

Transfer of Students between Providers Policy and Procedure HEPP57

PURPOSE

The purpose of this policy and procedure is to ensure compliance with Standard 7 of the National Code 2018 and the Education Services for Overseas Students Act 2000 for assessing and administering requests for a transfer between registered education providers.

This policy also ensures alignment with the Higher Education Standards Framework (Threshold Standards) 2021, in particular Standards 1.1 (Admission), 2.3 (Wellbeing and Safety), and 7.2 (Information for Prospective and Current Students).

SCOPE

This policy and procedure applies to all staff of Southern Cross Education Institute (Higher Education) who are involved in processing student requests for a transfer between registered education providers and to international students studying on a student visa, who request a transfer to another registered education provider.

DEFINITIONS

CoE	Confirmation of Enrolment
Compassionate	Compassionate Family, medical or “well-being” reasons for supporting a transfer.
DHA	Department of Home Affairs
ESOS Act	Education Services for Overseas Students Act 2000
Exceptional circumstances	Circumstances that are generally out of the control of student, which affect their course progress or well-being.
National Code	National Code of Practice for Providers of Education and Training to Overseas Students 2018
Principal course of study	As defined in the National Code, the main course of study to be undertaken by an overseas student is 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.
Registered provider	As defined in Section 5 of the ESOS Act, the registered provider for a course for a location means a provider that is registered to provide the course at the location.
Letter of Release	A letter authorising a student be released from 1 registered education provider so that they are able to enrol with another registered education provider.
SCEI-HE	Southern Cross Education Institute (Higher Education)
Student	An individual who is formally enrolled at Southern Cross Education Institute (Higher Education) on a student visa, whose enrolment is recorded in official documents and who is assigned a unique student identification number. This definition includes all international students undertaking courses under the conditions of the Education Services for Overseas Students Act 2000 and relevant visa regulations.
PRISMS	Provider Registration and International Student Management System — an Australian Government online system used by registered education providers to manage student enrolments and report information to the Department of Home Affairs as required under the Education Services for Overseas Students (ESOS) Act 2000.

POLICY

1. SCEI-HE will not knowingly enrol any transferring international student from an existing course prior to the first 6

months of their principal course being completed unless that student has a valid Letter of Release agreeing to such a transfer from their current registered education provider.

2. International students requesting a transfer from SCEI-HE to another registered education provider prior to completion of the first 6 months of their principal course of study must request approval to transfer and obtain a Release Letter.
3. The Application for transfer will be assessed and an outcome will be provided to the student within 10 working days of receipt of the application by Student Welfare.
4. As required by the National Code 2018 (S7.2.1), before a Release Letter is approved and issued, the student must present a valid enrolment offer with the receiving registered provider.
5. In accordance with the National Code 2018 (S7.2), SCEI-HE will refuse the issue of a Letter of Release if the transfer would be considered detrimental to the student and the circumstances for approving the issuance of a Release Letter have not been satisfied.
6. Factors that would be considered detrimental to the student include:
 - 6.1 A transfer may jeopardise a student's progress through a package of courses.
 - 6.2 A student has recently commenced their course of study and has not accessed or been provided with the full range of Student Support services.
 - 6.3 If the student is attempting to avoid being reported to the DHA for failure to meet the attendance and academic progress requirements of the course of study.
7. The submission of a request to transfer to another registered education provider by an international student does not preclude the international student from maintaining adequate course attendance and satisfactory course progression and therefore meeting their student visa conditions.
8. Prior to finalising a decision, SCEI-HE will ensure that the student has received timely advice about the implications of the transfer on their visa, academic progress, and support services. This supports informed decision-making and protects student wellbeing, in accordance with HESF 2.3.
9. SCEI-HE will issue warning letters and/or report students to the DHA who do not maintain adequate attendance or course progression, which may have implications for visa status.

