

## STUDENT TRANSFER POLICY AND PROCEDURE

<b>Policy Code</b>	OPS07
<b>Policy Lead</b>	Director Student Experience
<b>Approving Authority</b>	Board of Directors
<b>Approval date</b>	28 June 2024
<b>Commencement date</b>	01 July 2024
<b>Next Review Date</b>	March 2027
<b>Version</b>	2024.2
<b>Relevant legislation or external requirements</b>	National Code of Practice for Providers of Education and Training to Overseas Students 2018 (NC: 1.5, 2, 3, 4, 7, 8) Higher Education Standards Framework (Threshold Standards) 2021 (HESFs: 1.1, 1.3, 1.5.10, 2.2.3, 2.4, 5.3.7, 7.2.2(c), 7.3.3(a))  Competition and Consumer Act 2010 Corporations Act 2001 (Cth) (Corporations Act) Australian Qualifications Framework (AQF) Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act) Education Services for Overseas Students Act 2000 (ESOS Act) Education Services for Overseas Students Regulations 2019 (Cth) (ESOS Regulations) Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)
<b>Related ASA Documents</b>	Overseas Student Recruitment Policy Student Admissions Policy Student Admissions Procedure Recognition of Prior Learning Policy Recognition of Prior Learning Procedure Student Enrolment and Attendance Policy and Procedure Student Code of Conduct Student Support Framework Student Grievance Policy Student Grievance Procedure Course Discontinuation and Teach Out Policy and Procedure Student Fees, Charges, and Refund Policy Student Fees, Charges, and Refund Procedure Deferral, Suspension, and Cancellation Policy and Procedure Qualification Issuance and Graduation Policy

### 1. Purpose

This policy and procedure describes the grounds and procedural requirements for the ASA Institute of Higher Education (**ASA**) to consider and action requests from enrolled international students to transfer between registered higher education providers (**providers**).

### 2. Scope

This policy and procedure applies to all international students studying with ASA. This policy does not apply to domestic students or international students on non-student visas such as tourist, work or family visas that allow the person unrestricted rights to study in Australia.

ASA staff, where relevant, will support the processes outlined in this document.

### 3. Principles

International students wishing to transfer between providers must do so in accordance with the

National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) and ASA's requirements.

ASA will assess each request on an individual student basis, and ensure that transfer requests are considered in view of the following principles:

- **Compliant** - ASA must at all times remain compliant with all relevant legislative and regulatory requirements.
- **Fair and Transparent** – ASA will consider all supporting documentation of the request and treat students or applicants fairly and in a transparent manner.
- **Supportive** – ASA will consider the student's best interests and support the integrity of Australia's Student Visa system.

#### 4. Definitions

Term	Definition
commence	To start a course. The commencement date is the first day of the study period that a student is enrolled in a unit. This does not include units that have been granted Advanced Standing or exemption.
compassionate or compelling circumstances	Compassionate and compelling circumstances are circumstances that produce a feeling of sympathy for the student's troubles or are powerfully convincing. These circumstances can include, but are not limited to: <ol style="list-style-type: none"> <li>Serious illness or injury, where a medical certificate states that the student was unable to attend classes</li> <li>Bereavement of close family members such as parents or grandparents</li> <li>Major political upheaval or natural disaster in the home country requiring emergency travel which has impacted on the student's studies,</li> <li>A traumatic experience which could include:               <ul style="list-style-type: none"> <li>Involvement in, or witnessing of a serious accident; or</li> <li>Witnessing or being the victim of a serious crime and these experiences have impacted on the student</li> </ul> </li> </ol>
Conditional Letter of Offer (LoO)	A Letter of Offer (LoO) that requires fulfilment of one or more conditions prior to an applicant being accepted for enrolment.
course	A structured and integrated program of education, usually consisting of a sequence of units leading to the award of a qualification.
Department of Home Affairs (DHA)	The Department of Home Affairs (DHA) is a branch of the Australian Federal Government. The Department is responsible for strategy and policy leadership for a number of areas including immigration.
Education Agent (Agent)	A person or organisation (in or outside of Australia) who recruits overseas students and refers them to education providers.
higher education provider	Defined in the Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act) as: <ol style="list-style-type: none"> <li>A constitutional corporation that offers or confers a regulated higher education award;</li> <li>A corporation that:               <ol style="list-style-type: none"> <li>offers or confers a regulated higher education award</li> <li>is established by or under a law of the Commonwealth or a Territory</li> </ol> </li> <li>A person who offers or confers a regulated higher education award for the completion of a course of study provided wholly or partly in a Territory.</li> </ol>
international student	An international student is a student who requires a Student Visa to study in Australia.

