



International Student Transfer Policy and Procedure

Academic Board Approved Document

Churchill Institute of Higher Education

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Version Control

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Related Legislation	<p>Higher Education Standards Framework (Threshold Standards) 2021 (Cth)</p> <p>Tertiary Education Quality and Standards Agency Act 2017</p> <p>Australian Qualifications Framework 2013</p> <p>National Code of Practice for Providers of Education and Training to Overseas Students 2018</p> <p>Education Services for Overseas Students (ESOS) Act 2019</p>
Higher Education Standards Framework (Threshold Standards) 2021 (Cth)	<p>B1.1 "Higher Education Provider" Category</p> <p>Standard 1.1; ss 2</p> <p>Standard 1.2; ss 1 – 2</p> <p>Standard 1.5; ss 7</p> <p>Standard 2.4;</p> <p>Standard 7.2; ss 2</p>

Benchmarking Institutes	<p>Australian Institute of Higher Education Macquarie University Western Sydney University International College of Management Sydney</p>
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1. Purpose

The International Student Transfer Policy and Procedure ('the Policy') outlines the circumstances under which Churchill Institute of Higher Education ("the Institute") will consider the application of a student for transfer to/from the Institute to/from another registered provider before completing 6 months of their principal course of study and to ensure that the Institute complies with the National Code of Practice for Providers of Education and Training to Overseas Students 2018 with regard to restriction on international student transfer.

2. Definitions

For definitions, refer to the *Dictionary of Terms*.

3. Scope

This Policy applies to all prospective and enrolled international students of the Institute and relevant staff. It should be noted that the procedures outlined in this Policy do not substitute or alter procedures or other duties that may occur under other policies or statutes or any other legislation. This Policy should be read in conjunction with other related policies.

4. Policy Statement

- 4.1 The Institute is dedicated to the well-being of its students and to ensuring that all students receive adequate support and to facilitating the transition to life and study in Australia.
- 4.2 The Institute encourages all students to closely read this Policy when considering applying for transfer from or to another registered provider.
- 4.3 There is no cost of issuing a Letter of Release to the students.

5. Policy Details

5.1 This section relates to students who seek to transfer from another registered provider to the Institute. The only circumstances in which a student may be approved for enrolment at the Institute before finishing 6 months of their main course of study with another registered provider are when one of the following applies:

- 5.1.1 the initial registered provider has authorised release on PRISMS; or
- 5.1.2 the initial registered provider has been sanctioned by the government for its registration, which prohibits the student from continuing their main course of study at that institute; or
- 5.1.3 the student's government sponsor believes that the change is in the best interest of the student and has provided written support for the change; or
- 5.1.4 the original registered provider is no longer registered, or the course in which the student is enrolled has ceased to be registered.

Note that international students wishing to transfer to the Institute must comply with the Student Admissions Policy and Procedure of the Institute and satisfy the criteria for admission to the course in all conditions.

5.2 This section relates to students who seek to transfer to another registered provider from the Institute. The following factors will be taken into consideration when making an assessment:

- 5.2.1 whether the student requesting a transfer has a clear knowledge of what the transfer represents for their study options;
- 5.2.2 whether the student has discussed with the Dean the reasons for seeking a transfer;
- 5.2.3 whether the student seeks to transfer to another registered provider solely to prevent reporting to the Department of Education and Training (DET) or the Department of Home Affairs for failure to satisfy the demands of academic advancement;
- 5.2.4 whether the student has outstanding tuition fees due to the Institute.

- 5.3 The Institute will grant an international student request for transfer prior to completing six months of their principal course when it is considered circumstances exist that suggest the transfer is in the student's best interest. Such circumstances include (but are not limited to):
- 5.3.1 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 the Institute's intervention strategy to assist students
 - 5.3.2 evidence of compassionate or compelling circumstances
 - 5.3.3 the Institute fails to deliver the course as outlined in the written agreement
 - 5.3.4 evidence that the overseas student's reasonable expectations about their current course are not being met
 - 5.3.5 evidence that the overseas student was misled by the Institute or an education or migration agent regarding the Institute or its course, and the course is therefore unsuitable to the student's needs and/or study objectives
 - 5.3.6 an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.

