



International Student Transfer Policy and Procedures

Purpose:

To set out the policy and procedures of Australian Institute of Business (AIB) for processing transfer requests of international students between AIB and another registered provider.

Scope

This applies to all international students and all AIB staff who deal with international students.

1. Definitions

“CoE” means the Confirmation of Enrolment form issued by an educational institution to a student pursuant to the ESOS Act.

“ESOS Act” means the Education Services for Overseas Students Act 2000 and all association legislation including the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (“National Code”)

‘international student’ means any student studying at the AIB Adelaide campus on a student visa.

“PRISMS” means the Provider Registration and International Students Management System pursuant to the ESOS Act.

2. Policy

2.1. AIB will not knowingly enrol students currently enrolled at another registered provider who have not completed at least six months of study of their principal course; and

2.2. AIB will not allow the transfer of students enrolled with AIB to another registered provider who have not completed at least six months of study of their principal course,

unless the requirements of the ESOS Act are complied with and the appropriate procedures and requirements, as detailed below, are complied with.

3. Students wishing to transfer from a registered provider to AIB

3.1. AIB will not knowingly enrol a student wishing to transfer from another registered provider prior to the student completing six months of their principal course of study except where:

- a the original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered;

- b the original registered provider has provided a written letter of release;
 - c 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
 - d 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.
- 3.2. The Admissions Manager or delegate (“Admissions Manager”) will investigate all applications from international students already studying in Australia on a student visa to account for the time spent in Australia to ensure there has been proper disclosure of previous studies with Australian providers. If it becomes apparent that information is not complete and it is determined that an applicant could be enrolled with another provider, the Letter of Offer should state that enrolment will be conditional on production of a Letter of Release from their current provider.
- 3.3. If on receipt of an Acceptance Agreement, the Admissions Manager is alerted by PRISMS, while in the process of raising a Confirmation of Enrolment (CoE), that a student is enrolled at another provider, the Admissions Manager should not proceed with the enrolment and will notify the applicant in writing that the enrolment will only be able to proceed if the student can provide a Letter of Release from the relevant provider. Any monies received by AIB will be placed in trust until the Letter of Release is provided or the Offer for the AIB course expires; any associated refund will be issued as per the AIB International Student Refund Policy.
- 3.4. The Admissions Manager responsible for processing the application should ensure that a copy of the Letter of Release is obtained before enrolling the student and also ensure a copy is retained on the student’s file.

4. Students wishing to transfer from AIB to another registered provider

International students who have accepted an offer from AIB and have been granted a CoE and wish to transfer to another provider prior to completing six months of their principal course must make application to the Academic Director or a Letter of Release. The following procedure will be actioned by the Student Relations Officer

- 4.1. An application for a Letter of Release must be made in writing and include:
- a a written letter advising the reasons for the request to transfer to another provider,
 - b any documents that substantiate the reasons for making the request,
 - c a copy of an offer letter from the other provider,
 - d if the student is on scholarship, written advice from the sponsoring organisation approving the transfer.

Failure to provide the documentation required with the application can constitute grounds for AIB to refuse the request.

- 4.2. The Student Relations Officer will promptly issue the student with an acknowledgement of receipt, either by letter or email, when the application for a Letter of Release is received.
- 4.3. A student who applies for a Letter of Release may be required to meet with the Academic Director to discuss the reasons for their application and to review all

options to resolve any problems or issues the student may have that are impacting on the decision to pursue a transfer.

- 4.4. The Academic Director will consider the veracity and reasonableness of the student's grounds for making the application and will make a determination in relation to the application for a Letter of Release in accordance with the procedures outlined in this document.
- 4.5. Students will be given a written response by the Academic Director detailing the outcome of their application within 10 working days of the date the written request is received. Where an outcome is not possible within 10 working days, written advice of delay with an indication of a reasonable timeframe of resolution will be provided instead.
- ~~4.6.~~ In order to agree to a request for a Letter of Release the Academic Director would need to first form the view that the transfer is not to the detriment of the student, or that there are compelling and compassionate circumstances which should be taken into account, for the request to be approved.
- 4.7. Circumstances which may warrant refusal include, but are not limited to:
 - a it is determined that the student is trying to avoid being reported to the relevant Commonwealth Department of Immigration for failure to meet student visa obligations, or
 - b the student has refused to meet with the Academic Director as requested to review the reasons for making the application for release and possible options,
 - c the transfer may jeopardise the student's progression through a package of courses or future study plans,
 - d where the student does not identify plausible benefits which will accrue from the transfer to offset the cost and dislocation to the student of the transfer,
 - e the unlikely event that AIB is unable to offer academic or other support services as per marketing materials and/or as agreed in the Letter of Offer held with the student;
 - f the proposed transfer is demonstrably unlikely to deliver the career, migration, qualification, or work outcomes the student aims to achieve,
 - g any amount of outstanding monies payable by the student to AIB, or
 - h the student had been withdrawn from studies and therefore a Letter of Release is not required.
- 4.8. A Letter of Release will only be provided to a student claiming financial hardship where the student can reasonably demonstrate deterioration in their financial position from that which prevailed at the time the student accepted the offer to undertake the course provided by AIB.
- 4.9. A Letter of Release will only be provided to a student claiming a failure by AIB to meet expectations and/or claims of being misled by agent representations where the student can provide evidence of being misled. All students are advised in the Acceptance Agreement to refer to AIB's website before accepting the offer, in order to verify information provided from other sources and relied on in choosing AIB.

- 4.10. Students whose application for a Letter of Release is approved will be issued a Letter of Release free of charge and informed of the requirement to contact the relevant Commonwealth Department of Immigration as soon as possible, as a new visa may be required. The Student Relations Officer will cancel the student's CoE on PRISMS within 14 days of the student ceasing study with AIB. A refund of fees, if any, will be assessed and made in accordance with AIB's refund policy.
- 4.11. Where an application is refused, AIB's written response will detail the reason for the refusal. The written response should include the decision, the reasons for the decision, the factors taken into consideration and reflect the student's individual circumstances and must inform the student of their right to appeal the decision, in accordance with AIB's Academic and Non-Academic Grievance Handling policy. The reasons for refusal should be sufficiently detailed to enable the student to make an informed decision as to whether to appeal the decision.
- 4.12. The Student Relations Officer must ensure that requests for Letters of Release, any associated correspondence, and details of the outcome are retained on the student's file. Details must also be made on the student's record on the student management system database, in the comments section, regarding both the application and the outcome of the request for a Letter of Release

Responsibility:

Academic Director

Related Policies

International Student Refund Policy

Admissions Policy

Academic and Non-Academic Grievance Handling Policy

Current Status:

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