

## International Student Transfer Policy

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Responsible Officer	CEO

### 1. Purpose

This policy describes the principles and procedures that govern the transfer of international students into and out of all CRICOS registered courses of study offered by IKON Institute of Australia.

### 2. Scope

This policy describes the principles and procedures that govern decisions around whether an international student studying with another provider will be accepted for enrolment, in addition to the policies and processes which determine whether an application to transfer to another provider will be accepted.

### 3. Definitions

**Campus:** An education facility or site of the registered provider where classroom-based teaching or off the job training occurs.

**Compassionate:** Family, medical or well-being reasons for supporting a transfer.

**Compelling:** Circumstances that are generally beyond the control of the student, which affect their course progress or well-being.

**Confirmation of Enrolment (CoE):** A document, provided electronically, which is issued by the registered provider to intending overseas students and which must accompany their application for a student visa. It confirms the overseas student's eligibility to enrol in the particular course of the registered provider.

**Course:** A course of education or training as defined by the ESOS Act.

**CRICOS:** The Commonwealth Register of Institutions and Course for Overseas Students (CRICOS) is the register prescribed under section 10 of the ESOS Act.

**Education Agent:** A person or organisation (in or outside Australia) who recruits overseas students and refers them to education providers. In doing so, the education agent may provide education counselling to overseas students as well as marketing and promotion services to education providers. Education agent does not refer to an education institution with whom an Australian provider has an agreement for the provision of education (that is teaching activities).

**Enrolment:** Where a student has been issued with a CoE to confirm acceptance by the registered provider and is occupying a place in the CRICOS registered course for which the student was accepted and is progressing towards the completion of the course requirements. The period of enrolment includes scheduled breaks between study periods.

**ESOS:** Education Services for Overseas Student Act 2000 (ESOS Act).

**Government Sponsored:** An Australian or foreign Government sponsored student for study in Australia.

**Letter or Release:** A letter authorising a student to be released from one provider so that they are able to enrol with another provider.

**Original Provider:** Education provider from whom a student is seeking to transfer.

**Overseas/International Student:** A person (whether within or outside Australia) who holds a student visa as defined by the ESOS Act, but does not include students of a kind prescribed in the ESOS Regulations.

**Principal course of study:** The principal course of study refers to the main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study. The principal course of study would normally be the final course of study where the overseas student arrives in Australia with a student visa that covers multiple courses.

**PRISMS:** The Provider Registration and International Student Management System (PRISMS) is the system used to process information given to the Secretary of DEEWR by registered providers.

**Receiving Provider:** The provider with whom the student is intending to enrol.

**Provider Default:** Where the registered provider fails to provide a course of ceases to provide a course to an overseas student in accordance with section 27(1) of the ESOS Act.

**Registered Provider:** As defined in section 5 of the ESOS Act, the registered provider for a course for a state, means an approved provider that is registered on CRICOS as a provider for the course for the state.

**Student Visa:** An authorisation permitting people who are not Australian citizens or permanent residents to come to Australia for the primary purposes of studying in Australia as defined by the *Migration Act 1958*.

**Transfer between registered providers:** An international student who applies to transfer to or from another CRICOS registered provider.

**Working days:** Any day other than a weekend, public holiday or day when IKON Institute is closed for business.

#### 4. Principles

- 4.1 IKON Institute of Australia will not knowingly enrol or attempt to enrol any student currently enrolled with another provider within 6 months of the student commencing their principal course.
- 4.2 IKON Institute of Australia will assess any application for a letter of release fairly against the criteria set out within this document, with the Student's best interest being the guiding principle.
- 4.3 Appeals will be heard and decisions communicated expediently and following the guidelines laid out in this document.

#### 5. Roles & Responsibilities

- 5.1 The Heads of Faculty are responsible for all decisions regarding overseas students transferring into or out of an IKON Institute of Australia course.
- 5.2 The Academic Board is responsible for conducting, recording and communicating outcomes of any appeals by overseas students.

