

SC32-I: Course Transfer Policy and Procedures

Contents

Purpose	1
Definitions.....	1
Policy.....	1
Procedure	3
1. Students transferring from another provider	5
2. Students seeking to transfer to another provider	4
Document Control	6

Purpose

The purpose of this policy is to ensure that Bayside International College does not enrol transferring students prior to the student completing six months of their principal course of study except for the circumstances outlined in this policy.

This policy also ensures that when a student wishes to transfer from Bayside International College before completing six months of their principal course, Bayside International College assesses this request according to this Course Transfer Policy and Procedure.

This ensures compliance with Standard 7 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

Definitions

DET means Department of Education and Training

Home Affairs means Department of Home Affairs

PRISMS means Provider Registration and International Student Management System (PRISMS)

Six months means six calendar months from the date that the student commences their studies.

National Code means the National Code of Practice for Providers of Education and Training to Overseas Students 2018

Policy

Overseas student transfers

1. Bayside International College does not knowingly enrol an overseas student seeking to transfer from another registered provider's course prior to the overseas student completing six months of their principal course (or for the school sector, until after the first six months of the first registered school sector course), except where any of the following apply:
 - The releasing registered provider, or the course in which the overseas 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 overseas student from continuing their course at that registered provider
 - The releasing registered 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.

SC32-I: Course Transfer Policy and Procedures

2. For the purposes of Standard 7.1.3 of the National Code (noted above), Bayside International College has and implements a documented policy and process for assessing overseas student transfer requests prior to the overseas student completing six months of their principal course. The policy is available to staff and overseas students, and outlines:
 - the steps for an overseas student to lodge a written request to transfer, including that they must provide a valid enrolment offer from another registered provider
 - circumstances in which Bayside International College grants the transfer request because the transfer is in the overseas student's best interests, including but not limited to where Bayside International College has assessed that:
 - the overseas student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging Bayside International 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
 - Bayside International College fails 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 Bayside International College or an education or migration agent regarding Bayside International College or its course and the course is therefore unsuitable to their needs and/or study objectives
 - an appeal (internal or external) or another matter results in a decision or recommendation to release the overseas student
 - the circumstances which Bayside International College considers as reasonable grounds to refuse the transfer
 - a reasonable timeframe for assessing and replying to the overseas student's transfer request having regard to the restriction period.
3. If the overseas student is under 18 years of age (*Not applicable*):
 - Bayside International College has written confirmation the overseas student's parent or legal guardian supports the transfer
 - where the overseas student is not being cared for in Australia by a parent or a suitable nominated relative, Bayside International College must confirm it accepts responsibility for approving the student's accommodation, support and general welfare arrangements in accordance with Standard 5 (Younger overseas students).
4. If a release is granted, it must be at no cost to the overseas student and Bayside International College must advise the overseas student to contact Immigration to seek advice on whether a new student visa is required.
5. If Bayside International College intends to refuse the transfer request, they must inform the overseas student in writing of:
 - the reasons for the refusal
 - the overseas student's right to access Bayside International College's complaints and appeals process (*Complaints and Appeals Policy and Procedures SC14-I*), in accordance with Standard 10 (Complaints and appeals) of the National Code, within 20 working days

SC32-I: Course Transfer Policy and Procedures

6. Bayside International College does not finalise the student's refusal status in PRISMS until the appeal finds in favour of the registered provider, 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.
7. Bayside International College maintains records of all requests from overseas students for a release and the assessment of, and decision regarding, the request for two years after the overseas student ceases to be an accepted student.
8. All decisions made by Bayside International College with regard to a student's request to transfer to another provider will be fair and take into account the student's individual circumstances and any other relevant factors.
9. Where a student transfers to another registered provider, any refund of refundable fees paid will be in accordance with Bayside International College *Fees and Refunds Policy and Procedures*.

Procedure

1. **Overseas students seeking to transfer to Bayside International College from another registered provider prior to completing six months of their principal course with that registered provider**

Procedure	Responsibility
<p>A. Assess student's request</p> <ul style="list-style-type: none">• Bayside International College does not knowingly enrol an overseas student seeking to transfer from another registered provider's course prior to the overseas student completing six months of their principal course, except where any of the following apply:<ul style="list-style-type: none">○ The releasing registered provider, or the course in which the overseas 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 overseas student from continuing their course at that registered provider○ The releasing registered 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.• If required, contact the student or student's agent to confirm the student's status with the previous registered provider.• If none of these conditions is assessed to apply, inform the student in writing using the <i>Enrolment Application Rejection Letter</i> that their application has been refused, stating the reasons why. Retain a record of the request and all documentation related to the request, the assessment of the request and the decision for two years after the overseas student lodged the request with Bayside International College.• If one or more of these conditions is assessed to apply, Bayside College will process the application from the student (below)	
<p>B. Process application from student</p> <ul style="list-style-type: none">• Where one or more of the conditions above has been assessed to apply and the student meets other standard enrolment requirements, including completion of an <i>Application for Enrolment</i>, forward the student's application to the PEO for approval.	PEO

SC32-I: Course Transfer Policy and Procedures

<ul style="list-style-type: none"> Where the application is approved by the PEO, inform the student in writing using the <i>Letter of Offer and Student Agreement</i>. Maintain record of request and all documentation related to the request, the assessment of the request, the decision and any subsequent appeals process for two years after the overseas student ceases to be an accepted student at Bayside International College. 	
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2. All other students seeking to transfer to Bayside International College from another registered provider

