



Overseas

Student Transfers Policy & Procedures

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2017	Overseas Student Transfer Policy	Policy and procedure created	Approved by Director
2019	Overseas Student Transfer Policy V1	Policy and procedure updated	Approved by Director
2021	IIB Overseas Student Transfer Policy and Procedure V2021.1	Policy and procedure updated	Approved by Director
29/11/2021	IIB Overseas Student Transfer Policy and Procedure V2021.2	Policy and procedure updated	Updated by Joanne G, approved by Director
24/01/2022	IIB Overseas Student Transfer Policy and Procedure V2022.1	Policy and procedure updated; header updated	Updated by Joanne G, approved by Director
10/05/2023	IIB Overseas Student Transfers Policy and Procedures V2023.1	Review and update	Updated by Campus Manager, approved by DOS and Director

Purpose & Scope

The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (The National Code) restricts providers from enrolling transferring students prior to the student completing six (6) months of their principal course of study (or for the duration of the course if the course is less than six months), except for some circumstances outlined in this Policy and Procedure.

This policy details the procedures for assessing applications to transfer prior to completion of 6 months of their principal course. Students who have studied longer than this period can apply as normal, and no letters of release need to be sighted or produced.

Institute of Intellect Blending's (IIB) policies support the intent of Standard 7, considers individual circumstances, and will provide a letter of release at no cost to the student if a successful application is made for release. IIB will always advise a transferring student of the need to contact DHA to seek advice on whether a new student visa is required.

IIB will ensure this policy is available to both staff and students by including it in the Staff Policy and Procedure Folder available on all staff computers and the Student Handbook.

This policy applies to:

- international students seeking to transfer to IIB within six months of their principal course.
- international students enrolled with IIB seeking to transfer prior to completing six months of their principal course.
- IIB Marketing, Admissions and Student Engagement staff.

Policy Statements

Under this policy, IIB will support the intent of the standard which recognises overseas students as consumers and supports them to exercise choice, while acknowledging that they may require support to transition to study in Australia.

IIB enrolling a transferring student from another provider

IIB will not knowingly enrol any overseas student wanting to transfer from another provider prior to the student having completed six (6) months of their principal course of study unless:

- the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered.
- the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course at that registered provider.

Policy Statements (cont.)

IIB enrolling a transferring student from another provider (cont.)

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

A release in PRISMS must be done by the previous provider to enable IIB to create a new CoE for the student.

Circumstances in which IIB will release the student

- For international students who wish to withdraw from studies at IIB prior to completing six months of their principal course and begin studies at another institution, IIB will grant the request if the transfer is deemed to be in the student's best interests. These circumstances can include:
 - The student must lodge a written request including a valid enrolment offer from another registered provider.
 - The overseas student is unable to achieve satisfactory course progress at the level they are studying, even after engaging with IIB's intervention strategy to assist the overseas student in accordance with Standard 8 (overseas student visa requirements)
 - There is evidence of compassionate or compelling circumstances.
 - IIB fails to deliver the course as outlined in the Acceptance of Offer document.
 - 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 IIB or an education or migration agent regarding the Institute 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.
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Refusing to provide a letter of release

Reasons for not releasing a student may include but not be limited to:

- The transfer may jeopardise the student's progression through a package of courses.
 - The student has recently started studying the course and the full range of support services are yet to be provided or offered to the student.
 - IIB will implement or is in the process of implementing an Intervention Strategy to support the student and review the issue within a timeframe negotiated with the student.
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Policy Statements (cont.)

Refusing to provide a letter of release (cont.)

- If the student is trying to avoid being reported to the Department of Home Affairs for failure to meet IIB's academic progress requirements.
- The student has outstanding fees.
- The student has not completed more than six months of their principal course.
- The student is experiencing course schedule conflict with personal, work, or non-study commitments.
- The student's claims cannot be supported by sufficient, authentic, and compelling evidence.
- The student does not have a valid letter of offer of enrolment from another provider.

When a request for release is refused, the student will be provided with a written response stating the reason for the refusal. The student will be given advice in writing that they may access the student complaints and appeals process within 20 working days as detailed in the Student Handbook if they seek a review.

Procedures

Procedures for current IIB students transferring to another provider prior to completing 6 months of their principal course

IIB will only allow a current overseas student to transfer to another provider prior to completing 6 months of their principal course if the following steps are followed:

1. Student must make a written request (e-mail is satisfactory) to the PEO, or their delegate to transfer from IIB.
2. The student must pay the non-refundable processing fee of \$250.00 whether the application is approved or not.
3. While their application is being considered, students must continue to attend all scheduled classes of their course until they have been notified of the outcome of their application.
4. The student provides a valid offer of enrolment from the new institution.
5. While IIB is under no obligation to release a student prior to completion of six months of study in their principal course, with the valid offer of enrolment, the Institute will assess the circumstances surrounding the transfer request (see policy above).
6. If the circumstances are deemed sufficient, and in accordance with policy, the letter of release will be granted at no charge to the student. The student will also be advised of the need to contact DHA to determine if they need to obtain a new visa.

Procedures (cont.)