PROCEDURE

1. Students requesting a transfer to SCEI-HE from another provider

- 1.1 Where a student contacts SCEI-HE seeking to transfer prior to completion of the first 6 months of their principal course, SCEI-HE will access PRISMS to:
 - 1.1.1 verify if the student has or has not completed 6 months of their principal course of study;
 - 1.1.2 confirm the student's date of arrival in Australia;
 - 1.1.3 confirm the code and title of the principal course of study; and
 - 1.1.4 confirm the releasing registered provider has agreed to the student's release and recorded the date of effect and reason for release in PRISMS.
- 1.2 A copy of the PRISMS record will be printed and attached to the students *Student Enrolment Data Form HEFOR03*.
- 1.3 If the student's principal course of study exceeds 6 months, the application will be processed as per *Admissions Policy and Procedure HEPP37*.
- 1.4 Where a student has not completed 6 months of their principal course of study, the student is required to provide a Letter of Release from their current registered provider.
- 1.5 SCEI-HE may issue a *Letter of Release of a Student Within the First 6 Months of Study HELET08* which will clearly state that an offer of a place of admission is subject to providing a Letter of Release from their current education provider.

Note: If the student is in receipt of a Government scholarship, they should provide written support from this government agreeing to the change which will stand in lieu of any Letter of Release.
- 1.6 If the student is unable to provide a Letter of Release as per the *Letter of Release of a Student Within the First 6 Months of Study HELET08*, then the Offer will be withdrawn and the student will be notified in writing.
- 1.7 If the student is unable to provide a Letter of Release from their current education provider, their *Enrolment Form HEFOR16* will be declined and the student will be advised in writing as to the reasons why.
- 1.8 If a student submits an *Application to Study Form HEFOR16 (for International Students)* where their current education provider has ceased to be registered or sanctions have been placed on the registered provider, then a Letter of Release is not required. Evidence of this situation must be obtained and attached to the

students completed *Student Enrolment Data Form HEFOR03*.

2. Students requesting a transfer from SCEI-HE to another provider

- 2.1 The student is required to complete *Letter of Release of a Student Within the First 6 Months of Study HELET08* which is available from reception.
- 2.2 The student must provide the following information and supporting documentation with the *Letter of Release of a Student Within the First 6 Months of Study HELET08*:
 - 2.2.1 A copy of a valid enrolment offer from the receiving registered provider;
 - 2.2.2 A statement describing the reasons for requesting a transfer;
 - 2.2.3 Where extenuating circumstances or compassionate grounds are documented as reasons for the transfer the student is required to provide evidence to support the claims from qualified counsellors, psychologists or medical practitioners.
- 2.3 Students must be offered a meeting with the Student Welfare Officer to fully discuss their transfer reasons and options. A written summary of this discussion will be included in the student file to demonstrate transparent and fair decision-making in line with HESF 1.1.2 and 2.3.3.
- 2.4 The completed *Letter of Release of a Student Within the First 6 Months of Study HELET08* and supporting documentation is submitted to Student Welfare.
- 2.5 The Student Welfare Officer will assess the application as well as:
 - 2.5.1 Liaise with the Accounts Department to determine if the student has any outstanding tuition fees;
 - 2.5.2 Assess the student's academic and attendance record to ensure the student has met these requirements and is not seeking a transfer to avoid being reported to the DHA; and
 - 2.5.3 Meet with the student to discuss the application and reasons for the transfer.
- 2.6 The Student Welfare Officer must consult with the Academic Director before any request for a transfer within the first 6 months of course commencement in their principal course of study is approved or denied.
- 2.7 SCEI-HE may issue the international student a *Letter of Release HELET08* if a transfer within the first 6 months of commencing their principal course of study in the following circumstances:
 - 2.7.1 SCEI-HE has cancelled or has ceased to offer the course of study for which the student has a CoE;
 - 2.7.2 SCEI-HE Welfare Officer in consultation with the Academic Director assesses that compassionate or compelling circumstances exist as described in the regulatory guidelines;
 - 2.7.3 The student will be reported to the DHA as they are unable to achieve satisfactory course progress at the level they are studying, despite SCEI-HE's intervention strategy being implemented;
 - 2.7.4 The student provides evidence that they have been misled by SCEI-HE or a SCEI-HE approved education agent regarding SCEI-HE or the course of study;
 - 2.7.5 There is evidence that the student's reasonable expectations about their current course are not being met by SCEI-HE; or
 - 2.7.6 An appeal (internal or external) on a matter that may reasonably result in the student wishing to seek a transfer supports the student.
- 2.8 An application to transfer to another registered education provider may be **refused** in the following circumstances:
 - 2.8.1 The student has not provided a valid enrolment offer from the receiving registered education provider;
 - 2.8.2 The student does not provide adequate evidence to support their reasons for the transfer;
 - 2.8.3 the student's transfer may jeopardise their progression through a package of courses;
 - 2.8.4 The student has not commenced their principal course of study for which they have a CoE;
 - 2.8.5 The student has not accessed or engaged with Student Welfare to discuss their circumstances;
 - 2.8.6 The student has requested a transfer to avoid being reported to the DHA for failing to meet the attendance and academic progress requirements of their course of study;
 - 2.8.7 The student is requesting a transfer with a valid enrolment offer to a course that is of a lower AQF level;
 - 2.8.8 The student has outstanding fees owed to SCEI-HE; or
 - 2.8.9 The student has changed their mind about the course of study they wish to undertake.If the student wishes to appeal the decision, they may do so in writing within 20 working days of receiving the refusal. Appeals will be considered in accordance with the Student Complaint and Grievance Policy and Procedure HEPP03.
- 2.9 The Student Welfare Officer will document the outcome of the application on the *Application to Transfer Form* and the reasons for the decision.
- 2.10 If the request is granted, the Student Welfare Officer will within 48 hours of receiving a complete

