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1 PRELIMINARIES

Commencement

This policy and procedure commence on 20 July 2022

Purpose

This policy and procedure outline how the Polytechnic Institute Australia (“PIA”) will only enrol transferring students after the student completes six (6) months of their principal course of study, except in the circumstances outlined in this policy and procedure, in compliance with the National Code of Practice for Providers of Education and Training to Overseas Students 2018, Standard 7.

Application

This policy and procedures apply to all current and intending international students at PIA.

2 DEFINITIONS

The following definitions apply in this document:

Principal course: 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: Provider Registration and International Student Management System – the government owned and maintained database that allows for the issuance of Confirmations of Enrolment,



reporting on changes in course enrolments and facilitating the monitoring of student visa conditions.

Six (6) months: The first six months is calculated as six calendar months from the date an overseas student commences their principal course.

3 POLICY

3.1 PIA will not knowingly enrol a student wishing to transfer from another registered provider prior to the overseas student completing six (6) months of their principal course of study with the initial provider, except in the following circumstances:

- the releasing registered provider, or the course in which the overseas 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 overseas student from continuing his or her course with 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 approved 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;
- the course in which the student is enrolled has ceased to be registered; or
- the original registered provider has provided a written letter of release.

3.2 The restriction to not enrol transferring students also applies to any prerequisite courses in a package of courses.

3.3 Students may transfer to another provider after completing six (6) months of their principal course with PIA. The inability to transfer restriction applies to a student during all courses they undertake prior to the principal course.

3.4 PIA will use its professional judgement on decisions made with regard to a student's request to transfer to another provider, will be fair, and will take into account the student's individual circumstances and any other relevant factors.

4 RESPONSIBILITIES

4.1 The Registrar

The Registrar or their delegate has the responsibility to:

- Maintain accurate and timely records regarding students on PRISMS
- Notify overseas students in writing of outcomes for requests for transfer
- Issuing Letters of Release and/or updating PRISMS to record the release
- Meet with international students who wish to transfer to another registered provider
- Make decisions with regard to a student's request to transfer to another provider



- Ensure all students transferring from another provider meet the requirements of the policy

4.2 PIA

PIA has the responsibility to:

- provide all students with clear expectations on overseas student transfers prior to or upon commencement of a course, and on PIA's website
- provide all staff with clear expectations on overseas student transfer.

5 PROCEDURES

5.1 Students transferring from another Registered Provider

5.1.1 PIA will check all enrolling students on the Provider Registration and International Student Management System (PRISMS) to ensure that students who have not completed six (6) months of their principal course of study are not enrolled, except in the circumstances outlined in 3.1.

5.2 Students wishing to transfer to another Registered Provider

5.2.1 Students may transfer to another provider after completing six (6) months of their principal course with PIA.

5.2.2 For a request for transfer to be considered before completing six (6) months, students must complete an application requesting a release letter and providing a valid enrolment offer (Letter of Offer) from another registered provider, together with any evidence to support items 5.5 – 5.6.

5.2.3 The student will be required to meet with the Registrar or their delegate to discuss the reasons for the application and possible options.

5.2.4 A transfer request may be granted where:

- the overseas student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with PIA's intervention strategy(s) to assist the overseas student in accordance with Standard 8 of the National Code (Overseas student visa requirements). The report on the overseas student's course progress should be made even if the transfer request is granted; or
- there is documented evidence of compassionate or compelling circumstances, generally beyond the control of the overseas student, that have an impact upon the overseas student's course progress or wellbeing. These could include, but are not limited to:
 - serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes; or



- bereavement of a close family member such as a parent or grandparent (where possible a Death Certificate should be provided); or
 - major political upheaval or natural disaster in the home country requiring emergency travel which has impacted on the overseas student's studies; or
 - a traumatic experience, which could include:
 - involvement in, or witnessing a serious accident; or
 - witnessing or being the victim of a serious crime, which has impacted on the overseas student (these cases should be supported by police or psychologist reports);
 - where the registered provider was unable to offer a prerequisite unit, or the overseas student has failed a prerequisite unit and therefore is limited in the units for which they are eligible to enrol; or
 - inability to begin studying on the course commencement date due to delay in receiving a student visa.
- PIA fails to deliver the course as outlined in the written agreement ('provider default'); or
 - there is evidence that the overseas student was misled by PIA or an education or migration agent regarding PIA or its course, and the course is therefore 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 overseas student; or
 - the transfer has been permitted at the discretion of the Chief Executive Officer (CEO) or their delegate.
- 5.2.5 A transfer will also be granted where the course that the student wishes to transfer to better meets the study capabilities of the student, or their long-term goals in relation to their work, education or personal aspirations.
- 5.2.6 Where students are granted a Letter of Release, they will be informed that they must contact the Department of Home Affairs (DHA) to seek advice on whether a new visa is required.
- 5.2.7 Exceptions to the need for a student to request a transfer are:
- in the case of provider default; or
 - where the provider has had a sanction imposed on its registration that prevents the student from continuing his or her course; or
 - a home government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change.
- 5.2.8 Transfer request outcomes will be recorded in PRISMS.



