

Student Transfer Policy

1.0 Purpose

- 1.1 The purpose of this procedure is to address standard 7: Overseas Student Transfers of the National Code 2018 transfer between registered providers

2.0 Responsibility

- 2.1 The Training Manager is responsible for the implementation of this procedure and to ensure that staff and students are aware of its application and that staff implement its requirements.

3.0 Requirements

- 3.1 Central Melbourne Institutes (CMI) must not actively recruit students where the recruitment would conflict with the requirements of this procedure and/or Standard 7 of the National Code 2018
- 3.2 No fee can be charged to the student by the Institute for issuing of release
- 3.3 Registered providers are restricted from enrolling transferring students in the first six months of their principal course of study except in accordance with Standard 7 of the National Code.
- 3.4 If a release is refused by a registered provider a student may appeal the provider's decision.
- 3.5 Student must maintain their enrolment at all times throughout this procedure
- 3.6 Hard copy release letter is not provided. Transfer request outcomes will be recorded in PRISMS.
- 3.7 Central Melbourne Institutes (CMI) must maintain records of overseas student transfer requests for two years after the student ceases to an accepted student.

4.0 Definitions

- 4.1 The principal course is the highest qualification covered by the student's visa, Standard 7 also applies to all courses of study prior to the student's principal course. Principal course of study: principal course of study is generally the final course of study covered by the overseas student's visa, transfer requirements apply to all courses of study prior to the overseas student's principal course.
- 4.2 PRISMS: Provider Registration International Student Management System
- 4.3 Compassionate or compelling circumstances that are generally beyond the control of the student and which have an impact upon the 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 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 student's studies; or
 - a traumatic experience which could include:
 - o involvement in, or witnessing of a serious accident; or
 - o Witnessing or being the victim of a serious crime, and this has affected the student (these cases should be supported by police or psychologists' reports).
 - where the registered provider was unable to offer a pre-requisite unit; orinability to begin studying on the course commencement date due to delay in receiving a student visa.

5.0 **Method for Release**

- 5.1 Students must lodge a written request to transfer, including that the student must have a letter of offer from another registered provider;
- 5.2 Applications for a letter of release will be considered by the Training Manager and responded to within 14 days of being received by the college.
- 5.3 A release will be granted in accordance with this procedure and only if the student can provide written confirmation that a valid enrolment offer has been made by another registered provider.
- 5.4 A release will normally be granted, within 7 working days of the application, in the following situations:
- CMI fails to deliver the course as outlined in the written agreement; or
 - there is evidence that the overseas student's reasonable expectations about their current course is not being met (such as correspondence between the overseas student and the registered provider or marketing materials given to the overseas student prior to enrolment, and setting particular expectations about the course)
 - The student can demonstrate they are experiencing threat to physical or mental health or safety by remaining at the college and can demonstrate clearly how this will be alleviated through a transfer; or
 - there is evidence that the overseas student was misled by the registered provider or an education or migration agent regarding the registered provider or its course, and the course is therefore unsuitable to their needs and/or study objectives.
 - The current course of study is clearly not consistent with documented course requested for on their application.
 - an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.
 - Once the release is granted student is advised to contact Department of Home Affairs to seek advice on whether whether a change in enrolment breaches a visa condition. The student can refer to the Department of Home Affairs website at: <https://www.border.gov.au/Trav/Stud/More/Changing-courses>
- 5.5 A release will normally not be granted in the following situations:
- The requirements of the written agreement have not been met by the student; or
 - The student does not satisfy any of the situations which normally lead to a release being granted; or
 - The proposed transfer will jeopardise the student's progression through a package of courses; or
 - The student has unsatisfactory course progress at the level they are studying, even after engaging with that CMI's intervention strategy assist overseas students and has been or is about to be reported to Department of Home Affairs; or
 - The student has unsatisfactory attendance and has been or is about to be reported to DHA; or
 - The student cannot provide a letter from another registered provider confirming that a valid enrolment offer has been made.
- 5.6 CMI will record all transfer request outcomes in the Provider Registration International Student Management System (PRISMS)
- 5.7 CMI will advise overseas students of the outcome of the transfer request through email or phone.
- 5.8 If a release is refused, reasons for the refusal will be documented in writing and the student will be notified the reason for refusal and the overseas student's is informed of their rights of appeal for internal complaints and appeals process (in accordance with Standard 10) within 20 working days.
- 5.9 CMI will not record release refusal status in PRISMS until:
- any appeal against the refusal lodged by the overseas student is finalised and upholds the CMI's decision not to release the student; or

- the overseas student did not access the CMI's complaints and appeals processes within 20 working days of being notified of the refusal; or
- the overseas student withdraws their appeal against the refusal.

Enrolling a transferring student

- 5.10 CMI will not knowingly enrol a student wishing to transfer from another registered provider's course prior to the student completing six months of his or her principal course of study, the overseas student must either obtain a release from their registered provider, or meet one of the following conditions:
- 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 had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing their course with that 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.
- 5.11 In the event that CMI knowingly enrolls a student wishing to transfer from another registered provider's course prior to the student completing six months of his or her principal course of study documentary evidence of at least one of the four conditions listed above must be obtained and placed in the transferring student's file.
- 5.12 CMI will not seek to enrol a student who has not yet completed six months of their principal course of study with another registered provider unless the requirements of the National Code are met and then only in accordance with this procedure.