



University of
South Australia

Centre for
English Language

TRANSFER OF PROVIDER POLICY

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SECTION A - INTRODUCTION

A.1 Purpose

The policy outlines the conditions under which SAIBT/CELUSA will consider a student's request for transfer between registered providers.

A.2 Scope

This policy applies to all students of the:

- South Australian Institute of Business and Technology (SAIBT)
- Centre for English Language in the University of South Australia (CELUSA)

A.3 Definitions

Word/Term	Definition
Compassionate or compelling circumstances	Circumstances beyond the control of the student that have occurred since the student accepted an offer at SAIBT and/or CELUSA and have significantly impacted on the student's well-being or progress
Homestay	Living and sleeping accommodation provided to students where students live with a family in their own home. Students will have access to household facilities and may be provided with meals
Immigration	Department of Home Affairs
Legal Guardian	A person who has been appointed to take care of a minor child (under the age of 18 years) and/or manage that person's affairs. Legal guardianship remains in place until the child reaches 18
Principal program of study	The highest qualification (normally the last course) covered by a student's visa
Program	The container for a group of Modules that are to be completed in order to be eligible for an Award. The structure of a Program is defined in the Study Plan.
Simplified Student Visa Framework (SSVF)	Under this arrangement, an overseas applicant for a student visa with a CoE from a participating University and its eligible and nominated business partner(s) will be treated by Immigration as a low migration risk

A.4 Acronyms

Abbreviation	Phrase or Word
CELUSA	Centre for English Language in the University of South Australia
CoE	Confirmation of Enrolment
SAIBT	South Australian Institute of Business and Technology
SSVF	Simplified Student Visa Framework

SECTION B - POLICY STATEMENT

B.1 Principles

SAIBT/CELUSA is an accredited education provider offering English language and tertiary pathway academic courses and programs. Requests for student transfer will take into account:

- the range of information about SAIBT/CELUSA provided to prospective students prior to enrolment
- information about program structures and requirements and articulation pathways provided to students prior to enrolment
- whether the request is in the best interests of the student
- the potential effect on the status and reputation of SAIBT/CELUSA

B.2 Policy

1 Request for transfer

- 1.1** Students who have not completed six months of their principal program of study must outline the reasons for their requested transfer. They must have compassionate or compelling circumstances for their application to be considered, or have received a direct offer for a degree from their packaged university provider.
- 1.2** All applications will be automatically approved for students wishing to transfer after they have completed at least six months of their principal program of study.
- 1.3** In addition to the clauses above, students who wish to transfer must complete the relevant application.
- 1.4** If a student has not completed six months of their principal program of study, documentary evidence in support of the transfer must be attached to the application and must include a copy of the enrolment offer from the receiving provider.
- 1.5** Students will receive written confirmation or rejection of their application.
- 1.6** If an appeal is in progress the processing of the application will be delayed until the appeal has been decided.

2 Transfers before six months completion of the principal program of study

2.1 Enrolling transfer students

- 2.1.1** A student wishing to transfer from another registered provider's program prior to the student completing six months of their principal program of study will not be enrolled unless the original registered provider:
 - a) has ceased to be registered or the program in which the student is enrolled has ceased to be registered
 - b) has provided a written letter of release
 - c) 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 program of study

or

- d) 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 (a letter of release is still required from the previous registered provider).

2.2 Circumstances in which a transfer to another provider may be supported

2.2.1 A student must demonstrate that a genuine case for a transfer of provider exists.

2.2.2 The following circumstances may be considered reasonable grounds for a transfer:

- the student has received a direct offer for a degree from their packaged university provider
- the program of study cannot continue to be provided
- the student demonstrates they are experiencing a threat to their physical or mental health or safety and clearly demonstrates how this will be alleviated through a transfer
- the student is legally required to move interstate
- the program is not consistent with the documented program requested on the student's application
- a sponsor of the student considers the change to be in the student's best interest and has provided written, authorised support for that change
- an under 18 student's parent or legal guardian has requested the student's transfer of provider and provided written authorisation for the student's transfer. Written confirmation is also required that the new provider will accept responsibility for a student's accommodation, support and general welfare arrangements
- the student has an unrestricted Confirmation of Enrolment (CoE)

2.3 Circumstances in which approval for transfer to another provider may not be granted

2.3.1 The following circumstances may be considered reasonable grounds to decline a student request for transfer prior to completing the first six months of the principal program of study (this list is not exhaustive):

