

POL010_Overseas Student Transfer Policy

Table of Contents

1. Scope.....	3
2. Purpose.....	3
3. Transfer from Danford College to Another Provider.....	3
4. Transferring from Another Provider to Danford College	5
5. Complaints and Appeals	6
6. Associated Documents	6
Appendix:.....	7

1. Scope

As per the ESOS Standards 2018, international students are required to continue with their education provider for first six months of their principal course. However, an international student can choose to transfer between registered providers. The Overseas Student Policy outlines the circumstances under which the student can transfer to or from another registered provider.

The Overseas Student Transfer Policy is in accordance to:

- ESOS Standard 2018: Standard 7

The policy is applicable but not limited to the students enrolled with Danford College, students wanting to transfer to Danford College from another provider, marketing department, administration department, compliance department and finance department.

2. Purpose

The purpose of the Overseas Student Transfer Policy is to ensure all the staff and students are aware of the circumstances under which the student can transfer between registered providers. The policy aims to achieve the following objectives:

- Clearly outline the circumstances under which Danford College will approve or reject a student applying to transfer to another provider;
- Outline the enrolment process where a student wishes to transfer from another provider to Danford College;
- Outline the Complaints and appeals provision for students not satisfied with the outcome of the transfer.

3. Transfer from Danford College to Another Provider

International Student enrolled at Danford College requesting to transfer to another registered provider prior to completing 6 months in principal course and requesting a release should apply by submitting the Application to Transfer Enrolment Between Registered Provider form available on Danford College website. Students need to ensure there are no outstanding fees prior to the applications. Students are required to submit the supporting documents as evidence.

Danford College will assess the application on a case by case basis. The College may schedule a face – to – face meeting with the student to discuss about the application where an alternative arrangement can be suggested by the College to meet the student requirement. Also, to advise them of any breach that may occur as a condition of their student visa as outlined by DHS.

If the student declines the alternative arrangement, the student will need to submit a Letter of Offer from another provider making sure the same AQF level is maintained as that of the principal course the student is enrolled at Danford College. The College will further assess the application and provide with an outcome in writing via email.

Requests for transfers may be approved for the reasons outlined below but not limited to:

- the overseas student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with the College's intervention strategy to assist the overseas student in accordance with Standard 8 (Overseas student visa requirements)
- there is evidence of compassionate or compelling circumstances;
- the College has failed to deliver the course as outlined in the written agreement;
- there is evidence that the overseas student's reasonable expectations about their current course are not being met;
- there is evidence that the overseas student was misled by the registered provider or an education or migration agent regarding the registered provider or its course and the course is therefore unsuitable to their needs and/or study objectives;
- an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.

If the transfer request is approved, the College will grant a release at no charge to the student and report the cancellation of enrolment with Danford College to the Department of Education via PRISMS by cancelling the CoE. The student will be advised to contact DHA to seek advice regarding any changes to visa conditions. The approval of transfer of a student to another institution does not indicate the agreement to provide any refund. For more information refer to the POL013_Student Fee Refund Policy.

Requests for transfers may be refused for the following reasons but not limited to:

- The transfer may jeopardize the student progression through a package of courses;
- The student is intending to avoid being reported to Commonwealth Department of Home Affairs for failing to meet the College's academic progress requirements;
- A Valid 'Letter of Offer' has not been received by the student from new registered provider or same AQF level is not being maintained ;
- Reasons for requesting transfer primarily relate to enhancing permanent resident opportunities, or current timetable interferes with work arrangements
- The student has outstanding fees with Danford College;
- Transfer perceived as detrimental to student's welfare and wellbeing.

The student will be informed of the refusal with the reason for refusal in writing via email within 10 working days. If the student is not satisfied with the outcome, the student has the right to access the College's Complaints and Appeals process within 20 working days of the outcome.

If the College refuses a release, it will not finalise the overseas student's refusal status in PRISMS until:

- any appeal against the refusal lodged by the overseas student is finalised and is upheld the College's decision not to release the student; or

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- the overseas student did not access the registered provider's 'Complaints & Appeals' processes within 20 working days of being notified of the refusal; or
- the overseas student withdraws their appeal against the refusal.

Student needs to continue studying and comply with the visa conditions as outlined on the student visa both academically and financially if the transfer is refused or if the internal appeal is in process.

