

Transfer Between Registered Providers Policy & Procedure

PURPOSE

Policy #4.02

The purpose of this policy is to ensure that international students wishing to transfer between registered training providers do so in accordance with the guidelines of the National Code 2018.

Registered providers are restricted from enrolling transferring students prior to the student completing six (6) months of their principal course of study except for the circumstances outlined below. Registered providers from which the student is seeking to transfer are responsible for assessing the student request to transfer within this restricted period. It is expected that the student request will be granted where the transfer will not be to the detriment of the student.

SCOPE

This policy applies to all international students.

DEFINITIONS

Complaint – A complaint can be defined as a student's expression of an unsatisfactory or unacceptable experience within the control or responsibility of AFTT. This includes operations, services, facilities, decisions or the conduct of AFTT Team Members and/or students.

Complainant – means the student(s) submitting a complaint under the Student Complaints and Appeals Procedure.

Student – This includes all enrolled students (commencing and continuing), as well as 'potential students'. An AFTT student may be either a domestic or overseas student.

POLICY

- 1.1 AFTT will not seek to recruit an overseas student within the first six (6) months of their principal course unless:
 - The original registered provider has ceased to be registered, or the course in which the student is enrolled has ceased to be registered;
 - The original registered provider has agreed to the student's release and recorded the date of effect and reason for release in PRISMS; or,
 - The original registered provider has had a sanction imposed on its registration by the Australian Federal, State or Territory Government that prevents the student from continuing their course with the original registered provider, or 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.

- 1.2 All current overseas students who are within six (6) months of the commencement of their principal course and who wish to transfer to another provider must seek the approval of AFTT.

- 1.3 Transfer requests will only be approved by AFTT if the transfer is determined to be in the student's best interest on the following grounds:
 - There is evidence of compassionate or compelling circumstances;
 - The student, after engaging with AFTT's intervention strategy, is unable to achieve satisfactory course progress because the level they are studying is deemed to be inappropriate;
 - AFTT fails to deliver the course as outlined in the written agreement;
 - There is evidence that the student's reasonable expectations about their current course are not being met;
 - There is evidence that the student misinterpreted the information provided by AFTT or an education or migration agent regarding AFTT or its course and the course is therefore unsuitable to the student's needs and/or study objectives;
 - An appeal (internal or external) results in a decision or recommendation to release the student.

- 1.4 Transfer requests from AFTT will not be approved where:
 - The student has outstanding debts or fines,
 - The student has academic and/or non-academic sanctions,
 - The student changes their mind about the intended course, claims financial hardship, or wishes to transfer to another provider with lower tuition fees,
 - The student requests a transfer to study a course at an academic level that is considered lower than the current principal course of study,
 - The student requests a transfer to a course with another provider, and that course is available at AFTT,
 - The student's actions have caused AFTT to form the view that they are not a Genuine Student or Genuine Temporary Entrant (e.g. absence from orientation events, low attendance rate, failure to access support services, significant change in academic direction),
 - The student has been excluded or suspended from their course,

- The student has not exhausted access to either AFTT's support services for assistance with study or personal issues, or for students enrolled in a package of courses, the services offered by the package provider,
- The student has already accepted and paid for a course with another registered provider,
- The student cites work commitments or demands of employment as a reason for transfer,
- AFTT believes that the student is attempting to avoid being reported to the Department of Home Affairs (DoHA) for not meeting course requirements,
- AFTT does not agree that the transfer is in the best interests of the student's academic progress or future study plans,
- AFTT believes that the student has made decisions post-enrolment regarding accommodation, employment or travel that are not aligned with the requirements of their principal course,

1.5 A student's request to transfer to another institution will be approved unconditionally when or if:

- There is a provider default due to AFTT no longer offering the course;
- Sanctions are imposed on AFTT by the Australian government prevent the student from continuing in the course; and
- A government sponsor deems that the transfer is in the best interest of the student.

1.6 The Director International Services will make any final decision as to whether to approve a transfer request for any overseas student.

1.7 The approval of transfer of a student to another institution does not indicate the agreement to provide any refund. Refunds are governed by the Refund policy as specified in the student's Acceptance Agreement, independent of this policy.

1.8 A conditional offer of enrolment may be made by Admissions to a student who is currently enrolled in another provider's course, subject to the current provider's grant of the student's transfer request. A Confirmation of Enrolment cannot be issued to the student unless the current provider approves the student's transfer request and record the student's release in PRISMS.

AFTT will assess and respond to a student's request to transfer within ten (10) working days of the request being submitted.

1.9 If transfer requests are refused, the response to students will provide the reason for refusing the transfer requests and students' right to access the appeal process within twenty (20) working days in accordance with the AFTT's Student Complaints and Appeals policy. The students' refusal status in PRISMS will not be finalised until:

- Any appeal against the refusal lodged by the student is finalised and upholds the AFTT's decision not to release the students; or
- The student did not access the AFTT's appeal processes within twenty (20) working days of being notified of the refusal; or
- The student withdraws their appeal against the refusal.

1.10 The records of student transfer requests will be kept for two (2) years after the student ceases to be an accepted student.