Term	Definition
Letter of Offer (LoO)	A Letter of Offer (LoO) is a document supplied to successful applicants which details the course enrolment that the applicant may accept or decline. Once it has been signed and returned to ASA it is the Written Agreement that constitutes a legal contract between the applicant and ASA.
Letter of Release	A Letter of Release allows a new provider to enrol a new student compliantly. It is confirmation that the provider who issued a CoE to a student has updated the necessary records in the PRISMS system. In the past, this was a physical letter, however a written confirmation is now all that is required.
principal course	The main course of study to be undertaken by an international student where the student visa has been issued for multiple courses and is usually the final course of study
progression	The process of completing units in a course of study over time.
Provider Registration and International Student Management System (PRISMS)	Provider Registration and International Student Management System (PRISMS) which is the record system required to comply with the National Code. The system is maintained by the Department of Home Affairs, a branch of the Australian Federal Government.
registered higher education provider	All registered higher education providers are listed on the National Register, which is the authoritative source of information on the status of registered higher education providers in Australia. TEQSA, as the regulatory body for higher education in Australia maintains the National Register.
satisfactory course progression	Course progression must enable a student to fulfil the academic requirements of their course within five (5) years of commencement in that course at ASA. Additionally, students should not fail the same unit twice or fail 50% or more of their enrolled units within a six (6) month period.
Senior Management team	<p>A group of senior operational staff who report to the CEO and have specific functional responsibilities within ASA. The Senior Management team consists of:</p> <ul style="list-style-type: none"> <li>• Chief Executive Officer/Principal</li> <li>• Academic Dean</li> <li>• Director International Recruitment</li> <li>• Director Learning and Innovation</li> <li>• Director Quality and Compliance</li> <li>• Director Student Experience</li> </ul>
Student Visa	This is a visa granted by the Australian Federal Government to allow citizens of countries other than Australia to visit Australia to participate in a course of study. Some exemptions apply, all applicants or students should seek advice regarding immigration requirements.
Tertiary Education Quality Standards Agency (TEQSA)	The Tertiary Education Quality and Standards Agency (TEQSA) is Australia's independent national regulator of the higher education sector.
withdrawal	When a student chooses not to continue a course after they have commenced, but before they have completed all the academic requirements of the course.
working day	A working day is any day between Monday to Friday but does not include Saturdays, Sundays or Australian public holidays for the state where the relevant campus is located.

## 5. Policy Statement

ASA is committed to providing a high-quality educational experience for all students. ASA recognises that the selection of a provider is an important decision for students and seeks to

ensure, prior to enrolling any student, that the offered course at ASA is appropriate for their needs and goals.

International students may need to transfer or change providers during their course and this document details the manner in which such requests will be assessed and processed in a consistent and compliant manner.

Requests to transfer may be from:

- a course at a different provider to a course at ASA (**incoming transfer**)
- one ASA course to a different course at a different provider (**outgoing transfer**)
- one ASA course to another (**internal transfer**)

The National Code places restrictions on transfers from one provider to another within the first six months of an international student's principal course. The first six months is calculated as six calendar months from the date the student commences their principal course. As the principal course of study is generally the final course of study covered by the international student's visa, transfer requirements apply to all courses of study prior to the international student's principal course.

Students are requested to note that there are no fees associated with requests for transfers. However, any student requesting a transfer is advised to consider the *ASA Student Fees, Charges, and Refund Policy* and associated procedure and the relevant policy at their current provider, for the circumstances in which refunds of fees and charges may be granted.

