



KEYSTONE COLLEGE
OF BUSINESS & TECHNOLOGY

Transfer Request Assessment Policy and Procedure

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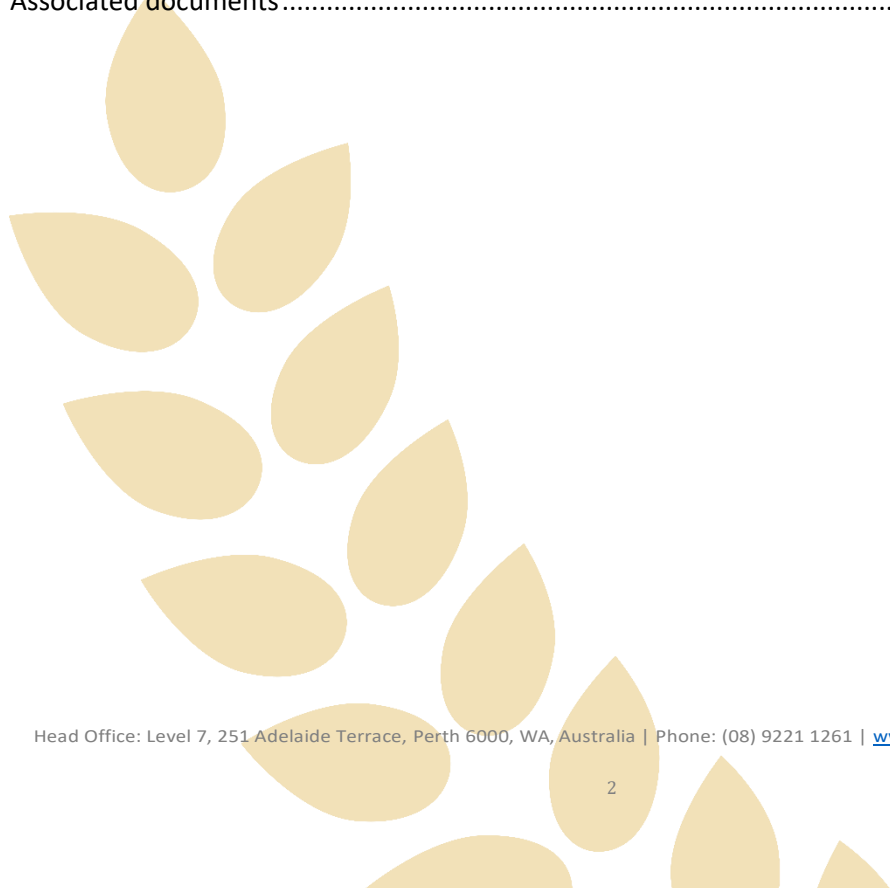
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Purpose:

This Procedure outlines the process by which the KCBT assesses requests from international students wishing to transfer to or from KCBT courses before students complete 6 months of their principal course of study as specified in their Confirmation of Enrolment (CoE).

This Procedure is in accordance with the Education Services for Overseas Students National Code of Practice for Providers of Education and Training to Overseas Students 2018. It applies to:

- a) All prospective international onshore students requesting to transfer to KCBT; and
- b) All KCBT international students studying on a student visa, who request to transfer to another registered education provider prior to completion of the first 6 months of their principal course of study.

Related Legislation

National Code of Practice for Providers of Education and Training to Overseas Students 2018
Education Services for Overseas Students (ESOS) Act 2000

Scope

In accordance with the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, KCBT will not knowingly enrol a student transferring from another education provider prior to the student completing six months of their principal course.

A student may apply to transfer to another provider after they have completed six months of their principal course. In the case of a package of courses for example, Cert IV, Diploma and finally Advanced Diploma, the principal course is the highest course – the Advanced Diploma.

Definitions

ASQA	Australian Skills Quality Authority, the national VET regulator and the RTO's registering body.
CoE	For international students, the CoE is issued by KCBT as proof of enrolment. Students can apply for or renew their student visa with the CoE.
Compassionate or Compelling Circumstances	Circumstances generally out of the control of the student which will have an impact upon the student's wellbeing or program progress.
Course	The program of study which leads to a qualification or reward.
Course Progress	The measure of advancement within a course towards the completion of that course irrespective of whether course completion is identified through academic merit or skill-based competencies.