#### 6. Students seeking to transfer to IKON Institute of Australia

- 6.1 International students within the scope of this policy who seek to transfer to IKON Institute of Australia prior to completion of the first 6 calendar months of their principal course, will be issued with a CoE only if:
  1. The original registered provider has ceased to be registered;
  2. The original registered provider has provided a written letter of release;
  3. 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; or
  4. 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

#### 7. Procedure for Students seeking to transfer to IKON Institute of Australia

- 7.1 The student must:
  - Complete the normal admissions process for International students, indicating whether applying to transfer within the first six months of their principal course;
  - Lodge the application with Student Admissions, including Letter of Release

#### Assessment of application

- 7.2 If the student is seeking to transfer within the first six months of the principal course, Student Admissions must:
  - Sight the Letter of Release issued to the student;
  - Check PRISMS to confirm whether a Letter of Release is required and check the International Application form to determine whether or not a student is currently studying with another provider

- Issue a Confirmation of Enrolment (CoE) if release is confirmed and if the student is eligible for the course for which they have applied and has an offer for this course.
- 7.3 If the student is not seeking to transfer within the first six months of the principal course, Student Admissions will process the application in accordance with standard business practices.
- 8. Student seeking to transfer from IKON Institute of Australia**
- 8.1 International students seeking to transfer from IKON Institute of Australia to another registered provider prior to completion of the first 6 calendar months of their principal course must seek approval to transfer and obtain a Letter of Release.
- 8.2 IKON Institute will issue a Letter of Release only if:
1. The course is academically unsuitable for a student – eg where a student is better suited to a different learning environment or the course does not meet his/her educational or development needs or
  2. Compassionate or compelling reasons for the transfer exist
- 8.3 As required by ESOS NC07, S7.3, before the Letter of Release is issued the student must present a valid letter of offer of enrolment with the receiving provider
- 8.4 In accordance with ESOS NC07, S7.2 (b) IKON Institute of Australia will refuse the issue of a Letter or Release if the transfer would be considered detrimental to the student and the circumstances for approving the grant of a Letter of Release have not been satisfied. A student who has unpaid course fees for the current study period will be refused the issue of a Letter of Release. Factors that would be considered detrimental to the student include:
- A transfer would jeopardise a student’s progress through a package of courses
  - A student requires or has access to particular support services that will not be delivered by the receiving provider or accessible by the student following the transfer
- 8.5 IKON Institute of Australia will assess and respond to the application within 10 working days.
- 8.6 ESOS NC07, S7 states that the Letter of Release, if granted, must be issued at no cost to the student. Where a request for a Letter of Release is refused, the student must be advised in writing of the reasons for the refusal and of the right to appeal the decision. Records of all requests for letters of release, the assessment of the application and the decision will be maintained within the student management system.
- 9. Procedure for Students seeking to transfer from IKON Institute of Australia**
- 9.1 The student must provide a written letter to the IKON Institute of Australia detailing the reasons for their request to transfer to another institution and how they will benefit from the transfer.
- 9.2 Students who have not yet commenced their principal course at IKON Institute of Australia submit the application to Student Admissions. Students who have commenced their principal course, but have not completed 6 calendar months of that course, submit the application to their Head of Faculty.
- 9.3 Students must supply the following information or supporting documentation:

- A statement of reasons for the Release request
- A copy of the Letter of Offer from the new receiving registered provider

#### Assessment of Applications

9.4 The application will be assessed only if the student provides complete documentation as outlined above.

9.5 The Head of Faculty will make a decision on the application and provide a response to the student within 5 working days.

#### Issue of approval or refusal letter

9.6 The Head of Faculty must:

- Issue an approval or refusal letter within 24 hours of a decision being made
- Place on the Student Management Systems:
  - A copy of the application and supporting documents
  - A copy of any notes used in making the determination
  - A copy of the letter issued to the student

#### Right to Appeal

9.7 If the application for a Letter of Release is refused, the student can lodge an appeal with the IKON Institute of Australia. In accordance with standard 8 of the National Code 2007 the appeal process must commence within 10 working days of the formal lodgement of the appeal and every reasonable effort is taken to finalise the process as soon as practicable.

#### Student discontinuation following Release approval

9.8 If the application for a Letter of Release is approved and the student wishes to accept an offer at another institution, it is the student's responsibility to formally withdraw from their course at IKON Institute of Australia, following **ESOS006 International Deferral and Withdrawal Policy** available in the student handbook and on the IKON Institute of Australia website.

#### 10. Publication

This policy is to be published for students in the relevant publications and on the IKON Institute of Australia website to ensure prospective students and IKON Institute of Australia staff have up to date and accurate information.

#### 11. Related Forms:

#### 12. Related Policies:

ESOS006 International Deferral and Withdrawal Policy

ESOS003 International Student Selection and Admission Policy and Procedure

S002 Student Grievance Policy and Procedure