## 6. Incoming Transfer

### 6.1 Grounds

Applicants may request to transfer from a course at a different provider to a course at ASA on one of the following grounds:

- a. the applicant has completed the first six months of their principal course;
- b. the other provider, or the course in which the applicant is enrolled, has ceased to be registered;
- c. the other provider has had a sanction imposed on its registration by TEQSA that prevents the applicant from continuing their course at that provider;
- d. the other provider has agreed to the applicant's release and recorded the date of effect and reason for release in Provider Registration and International Student Management System (**PRISMS**); or
- e. any government sponsor of the applicant considers the change to be in the overseas student's best interests and has provided written support for the change.

### 6.2 Procedure

The following process applies for ASA accepting incoming transfers:

If the applicant applies for a transfer on the grounds of 6.1a. or 6.1d. above the standard admissions process applies.

If the applicant applies for a transfer on any other grounds, then the following procedure will be followed:

1. The applicant or agent contacts the Admissions team via the ASA website and submits an application to enrol in a selected course at ASA.
2. The applicant is required to provide evidence of the grounds for an incoming transfer

from their current provider, such as a Letter of Release or other circumstances, to support their application.

3. An applicant may request a Conditional Letter of Offer (which clearly states that an offer of enrolment is subject to the condition that they acquire evidence of a release) to assist them in obtaining a Letter of Release from their current provider.
4. The Admissions Manager reviews the application, in consultation with the Director Student Experience, and determines an outcome. If no satisfactory evidence of release is obtained, the application process is discontinued and the student informed that they are unable to transfer at that time.
5. The Admissions Manager, or delegate, communicates the outcome to the applicant via email within 10 working days of application.

## 7. Outgoing Transfer

### 7.1 Grounds

Students may request to transfer from an ASA course to a course at a different provider on one of the following grounds:

- a. the student has completed six months of their principal course;
- b. the student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with ASA's intervention strategy to assist the student in accordance with the National Code (Standard 8) and the *Student Progression and At Risk Policy* and associated procedure;
- c. there is evidence of compassionate or compelling circumstances;
- d. ASA has failed to deliver the course as outlined in the written agreement;
- e. there is evidence that the student's reasonable expectations about their current course are not being met;
- f. there is evidence that the student was misled by ASA or an education or migration agent regarding ASA or the course and the course is therefore unsuitable to their needs and/or study objectives; or
- g. an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.

### 7.2 Procedure

The following process applies for ASA accepting outgoing transfers:

If the student applies for a transfer on the grounds of 7.1a. above the standard withdrawal process applies. Please refer to the *Deferral, Suspension, and Cancellation Policy and Procedure*.

If the student applies for a transfer on any other grounds, then the following procedure will be followed:

1. Students are required to submit a Provider Transfer Request Form, along with any supporting documentation. Supporting documentation should provide evidence of one of the grounds listed in section 7.1 of this document. Requests that include a valid Letter of Offer from another provider or evidence that the student remains compliant with broader requirements of the Department of Home Affairs (**DHA**) assist in assessing the request.
2. The Director Student Experience will assess all requests on a case-by-case basis, considering the circumstances of the student and whether the transfer will be in the best interests of the student. Relevant members of the Senior Management team will be

consulted depending on the grounds stated in the request.

3. ASA may refuse a request to transfer to another provider for one of the following reasons:
  - i. The request is within six months of commencement of the principal course with ASA and the student does not meet the grounds outlined in Section 7.1.
  - ii. The student does not have a valid Letter of Offer from the other provider.
  - iii. The student has outstanding payments with ASA.
  - iv. ASA does not agree the transfer is in the best interests of the student.
4. The Director of Student Experience, or delegate, will inform the student of the outcome of their request via email within 10 working days from the date of submission. Students will be advised of the need to contact the Department of Home Affairs (**DHA**) to seek advice regarding their Student Visa.
5. If the outcome is to refuse the transfer request, the student may access ASA's complaints and appeals process within 20 working days of the notification. Further information is provided within the *Student Grievance Policy* and associated procedure.
6. ASA will not finalise the student's status in PRISM until the grievance process finds in favour of ASA, the student withdraws from the process or the 20 working days elapses.
7. The details of the request to transfer, including the outcome will be recorded and retained in the student's profile for two years after the student ceases to be enrolled at ASA.

