

CHSQF040 Overseas Student Transfer Between Registered Providers Policy & Procedures

Contents

1. Purpose.....	2
2. Scope	2
3. Definitions	2
4. Policy Statements	3
4.1 Exceptional or Special Circumstances.....	3
4.2 Transferring to CHS from a Registered Provider	3
4.3 Transferring from CHS to Another Registered Provider	4
5. Procedure	5
5.1 Transferring from CHS to Another Registered Provider	5
5.2 Grounds for Granting a Release.....	5
5.3 Unsuccessful Request and Reasons for Refusal	6
5.4 Transfer to CHS Within the First Six Months of Study.....	6
5.5 Outstanding Fees and Charges	7
5.6 Refunds.....	7
5.7 Appeals.....	7
6. Focus on First Trimester Students	7
7. Responsibilities.....	8
8. Records	8
9. Related Documents	8
10.Related legislation.....	8
11. Version Control	9

1. Purpose

To inform students and staff of CHS's policy and procedures relating to transferring from or to another registered provider.

2. Scope

This policy applies to all overseas students as well as all staff involved either directly or indirectly with administering transfer requests.

3. Definitions

Term	Definition
Appeal	The review of a decision made by CHS under this policy.
Course	A program of study leading to a formal CHS qualification.
Credit	The positive balance of a student account, being a balance greater than zero, because of an over-payment of fees to CHS.
Exceptional or Special Circumstances	Compassionate or compelling situations which are generally beyond the control of the student and which have an adverse impact on the student's capacity and/or ability to commence their course or to satisfactorily progress in their course.
Evidence	Will vary regarding the specific circumstances but could include: relevant Department of Home Affairs visa documents; relevant travel documents; relevant media reports relating to a natural disaster impacting on a student's area of residence; a relevant medical, death or birth certificate; a police incident report; a social worker's report; and/or a psychologist's report. Certificates not written in English must be translated into English by approved NAATI translators.
Principal course	The final course providing the highest qualification in a student's sequenced package of courses
PRISMS	Short for Provider Registration and International Student Management System. This site provides Australian education providers with the Confirmation-of-Enrolment (CoE) facilities required for compliance with the Education Services for Overseas Students (ESOS) Legislation
Refund	An overpayment of fees or charges that is reimbursed to the payee.
SMS	Student Management System
Student	Any person who is enrolled in any course or program offer at, or in conjunction with, CHS.

4. Policy Statements

4.1 Exceptional or Special Circumstances

Such circumstances include, but are not limited to:

- serious illness or injury, supported by a verified medical certificate;
- bereavement of close family members such as parents, siblings or grandparents (where possible a death certificate should be provided);
- the student recently giving birth or a student's partner recently giving birth, thus preventing commencement on the published start date or attendance for some time through the course (with supporting documentation);
- major political upheaval or natural disaster in the home country that has impacted on the student's studies; and
- a circumstance that is generally beyond the control of student which could include:
 - involvement in, or witnessing of a serious accident; or
 - where the registered provider was unable to offer a pre- requisite unit;
 - inability to being studying on the course commencement date due to delay in receiving a student visa.

4.2 Transferring to CHS from a Registered Provider

Overseas students may transfer to CHS from another registered provider, provided they have completed at least six months of the course in which they are enrolled in.

CHS will not knowingly enrol a student wishing to transfer from another registered provider prior to the student completing six months of his/her course at the other provider, except where:

- Either the other registered provider or the course in which the student is enrolled ceases to be registered; or
- The other registered provider has agreed to the student's release and recorded the date of effect and reason for release in PRISMS; or
- The other registered provider has had a sanction imposed on its registration by the government that prevents the student continuing in his/her course; or
- Any government sponsor of the student considers the change to be in the student's best interest and has provided written support for the change.

CHS will not actively recruit a student from another registered provider before the student has completed six months of his or her principal course. CHS does not admit or enrol Overseas students who are under 18 years of age.

Students wishing to transfer to CHS from another registered provider are required to apply for admission using the on-line admission form on the College website. Students applying for recognition of prior learning are strongly advised to read the College's Recognition of Prior Learning Policy and to apply on-line using the Recognition of Prior Learning Form.

4.3 Transferring from CHS to Another Registered Provider

Overseas students may transfer from CHS to another registered provider at no cost to the student, provided they have completed at least six months of the course in which they are enrolled at CHS, and the student has a valid enrolment offer from the receiving registered provider.