CRICOS	The Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).
DET	Department of Education and Training
Department of Home Affairs	It is a central policy agency, providing coordinated strategy and policy leadership for Australia's national and transport security, federal law enforcement, criminal justice, cyber security, border, immigration, multicultural affairs, emergency management and trade-related functions
ESOS Act	The Education Services for Overseas Students Act 2000 of the Commonwealth of Australia.
International Student Intervention Strategy	An Intervention Strategy is a plan that aims to help students succeed in their studies. This is required when a student has not met course progress requirements, their enrolment is deemed at risk and they are placed on a Restricted course status.
National Code	The National Code of Practice for Providers of Education and Training to Overseas Students 2018, established pursuant to Part 4 of the ESOS Act
Non-AQF Degree	The AQF is the national policy for regulated qualifications in Australian education and training in Australia. It comprises different qualification levels. Non-AQF courses do not lead to a qualification or award that is covered by the AQF.
PRISMS	Provider Registration and International Students Management System: the Australian Government database that provides Australian education providers with Confirmation of Enrolment facilities are required for compliance with the ESOS legislation.
PRINCIPAL COURSE	The principal course refers to the main course of study to be undertaken by the international student where a student visa has been issued. The principal course of study is typically the final course of study where the international student is granted a student visa to study multiple courses in Australia.
Standards	The Council of Australian Governments (COAG) Industry and Skills Council agreed to new regulatory standards for training providers and regulators—the Standards for Registered Training Organisations (RTOs) 2015 . The Standards to ensure nationally consistent, high-quality training and assessment across Australia's vocational education and training (VET) system. Compliance with the Standards is a requirement for all ASQA registered training organisations and for applicants seeking registration. ASQA uses the Standards to protect the interests of all students in Australia's VET system. The Standards guide nationally consistent, high-quality training and assessment services in the vocational education and training system.
Study Period	A period of study within a course, namely term, semester, trimester, short course of similar or lesser duration, or as otherwise defined by Perth Institute of Australia.
Unsatisfactory Course Progress	A student who is at risk of failing a grade point average (pass grade); or failing more than 50% of units attempted within a semester; or failing the same unit for a second time.

Procedure

Student transferring from KCBT to another provider:

Students must complete the Course Variation Form and provide supporting evidence. KCBT will process the transfer request and provide the outcome within 10 working days of a complete application to transfer has been received.

Transfer before the first six months is complete

KCBT will consider permitting a student to transfer to another registered provider prior to completing six months of their principal course in certain circumstances, which may include (but are not limited to) the following:

- there are compassionate or compelling circumstances, such as the student provides evidence that he/she is under a real threat to his/her mental or physical health by remaining in the course, or provides evidence of other significant personal reasons
- 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 that registered provider's intervention strategy to assist overseas student in accordance with Standard 8 (Overseas student visa requirements).
- KCBT is unable to deliver the course
- There is evidence that current courses do not meet international student's expectations
- There is evidence that the international student was misled by the registered provider or an education agent, or
- An appeal (internal or external) on another matter results in a decision or recommendation to release the international student.

Where KCBT approves the request, KCBT will record the release in PRISMS. NB - From 1 January 2018, transfers will be recorded in PRISMS and formal release letters will no longer be provided.

Where KCBT does not grant a release, the student will be advised of the reasons for refusing the request and his or her right to access the complaints and appeal process. KCBT will not finalise the refusal in PRISMS until the student has been given an opportunity to access the complaints and appeals process, the student withdraws from the process, or if the process finds in favour of KCBT.

Transfer after six months of principal course is complete

KCBT cannot prevent a student from transferring to another provider after he/she has completed six months of the principal course.

Transfer process

- Students must request a transfer using the Course Variation Form (Cancellation / Withdrawal).
- KCBT will acknowledge the request within 5 working days assuming that the request is not within the restricted period.
- KCBT staff will meet with the student to discuss and assess their request.
- KCBT will provide a student with a written response within 14 days from the receipt of the Application for Release.
- If approved, KCBT will record the release in PRISMS. NB - From 1 January 2018, releases will be recorded in PRISMS and formal release letters will no longer be provided. The student will also be advised to contact the Department of Home Affairs to seek advice on whether a new student visa is required.
- Records of interviews and correspondence will be documented in WISENET and relevant information entered into PRISMS.
- All fees must be paid up to date.
- Where the student is close to completion of a subject or near the end of term KCBT will advise the student to complete the term.
- Where the student is struggling with academic work, KCBT will provide additional support as part of an intervention strategy.
- KCBT will provide information on the refund of fees.
- KCBT cannot release a student unless a letter from another registered provider confirming that a valid enrolment offer has been made is provided.
- Records of interviews and correspondence must be placed in the WISENET and relevant information entered into PRISMS.

