

PURPOSE

The purpose of this policy is to ensure that:

- Sapience College (SC) does not enrol transferring students prior to the student completing six months of their principal course of study except for the circumstances outlined in this Policy.
- SC has a policy and process for assessing student applications to:
 - transfer from SC before completing six months of their principal course
 - transfer to another course provided by SC

This ensures compliance with Standard 7 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018. This policy explicitly states the criteria regarding the enrolment of overseas students who are within their first six months of a course with another provider and emphasise the necessity of a formal release.

DEFINITIONS

DE means Department of Education

DHA means Department of Home Affairs

PRISMS mean Provider Registration and International Student Management System (PRISMS)

Six months means six calendar months from the date that the student commences their studies

Course Package means a package of courses included on a student's Visa that usually includes the principle course and any approved pre-requisite courses

Registered Provider means an Australian education provider approved to offer courses to overseas students and registered on CRICOS (the Commonwealth Register of Institutions and Courses for Overseas Students).

POLICY

All decisions made by SC about student transfer requests will be made in accordance with this policy and procedure, will be fair and consider the student's individual circumstances and any other relevant factors.

1. Transferring from another registered provider

- SC will not knowingly enroll a student wishing to transfer from another registered provider's course prior to the overseas student completing six months of his or her principal course unless one or more of the following conditions apply:
 - the releasing registered provider or the course in which the 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 student from continuing his or her principal course at that registered provider.
 - 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 student considers the change to be in the student's best interest and has provided written support for that change.

2. Transferring to another registered provider

- For SC students seeking to transfer to another registered provider's course of study prior to completing six months of their principal course, the transfer request will be assessed and granted in any of the following circumstances:
 - the student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with SC'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.
 - SC fails to deliver the course as outlined in the student agreement.
 - there is evidence that the student's reasonable expectations about their current course are not being met.
 - there is evidence that the student was misled by SC or an education or migration agent regarding SC 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 student.
- A transfer to another course will not be granted where:
 - 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. In this case, the student will be requested to wait a further 4 weeks before applying for a transfer to another registered provider during which time the full range of support services will be provided to the student.
 - The student is trying to avoid being reported to DHA for failure to meet the provider's attendance or academic progress requirements.
 - There are no legitimate compassionate or compelling circumstances.
- For a request for transfer to be considered and a letter of release provided, students must provide a valid offer of enrolment from another registered provider.
- The outcome of the student's application for course transfer will be provided in writing within 10 working days of receipt of application.
- Where a student's application is refused, the reasons for this will be communicated plus the right to access the complaints and appeals process as outlined below.

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.

3. Transferring to another course offered by SC

- Students may transfer to another course offered by SC in the following circumstances:
 - Where it is considered that the course that the student wishes to transfer to.
 - better meets the study capabilities of the student; and/or
 - better meets the long-term goals of the student, whether these relate to future work, education or personal aspirations; and/or
 - where the student claims or can provide evidence that his or her reasonable expectations about the current course are not being met.
- A transfer to another course within SC will not be granted where:
 - 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.
 - The student is trying to avoid being reported to DHA for failure to meet the provider's attendance or academic progress requirements.
- For a request for transfer to be considered, students must complete an *Internal Course Transfer Application Form*.
- The outcome of the student's application for course transfer will be provided in writing within 10 working days of

receipt of application.

- Cost involved in transferring to another course plus any refund of course fees paid for the student's current course will be in accordance with SC's *Fees, Charges and Refunds Policy and Procedure*.

4. Visa advice

All students who are either considering a course transfer, or have had their transfer request approved, will be advised that they must contact DHA to seek advice on whether a new visa is required. To find out more about visa requirements, students will be advised to contact DHA on 131881 or visit the following website: <https://www.homeaffairs.gov.au/trav/stud>

5. Complaints and Appeals

Where the decision is made to refuse a course transfer or SC does not respond to the request in the timeframe set out in this Policy, the student may appeal against the decision by accessing SC's *Complaints and Appeals* process within 20 days. If the appeal finds in favour of a student wishing to transfer, a letter of release will be granted.

The refusal status will not be finalised in PRISM until the complaints and appeals process is finalised within the 20 working day period or the student withdraws from the course.

6. Records

All records relating to course transfers will be kept for two years after the student ceases to be an enrolled student. This includes requests for release, the assessment of the request and the decision.

7. Publication

This policy is provided to students in the *Student Handbook (International)*, which is provided to students prior to or upon commencement of a course, and via SC's website.