Overseas students may request to transfer from CHS to another registered provider before they have completed six months of the course in which they are enrolled. Requests for transfer in these circumstances will be assessed by the Registrar, and will only be granted where the transfer is in the student's best interest:

- The student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with CHS's intervention strategy to assist the student in accordance with Standard 8 of the National Code 2018; or
- There is evidence of compassionate or compelling circumstances; or
- CHS has failed to deliver the course as outlined in CHS's Letter of Offer; or
- There is evidence that the student's reasonable expectations about their current course are not being met; or
- There is evidence that the student was misled by CHS or an education agent regarding CHS or its course and the course is therefore unsuitable to their needs and/or study objectives; or
- An appeal (internal or external) on another matter results in a decision or recommendation to release the student.

If a release is granted, it will be at no cost to the student and CHS will advise the student of the need to contact the Department of Home Affairs to seek advice on whether a new student visa is required.

A request for transfer to another provider will not be granted where it is considered the transfer may be detrimental to the student if:

- The transfer may jeopardise the student's progression through a package of courses; or
- The student only recently commenced studies in the course and the full range of support services are yet to be accessed; or
- The student is the subject of procedures which could lead to their being reported to DIBP for breach of their student visa conditions and/or breach of the CHS Student Code of Conduct.

Where a request for transfer is not granted, the Registrar will provide the student with a letter outlining the reason/s for the request being refused and the student's right to access CHS's complaints and appeals processes under CHS's Student Grievance and Appeals Policy.

CHS will not finalise the student's status in PRISMS until the appeal process is completed, or the student has chosen not to access the complaints and appeals processes within the 20-working day period, or the student withdraws from the appeals process.

CHS will maintain records of all requests from students for a release and the assessment of, and decision regarding, the request for two years after the student ceases to be an enrolled student.

5. Procedure

5.1 Transferring from CHS to Another Registered Provider

Overseas students seeking to transfer from CHS to another registered provider must complete a Request for Withdrawal or Release from Studies form and following information:

- A written explanation, supported by appropriate evidence of the reasons for the transfer request which constitutes exceptional or special circumstances;
- A letter of offer from another registered provider confirming that an unconditional offer has been made to student; and
- Any other documents requested by the Registrar.

The Registrar will ensure the student has no outstanding obligations or debts. Students will need to clear any outstanding debts before a release is authorised. The Registrar may also request the student to attend an appointment to discuss their application.

The Registrar will inform the student in writing of the outcome within ten working days of receiving the request. The notification will also include that the Overseas student should contact the Department of Immigration to seek advice on whether a new student visa is required. If a release is granted, the student will be released at no cost and the date of effect and reason for release will be recorded in PRISMS.

5.2 Grounds for Granting a Release

The Registrar will grant the transfer request because the transfer is on the student's best interests, including but not limited to where CHS has assessed that:

- The student will be reported because they are unable to achieve course progress at the level they are studying, even after engaging intervention strategy to assist the student in accordance with the overseas student visa requirements.
- There is evidence of exceptional and special circumstances
- CHS has failed to deliver the course as outlined in the written agreement
- There is evidence that the student's reasonable expectations about course are not being met.
- The student can provide evidence that they were misled by CHS or an education agent regarding the CHS course and the course is therefore unsuitable to their needs and/or study objectives.
- The student has appealed (internal or external) a decision on another matter resulting in a decision or recommendation to release the student.

The students will not be granted release during the first six months of the course, except where any of the following apply:

- the College or the course in which the overseas student is enrolled, has ceased to be registered
- the College 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
- the College 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.

5.3 Unsuccessful Request and Reasons for Refusal

The Registrar's assessment of an application to transfer and granting of a release can be refused on the grounds:

- The student has outstanding debts to CHS; and/or
- The transfer would not be in the best interests for the educational progress of the student; and/or
- The transfer would be in breach of the Genuine Temporary Entrant requirements applied to the original student visa application; and/or
- A student's change of mind about their chosen course of study is not considered a genuine reason for transfer; and/or
- The student is at risk of not achieving satisfactory course progress due to circumstances within their control and has received a warning letter. Students are advised to access academic support in this situation; and/or
- The student has breached the terms of their written agreement, which they had signed confirming that they completely understood CHS policies and procedures; and/or
- The College has issued the student with a letter of intention to report to Department of Immigration; and/or
- The student cannot provide a valid enrolment offer from another registered provider; and/or
- There is no evidence of exceptional or special circumstances.

When the application for release has been unsuccessful, the Registrar will provide the student with a written notification of the decision, including an explanation of the reason/s for refusal. The student may be advised of the option to withdraw from their course; however, this will not act as a release and the student is advised that in such a case they should contact the Department of Immigration to check the status of their student visa.