6. Procedure

- 6.1 Students who seek to transfer from another registered provider to the Institute.
- 6.1.1 The Institute receives a request from an onshore student who is currently studying at another registered provider.
 - 6.1.2 Using the student's passport information, including their student visa and the date the student arrived in Australia, the Institute will determine whether the student has completed 6 months of their main study course with the other registered provider.
 - 6.1.3 If the student has completed 6 months study in their principal course of study, the application process proceeds as for all other onshore international student applications.
 - 6.1.4 If the student has not completed 6 months study in their principal course of study, they are required to provide a Letter of Release from the registered provider of the principal course. The Institute will 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 from the registered provider that they are currently studying with.
 - 6.1.5 If the student is a government sponsored student, they are required to provide written support from their sponsor agreeing to the change which will stand in lieu of a Letter of Release.
 - 6.1.6 Once a Letter of Release is received by the Institute, the application proceeds as for all other onshore international student applications.
 - 6.1.7 If a Letter of Release is not provided by the student, the application process will be placed on hold and the student notified that at this moment they are unable to transfer. The student will be encouraged to re-activate their request after completing their main course of study for 6 months.
 - 6.1.8 In the conditions where the initial institution or course has stopped being registered or the Australian government has imposed sanctions on the initial institution that do not allow the student to continue the course, no release letter is needed.
- 6.2 Students who seek to transfer to another registered provider from the Institute.
- 6.2.1 The international student will present, in person, to the Institute and provide the Course Withdrawal Form. An exit interview will be arranged by the Student Support Officer with the Dean or nominee where the student will provide an initial copy of a valid offer letter from the registered provider to which the student wants to transfer.
 - 6.2.2 If the transfer application is successful, the student would be required to complete an Exit Checklist that includes clearance from the Librarian & Information Service Manager and Accounts Officer/Manager. The Academic Manager will:
 - i. discuss the reasons for the student wishing to transfer to another registered provider;

- ii. sight the original Letter of Offer from the registered provider that the student wishes to transfer to;
- iii. make a copy of the Letter of Offer.
- iv. Keep the copy of the Letter of Offer for 2 years.

7. Decisions

Students will be notified in writing of the results of the application to transfer the completed International Student Release Application Form to another registered provider within 10 working days of lodging.

7.1 Request Granted

If the Institute decides to grant a Letter of Release, the Academic Manager will write to the student immediately, and provide:

- 7.1.1 Letter of Release;
- 7.1.2 Form of Withdrawal;
- 7.1.3 notification that the student's Confirmation of Enrolment (CoE) will be cancelled on PRISMS and the student should contact the Department of Immigration and Border Protection (DIPB) to seek guidance if a new student visa is necessary;
- 7.1.4 advice that the student may apply for reimbursement under the Refund Policy of the Institute.

7.2 Request Denied

If the Institute decides to deny a Letter of Release, the Academic Manager will write to the student immediately, and provide the student with:

- 7.2.1 the reason(s) for the decision not to grant a Letter of Release;
- 7.2.2 advice that he or she may voluntarily transfer after 6 months of completion of his or her main course; and
- 7.2.3 information on the right of the student to appeal the decision in accordance with the appeal proceedings of the Institute. The student will be advised they must exercise their right of appeal within 20 working days of receiving notice of the decision.

8. Appeal

- 8.1 If the student is not satisfied with any decision, the student has the right to appeal the decision in accordance with the Student Grievance Management Policy. In this event, the Institute will maintain the student's enrolment in the course or courses in which he or she is enrolled to study until the appeals process is completed.
- 8.2 The student must exercise their right to appeal the decision not to grant a Letter of Release within 20 working days of being notified of the decision by the Institute.

9. Record Keeping

- 9.1 The Institute will maintain a register of all requests for release received from overseas students. The register will include details of the assessment of, and decision regarding, each student's request. Records will be maintained for a minimum period of two years after the overseas student ceases to be a student of the Institute (or longer if required by other legislation).