

## Transfer Policy (International Students)

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### 1. Purpose

- 1.1. This policy outlines the rules relating to international students requesting a transfer between CRICOS providers within Australia. It is aligned with the requirements of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code). International students must also comply with all relevant Department of Home Affairs (DHA) regulations applicable to their visa.

### 2. Scope

- 2.1. This policy applies to all international award course students and applicants.

### 3. Policy Statement

#### Transfers from Other Providers

- 3.1. Under the National Code, providers are restricted from enrolling students who are transferring from another provider within six months of commencing their primary course of study except in specified circumstances, which includes, but is not limited to:
  - where the releasing registered provider has agreed to an international student's release and that they have recorded the date of effect and reason for the release in PRISMS;
  - because the transfer is in the student's best interests, which includes, but is not limited to where AFTRS has assessed that:
    - the student will be reported by the releasing registered provider because they are unable to achieve satisfactory course progress (even after intervention strategies have been attempted),
    - there are compassionate and compelling circumstances,
    - the releasing registered provider fails to deliver the course,

- the student's reasonable expectations about their current course are not being met;
- the student was misled by the releasing registered provider, education agent or migration agent regarding the releasing registered provider or its course, resulting in this being unsuitable to the student's needs and/or study objectives; or
- an appeal (internal or external) on another matter results in a decision or recommendation to release the student.

## Transfers to AFTRS

- 3.2. AFTRS does not allow Recognition of Prior Learning (RPL) for award courses.
- 3.3. Successful international applicants to award courses who are currently enrolled at another registered provider are required to ensure that they hold a student visa valid for the duration of their AFTRS program.
- 3.4. AFTRS is not permitted to enrol a student wishing to transfer from another provider prior to completing six months of his or her primary course without a letter of release, unless:
  - the principal provider or course has ceased to be registered with CRICOS;
  - the principal provider has been imposed with a sanction by the Australian Government or a state or territory government preventing the student from continuing in their principal course; or
  - any government sponsor of the student provides written support stating that they consider the change to be in the best interest of the student.
- 3.5. Where the course of study is in a different sector than the original course or if an extension to the student's visa is required, the student may be required to apply for a new student visa.

## Transfers to Other Providers

- 3.6. International students are only permitted to transfer between providers within the first six months of their principal course of study in specific circumstances: students requesting a transfer within six months of commencing their course at AFTRS must submit their request in writing along stating the reasons for the request along with a copy of a valid letter of offer from another registered provider.
- 3.7. Students must contact the DHA to seek advice on whether they will require a new student visa for their intended course of study.
- 3.8. Students eligible for a transfer will be issued a letter of release free of charge.

## Grounds for Denying Transfer Requests

- 3.9. AFTRS may deny a request for a letter of release on the following grounds:
  - the student has not provided a letter from another provider confirming that a valid enrolment offer has been made;
  - the student has payment of fees outstanding to AFTRS;
  - the student is applying for a transfer with the intention to avoid being reported to DHA for failing to meet academic progress requirements;
  - the request has been made for the primary purpose of enhancing permanent residence opportunities, the reduction of attendance requirements, or to accommodate timetable conflicts with employment arrangements; and/or
  - the transfer is considered to be detrimental to the best interests of the student. For example, transfer requests could be denied if the intended course is not widely recognised or does not provide adequate preparation for further study, if the course has restricted hours of study, or if the course requires attendance in locations not accessible by public transport outside of business hours.

- 3.10. Students requesting a letter of release within the first six months of enrolment in their original course of study will be interviewed by the Head of Student Centre and notified of the outcome within five working days.
- 3.11. If the request is refused, the reason for rejection will be provided and students will be notified of their rights under the AFTRS Academic Appeals and/or Complaints Policy as relevant. This notification will be provided within twenty working days.
- 3.12. AFTRS will not finalise the student's refusal status in PRISMS until:
  - the student's appeal, if an appeal is applied for, is unsuccessful;
  - the student does not lodge an appeal within twenty business days; or
  - the student withdraws.

## 4. Responsibilities

### Compliance, monitoring and review

- 4.1. The Head of Governance is responsible for ensuring the policy:
  - aligns with relevant legislation, government policy and/or AFTRS requirements/strategies/values;
  - is implemented and monitored (i.e. that the policy is followed, reflects the changing policy; environment, and emerging issues are identified); and
  - is reviewed to evaluate its continuing effectiveness (e.g. achieving its purpose).
- 4.2. The Compliance Manager is responsible for ensuring all necessary updates are conducted in the Provider Registration and International Student Management System (PRISMS).
- 4.3. The Head of Student Centre is responsible for all correspondence to students is in line with legislative requirements and this policy.

### Reporting

- 4.4. No additional reporting is required.

### Records management

- 4.5. AFTRS will retain all records regarding transfer requests lodged by students for at least two years after the student ceases to be an accepted student, in line with the requirements of Standard 7.7 of the National Code.
- 4.6. All records relevant to administering this policy and procedure will be maintained by the Policy and Governance Officer.

## 5. Definitions

**Award Course:** A structured sequence of subjects which, when successfully completed, entitle the student to a qualification or award in adherence with the Australian Qualifications Framework (AQF).

**Domestic Student:** A student who is a citizen of permanent resident of Australia, citizen of New Zealand, or holder of an Australian humanitarian visa.

**International Student:** A student is a citizen of permanent resident of Australia, citizen of New Zealand, or holder of an Australian humanitarian visa.

**Registered Provider:** A provider approved to enrol international students under the Education Services for Overseas Students Act 2000 (ESOS) and listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).

## 6. Related Legislation and Documents

- Education Services for Overseas Students Act 2000 (ESOS Act)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code)

## 7. Approval and Review Details

Approval and Review	Details
Approval Authority	CEO
Responsible Officer	Head of Governance (Registrar)
Contact Officer	Compliance Manager
Distribution	Intranet and AFTRS website Staff and Student facing
Next Review Date	01/02/2026

Approval and Amendment History	Details
Original Approval Authority, Date, and relevant amendment details	CEO, 22/02/2023 —v2.0: Includes administrative amendments including transfer of the policy responsibility from the 2018 Director of Curriculum and Student Registrar role to the current Head of Governance role, which now performs the Registrar function, and Management Actions from the KPMG audit (2 Exceptions and 2 Improvement Opportunities) relating to the policy.
Amendment History and Date	CEO 30/06/2017 – v1.0
Notes	19/12/2017 – Effective Date of original policy, which was contingent on initial TEQSA CRICOS registration approval.
Minor Amendment Approval and History	14/12/2018 – v1.1 - Amended to contain new policy template branding, Authorisation and Distribution Table.