- the student has a change of mind
- the student has not passed an in-semester or end of semester assessment in the first semester of their program
- the student has expressed difficulty with the program but has not sought assistance from the relevant academic adviser
- the student has not genuinely engaged with an intervention strategy
- the student has received warnings for non-attendance
- the student is experiencing issues with homestay or other accommodation
- the student is experiencing program schedule conflict with personal, work, or other non-study commitments
- the student is experiencing adjustment difficulties moving to Australia
- the student owes fees
- the student is under an Intention To Report (ITR) and is trying to avoid being reported to Immigration for failure to meet attendance or academic progress requirements
- it appears that the program detailed in the enrolment offer for the other provider will not provide adequate preparation for further study, e.g. the other provider's program does not articulate into the principal program of study
- a student's visa was processed in accordance with the Simplified Student Visa Framework (SSVF) arrangements and the student is now seeking to transfer to a non-SSVF provider or downgrade their program
- a student with a packaged offer with the university does not have another packaged offer

2.3.2 A transfer will always be refused unless:

- a student has a valid enrolment offer from the receiving provider; and
- in the case of a student under the age of 18, there is written evidence that the student's parent or legal guardian supports the transfer AND written confirmation that the new provider will accept responsibility for approving a student's accommodation, support and general welfare arrangements

2.4 Streamlined visa holders

2.4.1 Students who were granted a visa under the streamlined visa processing arrangements who wish to transfer to a new course of study generally need to enrol in another streamlined eligible program in order to remain compliant with the conditions of their student visa.

2.4.2 Students who transfer to a program not eligible for streamlined visa processing but at the same level as their current program may be approved for transfer if either:

- the country of issue of the visa is assessment Level 1, or
- they have held their current visa for at least 12 months

2.4.3 Streamlined visa holders are still required to meet the conditions for approval of a transfer of provider request as detailed in 2.2 above.

2.5 Packaged students wishing to transfer to another provider

2.5.1 Where a student has a packaged offer for a program and a university degree, the university degree is considered the principal program of study.

2.5.2 A packaged student will not be deemed to have completed six months of their principal program until they have completed six months of the university degree program.

2.5.3 All packaged students must direct their request for transfer to the university with which their offer is packaged. The packaged student is subject to the university's release policy and will only be released in these circumstances when requested to do so by the university.

2.5.4 Where a student wishes to transfer to another provider, and that transfer maintains the integrity of the university package, the transfer may be approved and the university notified of the change of pathway provider.

3 Notification of release

3.1 Students will be notified of approval or refusal of release.

3.2 Notification of release will be provided to a student at no cost when the student's application for transfer has been approved.

3.3 The notification of release will advise the student to contact Immigration to seek advice on whether a new student visa is required.

4 Refund

4.1 If a notification of release is issued the student may be entitled to a refund in accordance with the **Fee Refund Policy**.

5 Appeal against refusal of transfer

- 5.1** Students who are refused a transfer may lodge an appeal **within 20 working days** in accordance with the **Student Grievances and Appeals Policy**.
- 5.2** Where a student accesses the appeals process, the refusal of the release will not be finalised until the appeals process is complete.

6 Deferral, Leave of Absence, Withdrawal, Suspension and Cancellation

- 6.1** Students wishing to defer, withdraw or take a leave of absence need to apply in accordance with the **Deferral, Leave of Absence, Withdrawal, Suspension and Cancellation Policy**
- 6.2** Students approved for deferral, leave of absence or withdrawal will not be granted subsequent approval to transfer.

7 Records of requests

- 7.1** Records will be maintained on student files of all requests to transfer and their assessment and outcomes.

SECTION C - GOVERNANCE

C.1 Responsibility

Identification	Transfer of Provider Policy
Policy Owner	Academic Director, SAIBT Director of Studies, CELUSA
Approving Authority	SAIBT/CELUSA Academic Board
Initial Issue date	December 2008
Directory Location	Academic Directorate, policies

C.2 Version Control

Current Version Number	3.2
Date of Effect	03/2019
Review Date	02/2021
Privilege Level	Public

C.3 Legislative and Organisational Context

Name
<u>Education Services for Overseas Students (ESOS)</u>
<u>The National Code of Practice 2017</u>

SECTION D - PROCEDURE

D.1 Related Procedures

Transfer of Provider Procedure

D.2 Related Policies

Fee Refund Policy

Student Grievances and Appeals Policy

Deferral, Leave of Absence, Withdrawal, Suspension and Cancellation Policy