The student will be informed of their right to appeal the decision to refuse the transfer request within 20 working days, in accordance with the Student Complaints and Appeals Policy.

If the student appeals the decision, the College will not finalise the student's status in PRISMS until the appeal has been determined. However, if the overseas student chooses not to access the complaints and appeals processes within the 20 working day period, or the overseas student withdraws from the process, the College will update PRISMS.

5.4 Transfer to CHS Within the First Six Months of Study

Applications for enrolment are received and registered by the Admissions Department. The Admissions Team will assess applications against the exceptional and special criteria in the Policy section of this document, considering that it is the CHS's expressed policy not to enrol any overseas student in any course at CHS in the first six months of their commencement of their studies with their first provider.

If the application is considered eligible for admission, the Admissions Team will enrol a student as described in the CHS Admissions Policy and Procedures and *CHS Enrolment Policy and Procedures*.

5.5 Outstanding Fees and Charges

- Where outstanding fees are payable by the student, the Accounting staff will arrange for a final invoice to be issued to the student. No Statement of Attainment or Interim Academic Transcript will be issued for course units already completed until the outstanding payment is made, as per CHS's Student Fees Policy.
- Student Services staff will update the student record within the Student Management System with all relevant information and attach a final summary report of the outcome, which can be accessed by the student through the system.

5.6 Refunds

Where student's application for release has been successful the student may apply for a refund of unspent tuition fees. The Accounting staff shall follow the College's Refund Policy to determine if the student is entitled to any refund. The College shall pay the refund amount if any by electronic transfer to the student's account and advise the student of the amount of refund he or she is entitled to and the grounds for the same (refer CHS Overseas Students Withdrawal and Refund Policy and CHS Overseas Students Refund Procedure).

5.7 Appeals

If a student is not satisfied with the outcome of the transfer application, the student is entitled to appeal by completing the on-line CHS Student Academic Appeal Application Form– the procedure for appealing is outlined in the *CHS Student Academic Grievance and Appeals Policy & Procedures and CHS Student Non-Academic Grievance and Appeals Policy & Procedures*.

6. Focus on First Trimester Students

The College is committed to the welfare and success of its students and shall provide appropriate support to ease the overseas student's transition into life and study in Australia. Where overseas students experience difficulties or obstacles in achieving their learning goals the College will provide to them both counselling and tailored academic support. The College is keen to set students up for success and has developed its Student Engagement and Retention Policy to provide maximum support to students in their first trimester with CHS.

As part of the College's Student Engagement and Retention Policy the College shall allocate additional academic and staff resources to facilitate students completing their first trimester studies successfully at CHS. At the end of the first trimester students should be feeling in control of their studies.

7. Responsibilities

The Engagement and Welfare Officer at each campus will play in key role in ensuring that the College will materially support overseas students particularly in their first trimester at CHS. The Engagement Officer shall maintain close contacts with all new overseas students and to act as a bridge between students and the College Administration.

Admissions staff shall refer all applications for transfer to the Engagement and Welfare Officer who shall organise an interview with the student to find out the reasons behind the request for transfer and if the student has accessed the range of support services available at CHS. He or she shall then report back to the Academic Registrar regarding the transfer request. The transfer outcome letter after determination shall be sent to the student by the Academic Registrar.

The Admission staff will maintain records of all applications for transfer in the relevant student file. Where a transfer has been approved the file will be retained for not less than two years from the date the student ceases to be enrolled with the College.

8. Records

The Registrar will ensure all records associated with this policy will be maintained according to the Academic Records Management Policy for at least two years after the person ceases to be an accepted student.

9. Related Documents

- CHS Student Engagement and Retention Policy
- CHS Admission Policy and Procedures
- CHS Enrolment Policy & Procedures
- CHS Overseas Students Withdrawal and Refund Policy
- CHS Course Progress Policy
- CHS Equity and Diversity Policy
- CHS Student Academic Grievance and Appeals Policy & Procedures
- CHS Student Fees Policy
- CHS Special Consideration Form
- CHS Course Withdrawal Form

10. Related legislation

- Higher Education Support Act 2003
- Tertiary Education Quality and Standards Agency (TEQSA) Act 2011
- TEQSA Higher Education Standards Framework (Threshold Standards) 2015
- Education Services for Overseas Students (ESOS) Act 2000

- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)
- Australian Qualifications Framework (AQF)

11. Version Control

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