- 5.2.9 A transfer to another course will usually not be granted where:
- a student is unable to provide satisfactory evidence that his/her course does not meet their long term goals or they cannot demonstrate compassionate or compelling circumstances for the transfer; or
 - the transfer may jeopardise the student's progression through a package of courses; or
 - the student had been withdrawn from studies and therefore a Letter of Release is not required; or
 - the student is not genuinely engaging with an intervention strategy with the intention of failing and being released; or
 - the student has refused or failed to meet with the Registrar, as requested, to review the reasons for making the application for release and to discuss possible options; or
 - 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 **four (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; or
 - the student is apparently trying to avoid being reported to the Department of Education and Training for failure to meet PIA's academic course progress requirements.
- 5.2.10 If PIA intends to refuse a release, PIA will not finalise the overseas student's refusal status in PRISMS until:
- any appeal against the refusal lodged by the overseas student is finalised and upholds the registered provider's decision not to release the student; or
 - the overseas student did not access the registered provider's complaints and appeals processes **within twenty (20) working days** of being notified of the refusal; or
 - the overseas student withdraws their appeal against the refusal
- 5.2.11 PIA will also notify the overseas student in writing of the reason for refusing the transfer request and of the overseas student's right to access PIA's internal complaints and appeals process (in accordance with Standard 10 of the National Code) **within twenty (20) working days**.
- 5.2.12 Where a student transfers to another registered provider, any refund of course fees will be assessed in accordance with PIA's Refunds (International Students) Policy and Procedure.



5.3 Students wishing to transfer to another course within PIA

- 5.3.1 Students wishing to transfer to another course within the Registered Provider must submit an application for a change of course.
- 5.3.2 If approved, this course change will be reported on PRISMS by PIA.

5.4 Information for Students and Staff

- 5.4.1 There is no cost in providing students with a Letter of Release.
- 5.4.2 PIA provides all students with clear expectations on overseas student transfers in the Student Handbook, which is provided to students prior to or upon commencement of a course, and which is also available on PIA's website at www.pia.edu.au.
- 5.4.3 PIA provides all staff with clear expectations on overseas student transfers in the staff portal.
- 5.4.4 Students will be informed of the outcome of their application for transfer **within ten (10) days** of lodging the application. This may be in the form of a formal letter or email.
- 5.4.5 Where the decision is made to refuse the transfer request, the student may appeal against the decision by accessing the provisions in PIA's Student Grievance Handling Policy and Procedure **within twenty (20) working days**.
- 5.4.6 If the appeal finds in favour of a student wishing to transfer, a Letter of Release will be granted.

5.5 Administration

- 5.5.1 PIA will maintain records of all requests from overseas students for a release, and the assessment of and decision regarding the request for **two (2) years** after the overseas student ceases to be an enrolled student.
- 5.5.2 Complainants may use the Student Grievance and Appeal Form or write an email or letter.
- 5.5.3 The Chief Operating Officer (COO) or delegate will consult with the complainant and other relevant parties **within ten (10) working days**.

6 RELATED LEGISLATION AND DOCUMENTS

Institute Documents

- Fees and Refunds Policy and Procedure (International Students)
- Internal Course Transfer Application
- Letter of Release
- Student Grievance Handling Policy and Procedure
- Student Handbook

Student Transfer Policy and Procedure



Applicable External Standards and Codes

This policy and procedures support compliance with the following

Standards/Code	Standards/Clauses
Higher Education Standards Framework (Threshold Standards) 2021	1.1 6.2 7.2
National Code of Practice for Providers of Education and Training to Overseas Students 2018	7

7 FEEDBACK

PIA staff and students may provide feedback about this document by emailing policy@pia.edu.au for such feedback to be incorporated into a future review.

8 POLICY MANAGEMENT

Approval and Review	Details
Approval Authority / Owner (Role)	CEO
Administrator / Responsible for Implementing	Registrar
Approval Date	20 July 2022
Next Review Date	20 July 2025

Document History

Month and Year	Version	Amendments
June 2017	1.0	Policy created and endorsed by the Board
July 2022	1.3	Formatting was updated.
May 2024	1.4	Formatting was updated, including the addition of the document history.