](#)
[National Code 2018 \(Cth\).](#)

Review and Approval

Policy Author

Director, Student Services & Retention

Policy Owner

Director, Student Services & Retention

Contact

Director, Student Services & Retention

[deirdre.mathias @endeavour.edu.au](mailto:deirdre.mathias@endeavour.edu.au)

Approval Body

College Council

Meeting date: 17 February 2017

Policy Status

Revised

Responsibilities for Implementation

- Director, Student Services & Retention
- Enrolment Advisers
- National Quality, Governance and Compliance Manager
- Student Advisers

Key Stakeholders

- Managing Director
- Director of Education
- Director, Student Services & Retention
- Enrolment Advisers
- International Students
- National Quality, Governance and Compliance Manager
- Student Advisers