4. Transferring from Another Provider to Danford College

International student wishing to transfer to Danford College from another Provider should apply by completing the Application for Enrolment as an International Student form available on Danford College website.

Danford College will assess the application and a 'Conditional Letter of Offer' may be provided to a student who requests to transfer to the College from another registered provider if they have not completed 6 months of study into their principle course.

When assessing the application, the College will ascertain if the student has a valid Visa and the commencement date of the principal course to determine that the transferring student has completed 6 months in the principle course with current provider.

If the transferring student has not completed 6 months in the principal course with current provider the College must inform student of the requirement to obtain 'A Letter of Release' from their current provider before a valid enrolment can commence.

Danford College will not knowingly enrol an international student wishing to transfer from another registered provider's course prior to the international student completing six months of their principal course of study, except where any of the following apply:

- the releasing registered provider, or the course in which the international student is enrolled, has ceased to be registered;
- the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the international student from continuing his or her course at that registered provider;
- the releasing registered provider has agreed to the international student's release and recorded the date of effect and reason for release in Provider Registration International Students Management System (PRISMS) - Students wishing to apply to transfer within 6 months of commencing a course at another institution must provide evidence of release from that institution as part of their application to transfer.;
- any government sponsor of the international student considers the change to be in the international student's best interests and has provided written support for the change.

5. Complaints and Appeals

All students enrolled at Danford College reserve the rights to access the complaints and appeal process at no cost should they be not satisfied with an outcome of the College within 20 working days of the outcome. The complaints and appeals form can be accessed via Danford College website <https://www.danford.edu.au/>

In accordance with the Overseas Student Transfer Policy student can lodge an internal appeal if the transfer to different registered provider is refused.

In the event a student lodges an internal appeal the student:

- must remain at the College and attend classes during the internal appeal process;
- will not incur any cost for the internal appeal process.

In the event a student lodges an internal appeal the college:

- will not cancel the enrolment;
- will not grant release;
- will not report the student to Department of Education via PRISMS.

If the student has exhausted the internal appeal process and the dispute is unresolved or if the student is not satisfied with the outcome of the internal appeal, the student can choose to appeal externally with the Commonwealth Ombudsman with no fee charges. Below are the contact details for the Commonwealth Ombudsman:

GPO Box 442

Canberra ACT 2601

Email: ombudsman@ombudsman.gov.au

Tel: (in Australia): 1300 362 072 Tel: (outside Australia): +61 2 6276 0111

For more information please refer to Danford College's POL007_Complaints and Appeals Policy.

6. Associated Documents

- POL003_Student Admission Policy
- POL013_Student Refund Policy
- POL007_Complaints and Appeals Policy
- FOR010_Application for Transfer of Enrolment Between Registered Providers
- Letters informing the outcome of the transfer
- FLO004_Overseas Student Transfer

Appendix:

- 1) **CoE:** Confirmation of Enrolment (CoE) confirms the student's eligibility to enrol in a course with the registered provider and contains information about the provider, course and duration of study in which the student has enrolled. This evidence is required before the Department of Home Affairs issues a visa to a student.
- 2) **PRISMS:** Provider Registration and International Student Management System (PRISMS) is a computer system developed by the Department in association with the Department of Home Affairs for the purpose of receiving and storing information about accepted overseas students that is given to the Secretary under section 19 of the ESOS Act.
- 3) **AQF Level:** AQF levels and the AQF levels criteria are an indication of the relative complexity and/or depth of achievement and the autonomy required to demonstrate that achievement. AQF level 1 has the lowest complexity and AQF level 10 has the highest complexity.
- 4) **ESOS:** The Education Services for Overseas Students (ESOS) Framework covers the provision of education services to overseas students. This legal framework sets out the requirements for registration as an ESOS provider. It also defines the standards that providers offering courses to overseas students must meet.
- 5) **DHA:** The Department of Home Affairs (DHA) is responsible for central coordination, and strategy and policy leadership in relation to: cyber and critical infrastructure resilience and security, immigration, border security and management, counter-terrorism, the protection of our sovereignty and citizenship and social cohesion.
- 6) **Principal Course:** The principal course of study refers to the main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study. The principal course of study would normally be the final course of study where the overseas student arrives in Australia with a student visa that covers multiple courses.