



EXCELSIA
COLLEGE
Sydney - Australia

**THIS POLICY AND PROCEDURE IS CURRENTLY UNDER REVIEW BY
MANAGEMENT COMMITTEE**

Document Name

OVERSEAS STUDENT TRANSFER POLICY AND PROCEDURES

Document Number

PO-STU-16

Document Status

Author	Registrar	7 August 2012
Approving Authority	Management Committee	29 August 2012
Publication	Issue 3	March 2019
Review Date	Issue 3	March 2021

Purpose and Scope

This policy sets out Excelsia College's approach to requests from overseas students to transfer between registered education providers. It complies with the *National Code of Practice 2018*. This policy applies to all overseas students enrolled in the first six months of their principal course of study.

Under the *National Code of Practice 2007*, registered providers are restricted from enrolling transferring students prior to the student completing six months of their principal course of study. This document details the procedures for assessing applications to transfer within this period. Students who have been enrolled for more than six months can apply for transfers without requesting a letter of release under this policy.

Procedures

1. Students wishing to transfer from another registered provider to Excelsia College

Excelsia College's policy is to ensure it does not admit any transferring overseas student into one of our courses prior to six months of their principal course having been completed unless that student has a valid letter of release agreeing to such a transfer. When the Registrar receives an application for admission from an on-shore overseas student who has indicated they are currently studying with another provider, the procedure is as follows.

- a) The Registrar will check the student's visa to ascertain the time of arrival in Australia, and use PRISMS to determine if the student has completed six months of their principal course.
- b) If the student has completed six months of their principal course, the application process proceeds as normal.
- c) If the student has not completed six months of their principal course, the Registrar will ask the student to provide an appropriate letter of release in support of their application.
- d) The Registrar refers the application to the relevant Head of School for assessment, as usual. If the Head indicates the student has satisfied the requirements for admission to the course, the Registrar can provide the student with a Conditional Letter of Offer which clearly states that an offer of a place is contingent on their obtaining a letter of release.
- e) If the student provides an appropriate letter of release, and has no outstanding fees or other outstanding issues to be resolved with the first provider, the application proceeds as for all overseas students.
- f) If no satisfactory letter of release is obtained from the student, the Registrar halts the application process, and informs the student in writing that they are unable to transfer at this time, but would be welcome to reactivate their application after the completion of the first six months of their principal course.
- g) The need for a letter of release may be waived in exceptional circumstances, such as the closure of the principal course or the failure of the first provider to maintain registration.

2. Students wishing to transfer from Excelsia College to another registered provider

Conditions for obtaining a release letter:

Obtaining a release letter from Excelsia College is conditional. Students must demonstrate that they satisfy one of the following conditions:

- The student has a conditional offer from Excelsia College and did not meet the conditions of their offer; or
- Continuing their course at Excelsia College is not in the best academic interest of the student; or
- There are special circumstances in favour of the student moving to another institution.

There are a range of other circumstances detailed in the National Code where a transfer request should be granted because it is in the best interest of the overseas student.

One such circumstance is where 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 an intervention strategy. It is important to note the report on the overseas student's course progress should occur even if the transfer request is granted (Registered providers still have discretion to refuse transfer requests from overseas students who are not genuinely engaging with an intervention strategy with the intention of failing and being released).

If the overseas student subsequently intends to study at a lower Australian Qualifications Framework (AQF) level, they will need to apply for a new student visa.

Another circumstance where a transfer should be granted is where there is evidence of compassionate or compelling circumstances:

'Compassionate or compelling' circumstances are generally those beyond the control of the overseas student and which have an impact upon the overseas student's course progress or wellbeing. These could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes
- bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
- major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies; or
- a traumatic experience, which could include:
 - involvement in, or witnessing of a serious accident; or
 - witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be supported by police or psychologists' reports)
- where the registered provider was unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.

Other circumstances in which a transfer should be granted are:

- 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 (such as correspondence between the overseas student and the college or marketing materials given to the overseas student prior to enrolment, and setting particular expectations about the course);
- 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.

Excelsia College has the right to refuse any request for a release letter if they do not meet one or more of the conditions listed above.

If the college refuses a student's request for a release letter, then they have the right to appeal using the Student Grievance Application.

Applying for a release letter

To apply for a release letter, students must:

- Obtain an offer from a new education institution.
- Apply to Excelsia College for a letter of release using the Transfer Education Provider form.
- Include a copy of the offer letter from the new education institution and any other supporting documentation. Excelsia College will assess and reply to the request within 10 working days.

If the application is approved, the student will be informed by email. At that point the student should formally withdraw from their course. The Registrar's office will also complete the following:

- Advise the student of the need to contact DHA to seek advice on whether a new student visa is required, and
- Report the student's termination of studies through PRISMS, and
- Report the student's termination of studies to the Head of School and LTC.

Denying a request for a release letter

A letter of release will not be granted to a student if:

- The student owes fees to Excelsia College.
- Excelsia College forms the view that the student is seeking transfer only to avoid being reported to DHA for failure to meet minimum academic progress requirements.

If the Registrar believes the request should be refused on grounds set out in this policy, the Registrar will inform the student in writing of a negative outcome with reasons, and indicate that the student may freely transfer between institutions after six months. The Registrar will also inform the student of their right to appeal the decision by accessing the Student Grievance Policy and Procedures.

Excelsia college will not finalise the student's refusal status in PRISMS until the appeal finds in favour of Excelsia, or the student has chosen not to access the appeals process within the 20 working day period, or the student withdraws from the process.

A letter of release is not required if the course for which the student has received a Confirmation of Enrolment (CoE) ceases to be offered by Excelsia College and ceases to be registered on CRICOS.

References and Related Documents

The National Code 2018, Standard 7.

Student Selection and Admission Policy and Procedure

Student Grievance Policy and Procedures

UTS, *International Students – transferring to another institution.*