

International Student Transfer Between Registered Providers Policy

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Policy owner	Chief Operating Officer
Responsible Officer	Chief Operating Officer
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Related Documents	<p>International Student Deferment, Suspension and Cancellation of Study Policy International Student Deferment, Suspension and Cancellation of Study Procedure International Student Transfer Between Registered Providers Procedure</p> <p>Records Management Policy Records Management Procedure Student Admissions Policy Student Admissions Procedure Student At Risk and Early Intervention Policy Student At Risk and Early Intervention Procedure Student Complaint and Appeal Policy Student Complaint and Appeal Procedure Student Progression and Exclusion Policy Student Progression and Exclusion Procedure Refund Policy for International and Domestic Students</p>
HESF (Threshold Standards) 2021	<p>1.1 Admissions 2.4 Student Grievances and Complaints; 7.2 Information for Prospective and Current Students</p> <p>ESOS National Code of Practice: Standard 1.5, 5, 7, 8, 9, 10</p>

1. Purpose

The intent of this Policy and Procedure is to ensure the Australian Institute of Higher Education Pty Ltd ('the Institute') complies with the National Code of Practice for Providers of Education and Training to Overseas Students 2018 with respect to restrictions on transferring international students who are studying on an Australian student visa with a registered provider.

2. Principles

The key principles informing this Policy and Procedure are:

- that the Institute will not recruit or knowingly enrol a student wishing to transfer from another registered provider prior to the student completing six (6) months of their principal course of study, unless the circumstances are deemed exceptions under the National Code, and
- that the Institute will not generally agree to a request from an international student to transfer to another registered provider prior to completing six (6) months of their principal course with the Institute.

3. Context

This Policy and the Procedure have been developed in response to the National Code of Practice for Providers of Education and Training to Overseas Students 2018 Standard 7, which restricts registered providers from enrolling transferring students prior to the student completing six (6) months of their principal course of study.

4. Scope

This Policy applies to all international students, both prospective and enrolled, and the staff of the Institute.

5. Definitions

See the AIH Glossary of Terms for definitions.

6. Policy Details

6.1 Students seeking to transfer to the Institute from another registered provider prior to completing six (6) months of their principal course of study

The only circumstances in which a student may be accepted for enrolment at the Institute prior to completing six (6) months of their principal course of study with another registered provider are when:

- the current registered provider has agreed to the student's release and recorded the date of effect and reason for release in PRISMS;
- the current provider has ceased to be a registered provider, or the course in which the student is enrolled has ceased to be CRICOS registered;
- the current registered provider has - a sanction imposed on its registration by TEQSA that prevents the student from continuing their principal course of study at that registered provider; or
- a government sponsor of the student considers the change to be in the student's best interests and has provided written support for that change.

Note that in all circumstances, international students seeking to transfer to the Institute must comply with the Institute's **Student Admission Policy** and meet the course entry requirements.

6.2 Students seeking to transfer from the Institute to another registered provider prior to completing six (6) months of their principal course of study

Although the Institute will not generally grant a request from a student seeking to transfer from the Institute to another registered provider prior to completing six (6) months of their principal course of study, the Institute will do so where the transfer is in the student's best interests. The Institute will regard a transfer as being in the student's best interests, including but not limited to, circumstances where the Institute has assessed that:

- the student will be reported because they are unable to achieve satisfactory course progress in the course they are studying, even after engaging with the Institute's intervention strategies (as outlined in the Institute's **Student at Risk and Early Intervention Policy, Student Progression and Exclusion Policy** and the corresponding Procedures);
- there is evidence of compassionate or compelling circumstances (as defined in the Institute's **International Student Deferment, Suspension and Cancellation of Study Policy**);
- the Institute has failed (or will fail) to deliver the course as outlined in the Offer Letter issued to the student;
- 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 the Institute, , in relation to the Institute or its course and, as a result, the course is unsuitable to that student's needs and/or study objectives; or
- an appeal (internal or external), made in accordance with the Institute's **Student Complaints and Appeal Policy** and Procedure, on another matter has resulted in a decision or recommendation to release the student.

In assessing whether the transfer is in the overseas student's best interests in circumstances other than those set out above, the Institute will consider:

- whether the student requesting a transfer has a clear understanding of what the transfer represents for their study options;
- whether the student has discussed the reasons for seeking a transfer with the Responsible Officer or delegate;
- whether the student has outstanding course fees owing to the Institute; and
- any other factors which the Institute considers relevant to the best interests of the student.

6.3 Appeals against decisions

Enrolled international students are entitled to appeal a decision made in accordance with the **International Student Transfer Between Registered Providers Policy** and Procedure under the processes outlined in the **Student Complaint and Appeal Policy** and Procedure.

6.4 Records Management

The Institute will maintain records of all requests from overseas students for a release to transfer to another registered provider made under the **International Student Transfer Between Registered Providers Policy** and Procedure, and the assessment of and decision regarding the request, for two years after the overseas student ceases to be an accepted student, in accordance with the Institute's **Records Management Policy** and Procedure.

7. Legislation

This Policy and the Procedure comply with the relevant HESF ESOS Act and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 Standard 7, which states in summary:

“The receiving registered provider must not knowingly enrol the student wishing to transfer from another registered provider’s course prior to the student completing six (6) months of his or her principal course of study except where:

- the original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered
- the original registered provider has provided a confirmation of release recorded on PRISMS.
- 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
- 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.”

8. Version Control

This Policy has been endorsed by the Australian Institute of Higher Education Board of Directors as at June 2023 and is reviewed every 3 years, or from time to time as the operations or organisational structure of the Institute may vary. The Policy is published and available on the Australian Institute of Higher Education website <http://www.aih.nsw.edu.au/> under ‘Policies and Procedures’.

Change and Version Control				
Version	Authored by	Brief Description of the changes	Date Approved:	Effective Date:
2016-2	Registrar	Updated template.	6 July 2016	6 August 2016
2017-1	Ms. McCoy	Restructured document; added box to beginning Revised/edited content	1 March 2017	6 March 2017
2017-2	Registrar	Updated to reflect change in the National Code.	15 December 2017	16 December 2017
2019.1	Principal	Updated the Policy Owner, Responsible Officer and Contact Officer to Principal. Updated wording for clarity in Section 6 in alignment with National Code.	27 September 2019	30 September 2019
2020.1	Academic Success Manager/Chief Executive Officer	Minor updates: formatting and proofed for student comprehension.	24 September 2020	25 September 2020
2022.1	Registrar	Updated Higher Education Standards Framework [Threshold Standard] 2021	25 May 2022	26 May 2022
2023.1	Chief Operating Officer	Minor updates following policy review including change of policy owner to COO	3 June 2023	29 June 2023