

Student Transfer Between Registered CRICOS Providers Policy and Procedure

Supporting plans, policies and procedures	<ul style="list-style-type: none"> • Academic Assessment and Moderation Policy and Procedure • Academic Progress and Student At-Risk Policy and Procedure • Admissions and Enrolment Policy and Procedure • Privacy Policy • Records, Data and Information Management and Security Policy • Student Complaints and Appeals Policy and Procedure • Student Welfare, Wellbeing and Support Policy and Procedure
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Version	Review Date and Person/Body	Notes
0.1	Draft prepared by CEO	
1.0	Reviewed and approved by the Academic Board via email circulation on 11 March 2022	Minor grammatical and structural changes made
2.0	Reviewed and approved by the Academic Board on 14 June 2022	Updates made following the response to the TEQSA Request for Information (REQ06238)

Background and Scope

This policy and procedure will ensure that international students wishing to transfer between CRICOS providers do so in line with the National Code 2018, Standard 7. This policy and procedure provide a process for assessing requests for the Transfer of Provider. By following this policy and procedure, the Melbourne Institute of Higher Education (MIHE) protects itself against knowingly enrolling an international student prior to the student completing at least six months of their principal course of study.

The policy and procedure will apply to all international students holding a student visa and requesting a transfer or release before the completion of six months of their principal course. They will apply to all circumstances in which MIHE will assess student transfer requests in accordance with the National Code 2018, Standard 7. MIHE will assess each request on an individual student basis and will consider all supporting documentation of the request.

Policy

MIHE must not knowingly enrol any international student wishing to transfer from another registered CRICOS provider's course before the student completes six months of the principal course of study except in the following circumstances:

- The original registered provider has ceased the course in which the international student is enrolled.
- The original registered provider has agreed to the international student's release and recorded the release on PRISMS.
- TEQSA has imposed a sanction on the original registered provider's registration that prevents the international student from continuing their course at that registered provider.
- The government sponsor of the international student considers the change to be in the student's best interests and has also provided written support for the change.

Transfer from MIHE

Students intending to transfer to another CRICOS provider before the completion of six months study with MIHE must notify in writing, along with any supporting documentation which must include a valid enrolment offer from another registered provider.

All transfer requests will be processed within 10 business days from the date of submission and assessed individually based on the circumstances of the student and whether the transfer will be in the best interests of the student.

The approval to transfer to another provider does not indicate the agreement to provide any refund. The details of the application to transfer and the outcome of the application will be recorded and kept in the student's file. Student Transfer requests made within six months of commencing study will be considered and a release may be granted in PRISMS under the following circumstances:

- MIHE is unable to deliver the course as outlined in the student agreement.
- evidence that suggests the student's reasonable expectations about their current course are not being met.
- compassionate or compelling circumstances are evident.
- MIHE has assessed that student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with MIHE's intervention strategy to assist the student which is in accordance with Standard 8 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.
- evidence that suggests the student was misled by MIHE or an education agent regarding MIHE or its course and the course is therefore incompatible and does not meet the student's study objectives.
- a student can provide MIHE with a Conditional Letter of Offer from other CRICOS registered provider clearly stating that an offer of a place is conditional upon acquiring evidence of a release.
- The application process will be discontinued if no satisfactory evidence of release is obtained, and the student notified that they are unable to transfer at this time.
- An internal or external appeal on another proceeding has resulted in a decision to release the student from MIHE.

Transfer to MIHE

International students may be approved of transferring to MIHE in the following cases:

- If student has completed more than six months of their principal course of study, the application will proceed as per the usual admissions process.
- If student has not completed six months of the principal course of study, they are advised to provide evidence of release from the original provider to support their transfer application.

Procedure for Transferring from MIHE

- An international student intending to transfer to another provider will apply in writing to withdraw from MIHE course. The student will need to provide the original copy of a valid Letter of Offer from a registered provider to which the student wishes to transfer.
- The Finance Officer will check if there are fees owing or if the student is entitled to a refund. The student will be advised if there are any fees owing and how payment will be settled. The student will be advised how much will be refunded and when, if a refund is due.
- The Student Welfare and Support Officer will assess the transfer request of the student considering the reasons for the request, whether the student entirely understands the consequences for their study options and whether there are any outstanding fees owing to MIHE.
- For the purposes of this policy and procedure, compassionate, compelling circumstances beyond the control of the student which have impacted the student's academic progress or wellbeing and which may be alleviated by their transfer to another provider, may include the following:
 - where a medical certificate confirms that the student was unable to attend classes for an extended period due to injury, pregnancy or serious illness
 - where a death certificate is provided for bereavement of close family members such as parents or grandparents
 - any traumatic experience that may include witnessing of or involvement in a serious accident or serious crime
 - natural disaster or political upheaval in the home country requiring emergency travel which has impacted the student's studies
 - Claims of exceptional circumstances must be supported by documentary evidence.
- The Student Welfare and Support Officer will then come to a decision on whether to record the release in PRISMS. The Student Welfare and Support Officer will provide the release if:
 - MIHE has ceased the course in which the student is enrolled or
 - TEQSA imposed sanctions on MIHE preventing the student from continuing their course at MIHE or