A student's Application to transfer will be judged detrimental to the student where:

- Student has not provided a letter of offer from another provider
- Documentation is either inaccurate, incomplete
- Transfer to a lower level of study
- Work commitments have been provided as a reason
- Travel to and from campus has been provided as a reason
- The student is using the release as a means to avoid being reported to DEPARTMENT OF HOME AFFAIRS for failure to meet college requirements
- Student changes his/her mind about the Course – student may apply to transfer to another Course within KCBT, but will not be granted a release on the basis of a change of mind.
- Student expresses difficulty with Course material and/or has been identified as being “at risk”, but has not availed themselves of any Intervention Strategy or student support services.

- There is a lack of sufficient documentation in support of their claim for compelling or exceptional circumstances.
- The student has recently had an intervention strategy put in place and there has been insufficient time to assess whether or not this will be an effective solution for the student.
- Increased tuition cost, particularly in cases where deposit paid in advance to KCBT are non-refundable
- Increased duration of studies in Australia
- Insufficient preparation for further studies
- Qualifications not recognized by Higher Education Providers as satisfying their entry requirements
- Level of support services provided at new provider not equivalent
- Transfer would jeopardize the students progression through a package of courses
- Within 6 months of the course beginning student may be experiencing homesickness and transfer to another provider is not likely to overcome this problem
- The student has outstanding fees owing to KCBT.
- KCBT forms the view that the student is avoiding being reported to DoHA for breaching any student obligations or student visa conditions.

Students who have not yet completed six months of study of their principal course may still request a transfer for consideration. Students who apply for release will be assessed by the CEO.

Approved Transfer Requests

If the transfer request has been approved, KCBT will:

- Cancel the student's enrolment and undertake their regulatory obligations in PRISMS and
- Notify the student of their responsibility to contact DHA to seek advice on whether or not a new visa is required.

Refused Transfer Requests

If KCBT refuses the request to transfer, KCBT will:

- Issue a written response to the student outlining the reasons for the refusal; and
- Inform the student of their right to appeal the decision within 20 working days of being sent a notification that their transfer has been refused, as per Student Complaints and Appeals Policy and Procedure.

Review of Decisions and Appeals

- Applicants may seek a review of a selection decision if they are dissatisfied with the transfer request outcome. Refer to the Student Complaints and Appeals Policy and Procedure.
- This policy and the availability of complaints and appeals procedures do not remove the rights of the student to take action under Australia's consumer protection laws (including the ESOS Act 2000) or to pursue other legal remedies.

Refunds

- If the student is granted a Letter of Release and is entitled to a refund, the refund will be assessed in accordance with the KCBT Refund and Cancellation Policy.

Students transferring to KCBT from another Provider

KCBT will not willingly enrol students from another registered provider prior to the six-month requirement except under the following circumstances:

- The other registered provider has released the student
- The registered provider has ceased to be registered, or the course in which the student is enrolled has ceased to be registered or is no longer being offered
- A government sponsor of the student considers the change to be in the student's best interest and has provided written support for the change

Any request to transfer into KCBT must be in writing and may include KCBT conducting an interview with the student.

KCBT may then proceed to:

- ask permission to contact the institution concerned
- check the student's commencement date
- request that the student get the principal provider to report the release, where the student is on a packaged offer.

Where a release from the provider cannot be provided, KCBT will check the status of the student at the institution and enquire if exceptional circumstances exist such as the following in determining whether a transfer to KCBT will be approved:

- the original registered provider has ceased to be registered
- the course in which the student is enrolled has ceased to be registered
- the original registered provider has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing his or her principal course

- any government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change.

Associated documents

- Course Variation Form
- Letter of Offer Conditional
- Letter of Offer
- Complaints and Appeals Policy and Form
- Communication of Release
- Refund and Cancellation policy