



International Student Transfer Policy

Scope

This policy applies to all International Students enrolled at a Kaplan Higher Education Pty Ltd, (KHE), pathway college (College).

Purpose

The purpose of this policy is to provide information on the:

- conditions under which the College will consider an international student's request for a transfer to or from another registered provider; and
- procedures for students to follow in relation to changing their provider.

Policy Statement

This policy relates to international students studying with the College on a student visa and has been established to ensure consistency of approach for students wishing to transfer to another provider as transfers are subject to specific requirements of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018).

This policy does not apply to domestic students or international students on non-student visas such as tourist, work or family visas that allow the student unrestricted rights to study in Australia.

Where a student has a packaged enrolment, that is enrolment in multiple programs, the provider of the final program of study is known as the principal education provider. Packaged students seeking to transfer to another provider must generally seek a release from their principal provider.

Definitions

AQF Levels	means the criteria required to demonstrate the achievement of a qualification as per the Australian Qualifications Framework (AQF). For example, Level 7 = Bachelor Degree, Level 9 = Masters Degree.
Compelling and Compassionate Circumstances	circumstances that may negatively impact a student's study, including but not limited to serious illness or injury, bereavement of close family members, major political upheaval or natural disaster in their home country, a traumatic experience such as a serious accident or crime.
Confirmation of Enrolment (CoE)	means a document issued by education providers to verify the applicant's enrolment in a specified course.
CRICOS	means the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) and is an Australian government register that lists all Australian education providers offering courses to students studying in Australia on a study or training visa and the courses offered..
International Student	means a person who holds or intends to hold a student visa with rights to study in Australia.
Principal Course of Study	means the main course of study to be undertaken by an international student where the student visa has been issued for multiple programs and is usually the final program of study.
PRISMS	means the Provider Registration and International Student Management System (PRISMS) and is an Australian Government secure online system that allows providers to issue Confirmations of Enrolment (CoEs), and that government agencies use to monitor student compliance with visa conditions and education provider compliance with the ESOS Act 2000.

Policy Principles

- According to the National Code 2018, registered providers are restricted from enrolling transferring international students prior to the student completing six months of their Principal Course of Study, unless the student has met an exception under Standard 7. The first six months is calculated as six calendar months from the date the overseas student commences their principal course.
- As the Principal Course of Study is generally the final program of study covered by the international student's visa, transfer requirements apply to all programs of study prior to the international student's Principal Course of Study.
- The College will not prevent an international student from transferring to another provider after the student has completed six months of the Principal Course of Study at the College.

Guiding Procedures

Transferring from the College to another provider before the first six months of the Principal Course of Study have been completed

The College will consider permitting a student to transfer to another registered provider prior to completing six calendar months of their Principal Course of Study in certain circumstances. Circumstances when a transfer may be assessed as being in the best interests of the student may include, but are not limited to:

- the student will be reported to the Department of Home Affairs because they are unable to achieve satisfactory course progress, even after engaging with the College's intervention strategies
- when there is evidence of Compassionate or Compelling Circumstances
- the College is unable to deliver the program as outlined in the written agreement
- there is evidence that the program the student is enrolled in does not meet the student's reasonable expectations
- 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 program and the program 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 student
- when the 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.

For students under 18 years of age, the following must also be provided:

- a written letter of support for the transfer from their legal guardian, and
- if the student is not being cared for in Australia by a parent or suitable nominated relative, confirmation that the new provider must accept responsibility for the student's accommodation and general welfare arrangements.

The College or its University Partners may, in their absolute discretion, **not** grant a release or transfer request (i.e. not record a release in PRISMS). Reasonable grounds for refusal may include, but are not limited to, the following:

- the request for transfer is made by a student who has not commenced their studies
- the student has not attached a copy of a valid letter of offer of unconditional enrolment with a CRICOS registered provider
- the student has any outstanding debt to the College. Debts may include all fees, loans or library fines
- the student's actions have caused the College to form the view that the student is not a genuine student (e.g. student was absent from Orientation sessions, low attendance rate, failure to access support services, non-submission of assessments)
- the student has been excluded or suspended from their program
- The College has formed the view that the student is trying to avoid being reported to the Department of Home Affairs for failure to meet the College's attendance and/or academic progression requirements

- change of mind request is based on financial reasons such as transferring to another provider with lower tuition fees
- the transfer is considered detrimental to the student's welfare or future studies
- the student applies to transfer from the College program to a program that is at a lower AQF level or a non-AQF level for which the original student visa was issued
- the student is not genuinely engaging with an intervention program with the intention of failing and being released
- the transfer would result in a breach of the student's mandatory visa conditions (e.g. student is trying to manipulate the Simplified Student Visa Framework (SSVF) system)
- the student's visa was processed under the SSVF arrangement, and the student applies to transfer to a course at a registered provider that is not eligible for SSVF
- the student has not, or only recently, started to study their Principal Course of Study and the full range of the College's student support services are yet to be provided to the student
- the transfer may jeopardise the student's progression through a package of programs.