## 8. Internal Transfers

### 8.1 Grounds

Students may request to transfer from an ASA course to another ASA course on one of the following grounds:

- a. the student's career or other goals have altered since their initial enrolment;
- b. the student's interests/talents are better suited to the alternative course;
- c. the course is being discontinued by ASA; or
- d. there is evidence that the student was misled by ASA or an education or migration agent regarding ASA or the course and the course is therefore unsuitable to their needs and/or study objectives.

### 8.2 Procedure

The following process applies for ASA accepting internal transfers:

If the student applies for a transfer on the grounds of Section 8.1c. of this document then processes outlined in the *Course Discontinuation and Teach Out Policy and Procedure* applies.

If the student applies for a transfer on any other grounds, then the following procedure will be followed:

1. Students will request a meeting with the Course Coordinators of their current and proposed course to discuss their progression, interests, and goals. Course Coordinators will provide information on the proposed course to ensure it is suitable and discuss the impact of changing courses will have on the student.
2. Students are required to submit a Provider Transfer Request Form, along with any supporting documentation. Supporting documentation should provide evidence of one of

the grounds listed in section 8.1 of this document. Requests that include evidence of the student being well-informed regarding the possible advantages and disadvantages of each course and the impact of a request to transfer to a new course are preferred.

3. The Academic Dean will assess all requests on a case-by-case basis, considering the circumstances of the student and whether the transfer will be in the best interests of the student. Relevant ASA staff members will be consulted depending on the grounds stated in the request.
4. ASA may refuse a request to transfer to another ASA course for one of the following reasons:
  - i. The student has outstanding payments with ASA.
  - ii. ASA does not agree the transfer is in the best interests of the student.
  - iii. The request does not meet the grounds outlined in Section 8.1; or
  - iv. ASA considers the request to pose a risk to the integrity of the Student Visa system.
5. The Academic Dean, or delegate, will inform the student of the outcome of their request via email within 10 working days from the date of submission. Students will be advised of the need to contact the Department of Home Affairs (**DHA**) to seek advice regarding their Student Visa.
6. If the outcome is to refuse the transfer request, the student may access ASA's complaints and appeals process within 20 working days of the notification. Further information is provided within the *Student Grievance Policy* and associated procedure.
7. ASA will not finalise the student's status in PRISM until the grievance process finds in favour of ASA, the student withdraws from the process or the 20 working days elapses.
8. The details of the request to transfer, including the outcome will be recorded and retained in the student's file for two years after the student ceases to be enrolled at ASA.

## 9. **Grievances**

An applicant or student may appeal against a decision made under this Policy and Procedure. Further information is provided within the *Student Grievance Policy* and associated procedure.

## 10. **Relevant HESFs**

This Policy and the associated Procedure comply with Higher Education Standards Framework (2021) which specifies that:

### Standard 1.1 Admission

1. Admissions policies, requirements and procedures are documented, are applied fairly and consistently, and are designed to ensure that admitted students have the academic preparation and proficiency in English needed to participate in their intended study, and no known limitations that would be expected to impede their progression and completion.
2. The admissions process ensures that, prior to enrolment and before fees are accepted, students are informed of their rights and obligations, including:
  - a. all charges associated with their proposed studies as known at the time and advice on the potential for changes in charges during their studies
  - b. policies, arrangements and potential eligibility for credit for prior learning, and
  - c. policies on changes to or withdrawal from offers, acceptance and enrolment, tuition protection and refunds of charges.
3. Admission and other contractual arrangements with students, or where legally required, with their parent or guardian, are in writing and include any particular conditions of

enrolment and participation for undertaking particular courses of study that may not apply to other courses more generally, such as health requirements for students undertaking clinical work, requirements for security checks, particular language requirements and particular requirements of work placements.