Procedure	Responsibility
A. Process application from student <ul style="list-style-type: none"> Where the student meets standard enrolment requirements, including completion of an <i>Application for Enrolment</i>, forward the student's application to the PEO for approval. Where the application is approved by the PEO, inform the student in writing using the <i>Letter of Offer and Student Agreement</i>. Maintain record of request and all documentation related to the request, the assessment of the request, the decision and any subsequent appeals process for two years after the overseas student ceases to be an accepted student at Bayside International College. 	PEO

3. Overseas students seeking to transfer from Bayside International College to another registered provider prior to completing six months of their principal course at Bayside International College

Procedure	Responsibility
A. Assess student's request <ul style="list-style-type: none"> If an overseas student currently enrolled at Bayside International College contacts Bayside International College with a request to transfer prior to completing six months of their principal course at Bayside International College, Bayside International College will provide the student with the <i>Application for Withdrawal Form</i>, which explains: <ul style="list-style-type: none"> the steps for an overseas student to lodge a written request to transfer, including that they must provide a valid enrolment offer from another registered provider the circumstances in which Bayside International College grants the transfer request because the transfer is in the overseas student's best interests, including but not limited to where Bayside International College has assessed that: <ul style="list-style-type: none"> the overseas student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging Bayside International 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 Bayside International College fails 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 	

SC32-I: Course Transfer Policy and Procedures

Procedure	Responsibility
<ul style="list-style-type: none"> ▪ there is evidence that the overseas student was misled by Bayside International College or an education or migration agent regarding Bayside International College or its course and the course is therefore unsuitable to their needs and/or study objectives ▪ an appeal (internal or external) or another matter results in a decision or recommendation to release the overseas student ○ the circumstances that Bayside International College considers as reasonable grounds to refuse the transfer ○ that within 10 working days of receipt of <u>both</u> the completed <i>Application for Withdrawal Form</i> and the valid enrolment offer from another registered provider, Bayside International College will assess the request and reply to the student in writing using the <i>Notice of Withdrawal Decision</i> ○ that if the student's request is refused: <ul style="list-style-type: none"> ▪ the student may lodge an appeal within 20 working days of the date on the <i>Notice of Withdrawal Decision</i>, in accordance with Bayside International College's <i>Complaints and Appeals Policy and Procedures</i> ▪ the student may submit a new <i>Application for Withdrawal</i> once they are outside of the restriction period, and that a refusal of a transfer request within the restriction period will have no effect on the student's ability to withdraw from their course at Bayside International College once they are outside of the restriction period. • Where the application is from a student under 18, check the application to ensure there is a supporting letter from a parent or legal guardian or a letter from the registered provider that they will be responsible for approving the student's accommodation, support and general welfare arrangements. (not applicable) 	
<p>B. Process student transfer (if approved)</p> <ul style="list-style-type: none"> • Where a student's request to transfer to another Australian registered provider prior to completing six months of their principal course at Bayside International College has been approved: <ul style="list-style-type: none"> ○ Inform the student in writing using the <i>Notice of Withdrawal Decision</i> and include a <i>Letter of Release</i>, information on any refund of course fees in accordance with Bayside International College's <i>Fees and Refunds Policy and Procedures</i> advising the student to contact Home Affairs to confirm whether they will need a new visa. ○ Notify DET via PRISMS of change to student's enrolment status ○ Maintain record of request and all documentation related to the request, the assessment of the request, the decision and any subsequent appeals process for two years after the overseas student ceases to be an accepted student at Bayside International College. 	PEO

4. All other students seeking to transfer from Bayside International College to another registered provider

<p>C. Process application for transfer</p> <ul style="list-style-type: none"> • Where a student requests to transfer to another provider, provide the student with an <i>Application for Withdrawal Form</i> for completion • Where the application is from a student under 18, check the application to ensure there is a supporting letter from a parent or legal guardian or a letter from the 	PEO
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SC32-I: Course Transfer Policy and Procedures

<p>registered provider that they will be responsible for approving the student's accommodation, support and general welfare arrangements. (not applicable)</p> <ul style="list-style-type: none"> ♦ Maintain record of request and all documentation related to the request, the assessment of the request, the decision and any subsequent appeals process for two years after the overseas student ceases to be an accepted student at Bayside International College. 	
<p>D. Review application</p> <ul style="list-style-type: none"> ♦ Make a decision based on the circumstances in which a transfer will be granted as set out in the <i>Course Transfer Policy and Procedures</i> ♦ Where the application is approved: <ul style="list-style-type: none"> ○ inform the student in writing using the <i>Notice of Withdrawal Decision</i> and include a <i>Letter of Release</i> (if applicable), information on any refund of course fees in accordance with Bayside International College's <i>Fees and Refunds Policy and Procedures</i>, and advising the student to contact Home Affairs to confirm whether they will need a new visa. ○ Notify DET via PRISMS of change to student's enrolment status ♦ Where the application is refused: <ul style="list-style-type: none"> • inform the student in writing using the <i>Notice of Withdrawal Decision</i>, including the reasons for the decision and advising the student of their right to access Bayside International College's appeals process in accordance with the <i>Complaints and Appeals Policy and Procedures</i> and that they have 20 working days in which to do this from the date specified on the letter. ♦ Maintain record of request and all documentation related to the request, the assessment of the request, the decision and any subsequent appeals process for two years after the overseas student ceases to be an accepted student at Bayside International College. 	PEO

Document Control

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