

## INTERNATIONAL ONSHORE STUDENT TRANSFER POLICY AND PROCEDURES

### **Purpose:**

This policy sets out the circumstances and processes that relate to processing transfer requests of International Onshore Students between AIB and another registered provider.

### **Scope**

This policy applies to all International Onshore Students enrolled in CRICOS registered courses at AIB and the AIB staff who deal with International Onshore Students.

### **Definitions**

Unless otherwise defined in this document, all capitalised terms are defined in the [glossary](#).

***Compassionate or Compelling circumstances*** are those beyond the control of the student and which have an impact on the student's course progress and/or wellbeing, such as serious illness or injury (as supported by medical certification), death of a close family member, traumatic experience (as supported by a police, psychologist or other official report), a delay in the issue of a Student Visa by the relevant Commonwealth authority, or other such event. AIB shall assess each case on its individual merit and as per documentary evidence available / as requested.

## **1. Policy**

- 1.1. AIB will not knowingly enrol International Onshore Students currently enrolled at another registered provider who have not completed at least six months of study of their principal course; and
- 1.2. AIB will not allow the transfer of International Onshore 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.

## **2. Students wishing to transfer from a registered provider to AIB**

- 2.1. AIB will not knowingly enrol an International Onshore 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 and recorded the date of effect and reason for release on PRISMS;
  - (c) the original registered provider has had a sanction imposed on its registration by the Australian Government or TEQSA that prevents the student from continuing his or her course with that provider, 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.

- 2.2. The Admissions Manager or delegate (“Admissions Manager”) will investigate all applications from International Onshore 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.
- 2.3. 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 an International Onshore 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 Onshore Student Refund Policy.
- 2.4. 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 ensure a copy is retained on the student’s file.

### **3. Students wishing to transfer from AIB to another registered provider**

- 3.1. International Onshore 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 an application to the Academic Director for a letter of release. The following procedure will be actioned by the Research Coordinator.
- 3.2. An application for a letter of release must be made in writing and include:
  - (a) reasons for the request to transfer to another provider,
  - (b) any supportive evidence to substantiate the reason(s) for making the request,
  - (c) a copy of a valid offer letter from the other CRICOS registered 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.
- 3.3. The Research Coordinator 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.
- 3.4. An International Onshore 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.
- 3.5. 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.

- 3.6. International Onshore 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.
- 3.7. 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; circumstances in which AIB may grant a letter of release include but are not limited to where AIB has assessed that:
  - (a) The student will be reported because they are unable to achieve satisfactory course progress, even after engaging with AIB's intervention strategy; or
  - (b) There is evidence of compelling or compassionate circumstances; or
  - (c) There is evidence that the registered provider has not delivered the course as outlined in the written agreement with the student or evidence that the student's reasonable expectations about their current course have not been met; or
  - (d) There is evidence that the student was misled by AIB or an education agent engaged by AIB regarding either AIB or the course in which the student is enrolled and therefore the course is unsuitable to the student's needs and/or study objectives; or
  - (e) An appeal (internal or external) on another matter results in a decision or recommendation to release the student.
- 3.8. Circumstances which may warrant refusal of the student's request for release include, but are not limited to:
  - (a) 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,
  - (b) 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,
  - (c) the proposed transfer is demonstrably unlikely to deliver the career, migration, qualification, or work outcomes the student aims to achieve,
  - (d) any amount of outstanding monies payable by the student to AIB, or
  - (e) the student had been withdrawn from studies and therefore a letter of release is not required.
- 3.9. A letter of release will only be provided to an International Onshore 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.
- 3.10. A letter of release will only be provided to an International Onshore 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.

- 3.11. International Onshore 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 Department of Home Affairs as soon as possible, as a new visa may be required. The Research Coordinator 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.
- 3.12. Where an application is refused, the student will be advised in writing. 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 within 20 working days. The reasons for refusal should be sufficiently detailed to enable the student to make an informed decision as to whether to appeal the decision. AIB will not finalise the student's refusal status on PRISMS until:
- (a) The appeal finds in favour of AIB; or
  - (b) the student has chosen not to access AIB's grievance process within the 20 working day period; or
  - (c) the student withdraws from the process.
- 3.13. The Research Coordinator must ensure that requests for letters of release, any associated correspondence, and details of the assessment of and outcome are retained on the student's file for two years after the student ceases to be an accepted student. Details must also be noted on the student's record on the student management system, 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

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