



## Overseas Student Transfer to Other Providers Policy and Procedures

### Policy

The following policy and procedure ensure that Xpert Solutions processes request for students to transfer from or to other training providers in accordance with 'Standard 7 – Overseas Student Transfers' of the 'National Code of Practice for Providers of Education & Training to Overseas Students 2018'.

Xpert Solutions is restricted from enrolling transferring students prior to a student completing 6 months of their principal course of study. This means Xpert Solutions will not knowingly enrol an overseas student transferring to Xpert Solutions from another education provider, who has not completed at least 6 months of their principal course without meeting specified criteria outlined in the ESOS National Code. However, there are some exemptions applied which are discussed in the procedure below.

This policy details the procedures for assessing applications to transfer within this 6-month period.

The procedures outlined below will ensure that it does not enrol any transferring international student prior to the 6 months of their principal course being completed unless the previous education provider has recorded releasing information on PRISMS.

Students who have studied longer than this period of 6 months can apply as normal. These students are not required to obtain the release information on PRISMS. The relevant information is provided through PRISMS where the releasing provider records this information. The following procedures have been separated into 'Incoming students' and 'Outgoing students.'

### Procedure

Any requests that are received in relation to a student willing to transfer education providers shall be the responsibility of the Administration Manager. The Administration Manager shall assess the applications to transfer education providers and conclude an outcome based on the following procedure.

#### **Requests to transfer to Xpert Solutions from another Training Provider**

The following procedure is relevant to any student who applies for a course within Xpert Solutions and is currently studying onshore with another registered provider.

For this procedure to be completed the applicant must provide a copy of their passport (along with original passport to certify the copy) to look up PRISMS. Once this information is obtained the following steps are taken:

- i. Administration Manager accesses the student information via documents provided by student along with a copy of his/her passport. The current student visa can be verified by Visa Entitlement Verification Online (VEVO). They are to ascertain if the length of studies completed in their current Principal course of study is greater than 6 months.
- ii. If they have completed more than 6 months of their principal course of study, the application process proceeds as normal as for all students.



- iii. Where a student has NOT completed 6 months of their principal course of study, the relevant information is checked where the previous provider has recorded releasing information on PRISMS.
- iv. If no releasing information is found, Xpert Solutions will not enrol the student, who have not completed 6 months of their principal course of study.
- v. If student release is found and the student has no outstanding matters of concern, the application proceeds as normal as for all applicants.
- vi. If no satisfactory information is obtained from PRISMS regarding such applicant, the application will not be processed, and the student would be informed that they are unable to transfer at this time.

Xpert Solutions will not knowingly enrol an overseas student transferring to Xpert Solutions from another education provider, who has not completed at least 6 months of their principal course, except where any of the following applies:

- Releasing education provider, or the course in which the overseas student is enrolled, has ceased to be registered;
- Releasing education provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course at that registered provider;
- Releasing education provider has agreed to the overseas student's release and recorded the date of effect and reason for release in prisms;
- 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 the change.

**Note** that in the very rare circumstances where the original institution or course has ceased to be registered, or sanctions have been placed on the original institution by the Australian government or regulating authority which do not allow the student to continue with the course, Xpert Solutions will not consider 'release' information on PRISMS. Evidence of this occurrence would be placed in the student file.

### **Requests to transfer from Xpert Solutions to another Training Provider**

The following procedure is relevant to those students willing to transfer to another education provider prior to completing six (6) months of their principal course of study at Xpert Solutions.

- i. Students must make a written request (must be in person with submission of Cancellation of Enrolment Form) to Administration Manager to transfer to another provider.
- ii. The student is asked to provide a valid 'Letter of Offer' from the new provider authenticating the transfer and the student is able to provide a letter indicating the benefits of transferring from their current course of study.
- iii. Circumstances in which Xpert Solutions will grant the transfer request because the transfer is in the overseas student's best interests, including but not limited to where Xpert Solutions has assessed that:



- Xpert Solutions has cancelled/ceased to offer the students program as outlined in the written agreement.
- Government considers the change to be in the student's best interest, if they are a sponsored student (written confirmation from sponsor required).
- 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 intervention strategy.
- There is sufficient evidence of compassionate or compelling circumstances.
- 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.
- Exceptional circumstances (documentation required to support circumstances).

In assessing the application to transfer, the Administration Manager will check the following points:

- Ensure any outstanding fees are paid
  - Ensure the student is fully aware of all issues relating the transferring of providers.
- iv. Once the above points have been addressed by the Administration Manager, student's enrolment at Xpert Solutions will be cancelled and student release information will be recorded in PRISMS. The student will also be advised of the need to contact Department of Home Affairs (DHA) and check if their existing visa allow them to study the intended course.
- v. The Administration Manager reports the student's termination of studies to the appropriate government agency(s) via PRISMS.
- vi. Where the transfer is not in the best interest of the student, the request to transfer to another education provider will be refused. Reasons for refusal may include but are not limited to:
- Outstanding payment
  - New course location or outcome is not suitable to student situation
  - Provider is not a CRICOS registered provider
  - The welfare of the student is compromised
- vii. This decision of the appropriateness of the transfer will be made by the Administration Manager and shall be given to the student in writing. The above process should not take more than 5 working days once the student has provided the necessary documentation
- viii. In an event where the student's application of transferring to another provider is refused, the overseas student will be informed in writing about student's right to appeal against the decision.
- ix. Overseas Student will have access to Xpert Solutions's Complaints and Appeal processes. Students can appeal against the decision within 20 working days after the outcome was informed to the student.



- x. Xpert Solutions will not finalise the student's refusal status until the appeal finds in favour of the institute, or the overseas student has chosen not to access the complaints and appeals processes within the 20-working day period, or the overseas student withdraws from the process.
- xi. All requests, considerations, decisions and documentation to be placed in student's file for 2 years after the overseas student ceases to be an accepted student.
- xii. The approval of transfer of a student to another institution does not indicate the agreement to provide any refund. The refund will only be processed in accordance to the refund policy.