application:

- 2.10.1 issue a *Letter of Release HELET03* to the student, at no cost to the student;
- 2.10.2 advise the student to contact the DHA to seek advice if a new student visa is required; and
- 2.10.3 the student's enrolment via PRISMS.
- 2.11 If the request to transfer is denied:
 - 2.11.1 the Student Welfare Officer must inform the student in writing, noting:
 1. the reasons for the refusal decision;
 2. the factors taken into consideration;
 3. how the student's individual circumstances were considered; and
 4. the student's right to access the *Student Complaint and Grievance Policy and Procedure HEPP03*.
 - 2.11.2 The student should be advised to make an appointment with the Student Welfare Officer to discuss the decision and study options.
- 2.12 All transfer requests, supporting documentation, decisions and a copy of the Letter of Release, written document of refusal will be filed in the student administration file and uploaded into the student management system (Paradigm) and retained for a **minimum of 2 years** after the student has ceased to be an enrolled student at SCEI-HE.
- 2.13 The issuance of a *Letter of Release HELET03* **does not** indicate the agreement to provide a refund of fees and charges. The refund of any fees and charges is governed by *Refund Policy and Procedure HEPP25*.

RELATED DOCUMENTS

Admissions Policy and Procedure HEPP37
Application to Defer, Take Leave or Cancel Enrolment Form HELET07
Letter of Release HELET03
Letter of Release of a Student Within the First 6 Months of Study HELET08
Refund Policy and Procedure HEPP25
Student Complaint and Grievance Policy and Procedure HEPP03
Student Enrolment Data Form HEFOR03

LEGISLATIVE CONTEXT

Education Services for Overseas Students Act 2000
National Code of Practice for Providers of Education and Training to Overseas Students 2018, Standard 7

RESPONSIBILITIES

Academic Director

- ensuring that this policy is implemented in a manner consistent with the HESF 2021 and National Code 2018.
- monitoring outcomes of transfer requests to identify any systemic issues affecting student wellbeing or course design.

International Students

- reading and understanding this policy and procedure prior.
- completing and submitting a valid the Transfer Request form and providing all necessary documentation in support of the Transfer Request.

Student Welfare Officers

- reading and understanding this policy and procedure.
- providing assistance and support the students requesting a transfer.
- assessing and recording the outcome of the transfer request in a timely manner.
- responding to the student in writing when a decision has been made.
- recording and filing all information in relation to this policy and procedure.

DOCUMENT AND RECORD CONTROL

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