



Code and Number	E.1.17
Title of Document	International Student Transfer and Release

POLICY

Under the National Code of Practice for Providers of Education and Training to Overseas Students (2018) ('the National Code') international students are not permitted to transfer between registered providers prior to completing six (6) months of their principal course of study, except in limited circumstances.

Where an international student has been issued a visa for multiple courses, the principle course of study is the final course and as such, the transfer requirements will apply to all courses of study prior to the principal course of study.

Upon completion of six (6) calendar months of the principal course of study, international students are not required to seek release.

The purpose of this procedure is to set out the circumstances in which Australian College of Nursing (ACN) will:

1. allow an international student to transfer to ACN prior to the completion of six months of study of their principle course and;
2. release an international student enrolled at ACN to another registered provider.

SCOPE

This policy applies to all international students who hold a student visa and who have been offered admission to an ACN course of study.

This Policy does not apply to international students who hold a visa other than a student visa and that visa is not subject to the National Code under the ESOS Act 2000

DEFINITIONS

Australian Qualifications Framework (AQF): the policy for regulated qualifications in the Australian education and training system.

Course of Study: a graduate certificate course

eCOE: Electronic Confirmation of Enrolment

ESOS: Education Services for Overseas Students Act 2000 (Cth)

International student: refers to overseas students studying in Australia on a student visa

Principal Course: the main course or the final course as part of the package of courses to be undertaken by an overseas student where a student visa has been issued for single course or multiple courses of study.

PRISMS: the Australian government's Provider Registration and International Student Management System used to record student's enrolment information.

Registered provider: an education provider that is registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).

Students requesting to transfer to ACN

ACN may enrol an international student transferring from another Registered Provider prior to the completion of six (6) months' study in their Principal Course if:

- the original Registered Provider, or the course in which the overseas student is enrolled, has ceased to be registered; or,
- the original Registered Provider has agreed to the overseas student's release and recorded the date of effect and reason in PRISMS; or,

- the original Registered Provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing in their course; or,
- any government sponsor of the overseas student considers the change to be in the overseas student's best interests and has provided written support for that change.

Students requesting release from ACN

Students who have not completed the first six (6) months of their course of study at ACN may apply in writing for a release to transfer to another registered provider when ACN assesses that it is in the student's best interests to grant the release.

Circumstances when a transfer may be assessed as being in the best interests of the student may include:

- the student can demonstrate compassionate or compelling circumstances beyond the control of the student and which have an impact on the student's course progress or wellbeing:
 - Medical circumstances; or
 - Family circumstances; or
 - Personal circumstances; or
 - Employment related circumstances
- the student has been determined as not meeting satisfactory course progress at the level they are studying and will be reported in PRISMS for unsatisfactory course progress, with evidence that the student has fully engaged with ACN's intervention strategy;
- the student requests a transfer to a course at an AQF level considered higher than the level of their current course in a discipline area not available at ACN, evidenced with a valid offer of admission from another registered provider;
- ACN fails to deliver the course of study as outlined in the letter of offer;
- there is evidence that the student's reasonable expectations about their current course are not being met (such as correspondence between the overseas student and the registered provider or marketing materials given to the overseas student prior to enrolment, and setting particular expectations about the course);
- an appeal (internal or external) on another matter results in a decision or recommendation to release the student.

ACN may refuse a student's request to transfer to another registered provider prior to the completion of their course of study at ACN.

ACN will not approve a release request in the following circumstances, the:

- student has outstanding debts or fines; or
- student has changed their mind about the course they wish to study; or
- transfer request is to study a course at an AQF level that is considered lower than their current level; or
- student has not exhausted access to ACN's support services for assistance with study or personal issues; or
- student has been determined as not meeting satisfactory course progress due to not having fully engaged with ACN's intervention strategy, including but not limited to where the student:
 - does not attend the scheduled academic counselling session
 - has low attendance at academic support workshops or additional tutoring
 - does not accept the study plan that is tailored to meet the student's best interests and study needs
- student has already accepted and paid for a course at another Registered Provider; or
- student cites work commitments or demands of employment; or
- ACN believes that the student is attempting to avoid being reported to the Department of Home Affairs or disciplinary reasons or unsatisfactory attendance.

Circumstances in which approval of release is not required

Approval of release is not required if, the student:

- does not meet the conditions of their letter of offer and therefore cannot commence their course of study at ACN or;

- wishes to discontinue studying at ACN and intends to return to their home country; or
- is holding any other kind of temporary residence visa, that is not subject to the National Code.

Withdrawal and Refund

Once the request for release is approved and the withdrawal process is finalised, a refund of paid tuition fees will be processed in accordance with the ACN International Student Withdrawals and Refunds policy.

Appeals

A student whose request for release has been refused may appeal the decision within 20 working days of receiving notification of the outcome of the request.

The Student Grievance Handling – Academic and Non Academic Policy and Procedure will apply. Following the outcome of an internal appeal, students may seek the services of an independent mediator through the Resolution Institute or lodge an external appeal with the Overseas Students Ombudsman.

In accordance with the provisions of the National Code, a student's enrolment will be maintained, and ACN's final decision will be reported in PRISMS following the appeal period.

PROCEDURE

To set out the steps and responsibilities required to manage transfer and release requests from international students.

This procedure does not apply to international students who hold a visa other than a student visa and that visa is not subject to the National Code.

Responsibilities and actions required:

- International students
- Customer Service Officer
- Manager Education Business Operations
- Executive Director - Education

Application procedure

International students are required to complete the Request for Release Form located on ACN's student portal CNnect and attach all supporting documentation including:

- A copy of the unconditional offer letter from the CRIOCS registered provider
- Any other supporting documentation

On receipt of the application, ACN will assess the students request for release within ten (10) working days. ACN will notify students of the decision in writing and a letter of release provided. ACN will cancel the eCOE of successful applications and the Department of Home Affairs will be notified.

Appeals

If a student's application is unsuccessful, they are entitled to appeal the outcome within twenty (20) working days. The Student Grievance Handling – Academic and Non Academic Policy and Procedure will apply.

RELEVANT LEGISLATION

National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (2018)

Education Services for Overseas Students Act 2000 (ESOS Act)

RELATED POLICIES AND PROCEDURES

E.1.14a International Student Withdrawals and Refunds policy

E.1.13 Student Grievance Handling – Academic and Non Academic Policy and Procedure

RELATED FORMS

Request for Release Form
Grievance/Complaint form

Responsibility for Review	Education Management Committee
Ratification	Executive Leadership Team
Date of Issue	February 2019
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International Student Transfer and Release Process