- Any government sponsor of the student has provided written support for the transfer considering the transfer is in the student's best interests or
- The student did not meet the conditions of the Conditional Offer from MIHE or
- MIHE assesses that continuing the course at MIHE is not in the student's best interests.
- **Transfer Granted:** If a transfer is granted to the international student, it will be at no cost to the student and the Student Welfare and Support Officer will advise the student to contact immigration to seek advice about whether a new student visa is required. Once the release is granted, the Student Welfare and Support Officer will record the reason for releasing the student from their enrolment in PRISMS. The student will pay any outstanding fees or return any library books or equipment before receiving a confirmation of release from the Student Welfare and Support Officer.
- **Transfer Denied:** The Student Welfare and Support Officer will refuse a request for a release during the restricted transfer period which is prior to the student completing six months of their principal course. Beyond the restricted transfer period, which is after six months the release may also be denied if:
 - There are no compassionate, compelling circumstances for the transfer
 - The student has fees outstanding
 - The student applied to transfer from a course of MIHE to a lower-level course at another provider
 - Letter of Offer from another registered provider is not provided
 - The transfer will be detrimental to the student's future study plan and therefore not in the student's best interests

Students will be sent a Notice of Decision in writing which will include the reasons for the refusal. Students will be advised of their right to appeal once a decision is made, through the Student Complaints and Appeals Policy and Procedure within twenty (20) business days of receiving notice of the decision in writing. MIHE will not record the outcome of the request in PRIMS until the appeal decision is finalised, or the international student has chosen not to access the complaints and appeals processes within the 20 business day period, or the international student withdraws from the process.

Procedure for Transferring to MIHE

- The process starts with MIHE receiving an application from a student who is currently undertaking study at another registered provider.
- MIHE will determine if the student has completed six months of their principal course of study with the other registered provider based on information from the student's passport, including their student visa with the date the student arrived in Australia.

- Where the student has completed six months of study in their principal course, the application proceeds as for all other onshore international student applications in accordance with the *Admissions and Enrolment Policy and Procedure*.
- Where the student has not completed six months of study in their principal course, MIHE will assess the application as set out in clauses below.
- The Student Welfare and Support Officer will review whether the student has been recorded as being released from their transfer restricted enrolment in PRISMS. The Student Welfare and Support Officer will search for the student and view the student's enrolment in PRISMS.
- Where the student is recorded as released in PRISMS, the Student Welfare and Support Officer will confirm that the recorded release type is in accordance with one of the restricted transfer principles. Where the release type is that the provider agreed to the student's release, the reason for release and date of effect is recorded, the application proceeds as for all other onshore international student applications.
- Where the student is not recorded as released in PRISMS, the application process will be on hold and the student will be notified that they are unable to transfer at this time and invited to re-activate their application once they have completed six months in the principal course of study or after providing evidence that one of the restricted transfer principles applies.
- In case of a government sponsored student, the student will provide written support from their sponsor which may include a statement that the government sponsor considers the change to be in the student's best interests and the application will proceed as for all other onshore international student applications.
- If MIHE becomes aware that the original registered provider has ceased the course in which the student was enrolled or TEQSA has imposed a sanction on original registered provider's registration which prevents the student from carrying on their principal course of study at that registered provider, the student's application will proceed as for all other onshore international student applications.

Finalising the Transfer Request

- The student's computer access and e-mail account will be deactivated. The student's library and other equipment borrowing rights will be cancelled.
- The Student Welfare and Support Officer will update the student's file to include a copy of the request for transfer to another registered provider, any other evidence supplied, a copy of the Letter of Offer from the other registered provider, a copy of the written advice to the student of the decision and if request granted, a record of confirmation of release in PRISMS.
- The Student Welfare and Support Officer will advise the Department of Home Affairs (via PRISMS) that the student has transferred to another registered provider.

Records Management

The Student Welfare and Support Officer will maintain a register of all approved and denied release requests. Records of the assessments of and decisions regarding all transfer requests will be maintained for two years after the international student ceases to be an accepted student, in accordance with the Records, Data and Information Management and Security Policy.