#### **Standard 1.3 Orientation and Progression**

1. Successful transition into courses of study is achieved through orientation programs that are tailored to the needs of student cohorts and include specific consideration for international students adjusting to living and studying in Australia.
2. Specific strategies support transition, including:
  - a. assessing the needs and preparedness of individual students and cohorts
  - b. undertaking early assessment or review that provides formative feedback on academic progress and is able to identify needs for additional support, and
  - c. providing access to informed advice and timely referral to academic or other support.
3. Methods of assessment or monitoring that determine progress within or between units of study or in research training validly assess progress and, in the case of formative assessment, provide students with timely feedback that assists in their achievement of learning outcomes.
4. Processes that identify students at risk of unsatisfactory progress and provide specific support are implemented across all courses of study.
5. Trends in rates of retention, progression and completion of student cohorts through courses of study are monitored to enable review and improvement.
6. Students have equivalent opportunities for successful transition into and progression through their course of study, irrespective of their educational background, entry pathway, mode or place of study.

#### **Standard 1.5 Qualifications and Certification [...]**

10. Students who complete one or more units of study that do not lead to the award of a qualification have access to an authorised record of results for the units undertaken. [...]

#### **Standard 2.2 Diversity and Equity [...]**

3. Participation, progress, and completion by identified student subgroups are monitored and the findings are used to inform admission policies and improvement of teaching, learning and support strategies for those subgroups.

#### **Standard 2.4 Student Grievances and Complaints**

1. Current and prospective students have access to mechanisms that are capable of resolving grievances about any aspect of their experience with the higher education provider, its agents or related parties.
2. There are policies and processes that deliver timely resolution of formal complaints and appeals against academic and administrative decisions without charge or at reasonable cost to students, and these are applied consistently, fairly and without reprisal.
3. Institutional complaints-handling and appeals processes for formal complaints include provision for confidentiality, independent professional advice, advocacy and other support for the complainant or appellant, and provision for review by an appropriate independent third party if internal processes fail to resolve a grievance.
4. Decisions about formal complaints and appeals are recorded and the student concerned is informed in writing of the outcome and the reasons, and of further avenues of appeal where they exist and where the student could benefit.
5. If a formal complaint or appeal is upheld, any action required is initiated promptly.

#### Standard 5.3 Monitoring, Review and Improvement [...]

7. The results of regular interim monitoring, comprehensive reviews, external referencing and student feedback are used to mitigate future risks to the quality of the education provided and to guide and evaluate improvements, including the use of data on student progress and success to inform admission criteria and approaches to course design, teaching, supervision, learning and academic support.

#### Standard 7.2 Information for Prospective and Current Students [...]

2. Information for students is available prior to acceptance of an offer, written in plain English where practicable, accompanied by an explanation of any technical or specialised terms, and includes: [...]

c. information to outline the obligations of students and their liabilities to the higher education provider including expected standards of behaviour, financial obligations to the higher education provider, critical deadlines, policies for deferral, change of preference/enrolment and leave of absence, particular obligations of international students, disciplinary procedures, misconduct and grounds for suspension or exclusion [...]

#### Standard 7.3 Information Management [...]

3. Information systems and records are maintained, securely and confidentially as necessary to:

a. maintain accurate and up-to-date records of enrolments, progression, completions and award of qualifications [...]

## 11. Version Control

This Policy has been reviewed and approved by the ASA Accounting Board of Directors as at March 2024 and is reviewed every three years.

The Policy and Procedure is published and available on the ASA website  
<https://www.asahe.edu.au/policies-and-forms/>

Change and Version Control				
Version	Authored by	Brief Description of the changes	Date Approved:	Effective Date:
2024.2	Project Officer	Document formatting updated to reflect change of Trading Name to ASA Institute of Higher Education	28/06/2024 by CEO	01/07/2024
2024.1	Quality and Policy Officer	Under section 7.1, removed duplicate content from the numbering list, deleted typographical error from initial sentence.	31/05/2024	03/06/2024
2024.1	Director International Recruitment	Updated policy to include HESF references, changes in regulatory compliances. Benchmarked against 6 other Higher Education Providers.	01/03/2024	08/03/2024
Previous version archived. New Policy code and numbering system implemented.				
3.0		Board of Directors approval	04/11/2020	
2.0		Academic Board approval	30/06/2020	
1.0		Academic Board approval	16/06/2020	