The College reserves the right to take into consideration other factors, including the individual circumstances of a student, which may not have been specified above.

Applying for a Release

1. College students must request a release through the College's student management system. The College will not release a student unless a letter is provided from another CRICOS registered provider confirming that a valid unconditional enrolment offer has been made.
2. College staff may meet with the student to discuss their request. Where the student is close to the completion of a course or near the end of a study period, the College may advise the student to complete the study period, including relevant examinations and/or assessments.
3. The College will provide a student with a written response within 10 working days from the receipt of the release application.
4. If approved, the College will record the release in PRISMS, therefore a hard copy release letter is not required and will not 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.
5. Where the College does not grant a release, the student will be notified of the refusal of the release which will include the reason(s) for refusing the request and the student's right to access the relevant College Grievances, Complaints and Appeals Policy. The College will not finalise the refusal in PRISMS until the student has been given an opportunity to access the relevant College internal appeals process within 20 working days of receiving the outcome, the student withdraws from the process, or if the appeals process finds in favour of the College.
6. Records of interviews and correspondence will be documented in the student's file and relevant information entered into PRISMS. The College will maintain records of all student requests for a release, including the assessment and decision regarding the request, for two years after the student ceases to be a student at the College.

Transferring to the College from Another Provider Before the First Six Months of the Principal Course of Study Has Been Completed

The College will not willingly enrol students from another registered provider prior to the student completing six months of their Principal Course of Study except under the following circumstances:

- the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
- the registered provider has ceased to be registered, or the program in which the student is enrolled has ceased to be accredited or is no longer being offered
- the original registered provider has had a sanction imposed on its registration by the Australian Government or by a state or territory government that prevents the student from continuing their Principal Course of Study
- 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.



Process for Applications to Transfer to the College

Any request from an applicant to transfer to the College must follow the regular application process. The College may:

- ask permission to contact the institution concerned
- check the student's commencement date
- request that the student contacts the principal provider to record the release in PRISMS.

Where a release from the provider cannot be approved and recorded in PRISMS, the College will not accept the student's application.

Complaints and Appeals

Students who are dissatisfied with the application of this Policy by the College may refer to the relevant College *Grievances, Complaints and Appeals Policy* (available on the College's website) for information regarding their options.

Relevant Legislation

As a registered education provider, the College operates under strict laws and regulations. Policies and procedures are in place to ensure compliance with the legislative instruments referenced below:

- Education Services for Overseas Students Act 2000 (ESOS Act)
- Education Services for Overseas Students (Foundation Program Standards) Instrument 2021
- Education Services for Overseas Students Regulations 2019
- ELICOS Standards 2018
- Higher Education Standards Framework (Threshold Standards) 2021
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code)

Related Policies

This Policy should be read in conjunction with the following College policies:

- Changes to Enrolment Policy
- Course Progress Policy
- Grievances, Complaints and Appeals Policy
- Refund Policy
- Student Record Management Policy

Version Control and Accountable Officers

It is the joint responsibility of the Implementation Officer and the Responsible Officer to ensure compliance with this policy.

Policy Category	Academic			
Responsible Officer	Vice President, Academic			
Implementation Officer(s)	College Director			
Review Date	April 2027			
Approved by				
Vice President, Academic under a standing delegation from the KHE Academic Board				
Version	Authored by	Brief Description of the changes	Date Approved	Effective Date
1.0	Quality, Regulations and Standards Team	<p>New Policy.</p> <p>Incorporates existing “Transferring to Another Provider” but is significantly restructured and renamed.</p> <p>Combined separate school policies for MIT, KBS, KIL into one.</p> <p>Added sections on definitions, relevant legislation, related policies.</p> <p>Added further details aligned to the National Code 2018.</p>	17.09.2020	23.09.2020
2.0	Quality, Regulations and Standards Team	Update to Murdoch College and removal of Kaplan International Language	05.05.2023	08.05.2023
2.1	Quality, Regulations and Standards Team	Update to Applying for a Release section and general review of policy.	20.06.2024	21.06.2024
2.2	Quality, Regulations and Standards Team	<p>Policy re-branded for new KHE college.</p> <p>Minor editing and formatting changes.</p>	10.03.2025	11.03.2025