- Procedures for current IIB students transferring to another provider prior to completing 6 months of their principal course (cont.)
7. If any of the information received regarding the transfer request is unclear, the PEO, or their delegate will need to interview the student and gain a fuller understanding of the circumstances.
 8. When a student transfers to another registered provider, IIB is required to inform the Department of Home Affairs via the PRISMS system on the date the release is effective unless otherwise requested in the application.
 9. If a release is not granted, the student will be notified in writing of the reasons for the decision. The student is advised that he/she can lodge an appeal against IIB's decision within 20 working days of the date of the decision and in accordance with IIB's Complaints and Appeals Policy and Procedure.
 10. IIB will not finalise the student's refusal status if applicable in PRISMS until the appeal finds in favour of the Institute, or the overseas student has chosen not to access the complaints and appeals processes within the 20-working day period, or the overseas student withdraws from the process.
 11. All transfer requests must be recorded on PRISMS regardless of whether they are approved or rejected. We can only record all approved transfer because we must do it in the course variation feature, once we click course variation its automatic approval of the transfer there is no rejected button.
 12. All requests, considerations, decisions, and copies of letters of release should be placed in the student's file.
 13. 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 independent of this policy.
 14. IIB will maintain records of all requests from overseas students for a release and the assessment of, and decision regarding, the request for two years after the overseas student ceases to be an accepted student.
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- Students applying to transfer to IIB from other education providers
- IIB will not knowingly enrol a student wishing to transfer from another registered provider's course prior to the student completing six months of the principal course of study except where:
- the original registered provider has released the student via PRISMS.
 - 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 Australian Government or state or territory government that prevents the student from continuing their principal course.
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Procedures (cont.)

Students applying to transfer to IIB from other education providers (cont.)	<p>When the Conditional Letter of Offer is issued to a student that has been with their previous registered provider for a period of less than six months of their principal course, IIB Admissions will advise the applicant that they will need to provide the appropriate documentation (for example, release on PRISMS from their previous registered provider; evidence that their original provider has ceased to operate or has a sanction imposed on it; or written support from a government sponsor) before a CoE can be issued.</p> <p>IIB Admissions will not create a new CoE via PRISMS and will advise applicant that a CoE not be issued until the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS.</p>
Timeframe for assessing and replying to a transfer request	<p>IIB will decide regarding accepting or refusing a transfer request within 10 working days of receiving a written request. In situations where students are eligible for a Letter of Release, IIB will provide such a letter within 10 working days of receiving a written request.</p>
Retention of records requests	<p>IIB Institute will ensure that records of all requests from overseas students for a release, the assessment of, and the decision regarding, the request for two years after the overseas student ceases to be an accepted student.</p>

Reference

National Code - Standard 7 Overseas student transfers

- 7.1 Registered providers must not knowingly enrol an overseas student seeking to transfer from another registered provider's course prior to the overseas student completing six months of his or her principal course (or for the school sector, until after the first six months of the first registered school sector course), except where any of the following apply:
 - 7.1.1 the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered.
 - 7.1.2 the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course at that registered provider.
 - 7.1.3 the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS.
 - 7.1.4 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.
- 7.2 For the purposes of Standard 7.1.3, the registered provider must have and implement a documented policy and process for assessing overseas student transfer requests prior to the overseas student completing six months of their principal course (or for the school sector, until after the first six months of the first registered school sector course). The policy must be made available to staff and overseas students, and outline:
 - 7.2.1 the steps for an overseas student to lodge a written request to transfer, including that they must provide a valid enrolment offer from another registered provider.
 - 7.2.2 circumstances in which the registered provider will grant the transfer request because the transfer is in the overseas student's best interests, including but not limited to where the registered provider has assessed that:
 - 7.2.2.1 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 that registered provider's intervention strategy to assist the overseas student in accordance with Standard 8 (Overseas student visa requirements)
 - 7.2.2.2 there is evidence of compassionate or compelling circumstances.
 - 7.2.2.3 the registered provider fails to deliver the course as outlined in the written agreement.

Reference (cont.)

- National Code -
Standard 7
Overseas student
transfers
(cont.)
- 7.2.2.4 there is evidence that the overseas student's reasonable expectations about their current course are not being met.
 - 7.2.2.5 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.
 - 7.2.2.6 an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.
 - 7.2.3 the circumstances which the registered provider considers as reasonable grounds to refuse the transfer.
 - 7.2.4 a reasonable timeframe for assessing and replying to the overseas student's transfer request having regard to the restriction period.
 - 7.3 If the overseas student is under 18 years of age:
 - 7.3.1 the registered provider must have written confirmation the overseas student's parent or legal guardian supports the transfer.
 - 7.3.2 where the overseas student is not being cared for in Australia by a parent or suitable nominated relative, the receiving provider must confirm it accepts responsibility for approving the student's accommodation, support, and general welfare arrangements in accordance with Standard 5 (younger overseas students).
 - 7.4 If a release is granted, it must be at no cost to the overseas student and the releasing registered provider must advise the overseas student to contact Immigration to seek advice on whether a new student visa is required.
 - 7.5 If the registered provider intends to refuse the transfer request, they must inform the overseas student in writing of:
 - 7.5.1 the reasons for the refusal
 - 7.5.2 the overseas student's right to access the provider's complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.
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Reference (cont.)

National Code - Standard 7 Overseas student transfers (cont.)	7.6	The registered provider must 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 overseas student withdraws from the process.
	7.7	The registered provider must maintain records of all requests from overseas students for a release and the assessment of, and decision regarding, the request for two years after the overseas student ceases to be an accepted student.