PROCEDURE

1.1 PROCEDURE (OUTGOING)

1.1.1 A Formal Release Is Not Required If:

- The original registered provider has ceased to be registered;
- The original registered provider recorded in PRISMS that a release has been granted;
- The original registered provider has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing his or her principal course;
- Any government sponsor of the student considers the change to be in the students best interest and has provided written support of that charge;
- The student holds another visa type that is not subject to the ESOS Act and the National Code 2018,
- The student wishes to return to their home country and does not wish to continue studying in Australia,
- The student is offshore and unable to commence their studies in Australia.

1.1.2 A Formal Release May Be Granted If:

- The student requests a transfer to study a course at an academic level considered similar to, or higher than, the level of their current Course, in a discipline area not available at AFTT, evidenced with a valid offer of admission from another registered provider, and they can demonstrate compassionate or special circumstances which necessitate transfer to another provider, including, but not limited to, those listed in Standard 7 of the National Code: Overseas Student Transfers or
- They can demonstrate exceptional personal circumstances which have not been successfully resolved after accessing AFTT's support services,

- The student does not meet the conditions on their Offer Letter and therefore, cannot commence their AFTT course, such as not satisfying English language requirements during study with a package course provider, and an alternative course at AFTT is not available. For students enrolled in a package of courses, AFTT reserves the right to differ with the recommendation from a package provider and the decision of AFTT will be final.

1.1.3 A Formal Release Will Not Be Granted If:

- The student has outstanding debts or fines,
- The student has academic and/or non-academic sanctions
- The student changes their mind about the intended course, claims financial hardship, or wishes to transfer to another provider with lower tuition fees,
- The student requests a transfer to study a course at an academic level that is considered lower than the current principal course of study,
- The student requests a transfer to a course with another provider, and that course is available at AFTT,
- The student's actions have caused AFTT to form the view that they are not a Genuine Student or Genuine Temporary Entrant (e.g. absence from orientation events, low attendance rate, failure to access support services, significant change in academic direction),
- The student has been excluded or suspended from their course,
- The student has not exhausted access to either AFTT's support services for assistance with study or personal issues, or for students enrolled in a package of courses, the services offered by the package provider,
- The student has already accepted and paid for a course with another registered provider,
- The student cites work commitments or demands of employment as a reason for transfer,
- AFTT believes that the student is attempting to avoid being reported to the Department of Home Affairs (DoHA) for not meeting course requirements,
- AFTT does not agree that the transfer is in the best interests of the student's academic progress or future study plans,
- AFTT believes that the student has made decisions post-enrolment regarding accommodation, employment or travel that are not aligned with the requirements of their principal course,
- The student is under eighteen (18) and there is no written evidence that their parent or legal custodian supports the transfer,
- The student is under eighteen (18) and does not have suitable approved arrangements for accommodation, support and general welfare.

1.1.4 How To Apply For A Release

The student must submit a formal request for a release letter to admin@afitt.edu.au along with:

- A copy of the offer letter from the new provider;
- A written statement outlining the reasons for transfer, or any other documentation supporting the application. Please note that additional documentation is required for a student under eighteen (18) years of age.

The request will be received by the International Student Support Officer who will ensure all necessary documentation has been provided by the student. The request will be proposed to the Director of International Services who will review and make the final decision.

AFTT will grant or refuse a request for a Release in accordance with the Department Home Affairs (DoHA) requirements and Standard 7 of the ESOS National Code.

The request to transfer will be considered by the Director of International Services and measured against:

- The details of the request
- Any supporting documentation submitted by the student
- Sections 4.2 and 4.3 above
- Any other compassionate or extenuating circumstances

Where the application for a release is approved:

- The Director of International Services will advise the student in writing within ten (10) working days, by letter or email, and the outcome of this decision will be recorded in the student management database
- The electronic Confirmation of Enrolment (eCoE) for student visa purposes will be cancelled, and the DoHA will be informed via PRISMS.

The student should contact the DoHA to seek advice on whether a new student visa is required. For more information on how the transfer and release affects the student visa, please visit the DoHA website.

Where the application for a release is not successful:

- The Director of International Services will advise the student in writing within ten (10) working days,
- The student may transfer to another provider after six (6) months of study in their principal course. In advance of that, they may access the appeals processes below.
- Once all appeals processes have been exhausted, and if the provider's decision has been upheld, the outcome will be recorded in PRISMS.

1.2 PROCEDURE (INCOMING)

1.2.1 Assessment of student status

During the application process, students must identify previous or current study. Onshore applicants must provide a copy of their visa and, if on a student visa, a copy of all relevant CoEs. Further information and clarification is sought during the interview.

1.2.2 Transferring from another provider

Where a student is identified as being currently enrolled in an Australian provider and they have not completed at least six (6) months of their principal course, applicants are advised to request a release from their current studies before they may be enrolled to AFTT. The student must produce a copy of a cancelled CoE from their principal course before a new CoE can be issued by AFTT.

COMPLAINTS and APPEALS

Students may access the Student Complaints and Appeals Policy – and its associated procedures – at any time, against any decisions prescribed in this policy.

POSITIONS RESPONSIBLE FOR IMPLEMENTING POLICY:

- Campus Manager
- Director of International Services
- Chief Executive Officer
- Student Admissions

RELATED LEGISLATION

This Policy supports AFTT's compliance with the following legislation:

- Education Services for Overseas Students (ESOS) Act 2000 (Cth),
- National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018
 - ESOS National Code 2018, Part B, Standard 7.