

Policy - Transfer between registered providers

Purpose

Standard 7 of the National Code 2007 requires Registered Providers to:

- Assess requests from students for a transfer between registered providers prior to the student completing six months of the principal course of study in accordance with their documented procedures.
- Not knowingly enrol the student wishing to transfer from another registered provider's course prior to the student completing six months of his or her principal course of study except in certain circumstances
- Have and implement its documented student transfer request assessment policy and procedure, which is available to staff and students
- Grant a letter of release only when students meet specific criteria; and
- When a letter of release is provided, this must be at no cost to the student and advice provided to the student to contact DIBP regarding visa implications
- Where a letter of release is declined, the student is advised of their right of appeal
- Maintain comprehensive records of all requests for a letter of release.

This policy and associated procedure outlines how Lawson College Australia ensures that transfer between registered providers meets the above requirements.

Scope

This Policy applies to:

- All overseas students currently enrolled with Lawson College and those applying to transfer into Lawson College; and
- Staff of the Lawson College Australia involved in the transfer between registered providers process.

Definitions

COPE	Centre for Operations Partnerships and Excellence, Lawson College Australia
Course	A full-time registered Course offered by Lawson College and registered in accordance with the requirements of the ESOS Act. Also known as <i>Program or Training Package</i>
DIBP	Department of Immigration and Border Protection
Enrolment	The process whereby a person registers as a student of Lawson College.
ESOS	Educational Services for Overseas Students Act 2007 as amended from time to time
Full time	The normal amount of study for a particular Course which is approved by the accrediting authority for the Course
Head of School / nominee	Responsible for course discipline and academic outcomes. Nominee is a qualified person the responsibility is deferred
International Student	A person holding an Australian student visa and defined as an 'Overseas Student' in the ESOS Act. May also be referred to as a candidate.
National Code	The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007
Non-award course	A non-AQF course.
Principal Course	The main course of study to be undertaken by a Student 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.
PRISMS	Provider Registration and International Student Management System [PRISMS]. Through PRISMS, certain Australian Government agencies can monitor student

	<p>compliance with visa conditions and provider compliance with the <i>Education Services for Overseas Students Act 2000</i> (ESOS Act).</p> <p>PRISMS is a secure system for providers to:</p> <p>-issue 'Confirmations of Enrolment' to overseas students intending to study in Australia (the Department of Immigration and Border Protection requires these to issue a student visa), and report changes in overseas students course enrolment.</p>
Reasonable timeframe	A period of time that an action should have completed having regard to particular circumstances, for example a restricted period. In the case of a transfer out request a reasonable timeframe to complete the request is 20 days.
Registrar	A registrar is an official in an academic institution (consisting of a college, university or secondary school who handles student records
Six Months	Six months means six calendar months from the date that the student commences their studies.
Student	A Student who is enrolled at the College and includes both prospective Students and enrolled Students who are 'overseas students' as defined in the National Code and hold student visas as defined by the ESOS Act, and to students of the College who do not hold student visas and are studying off shore but does not include Domestic Students. May also be referred to as a candidate.

Policy

1. Student transferring from another registered provider

- 1.1 Lawson College will not knowingly enrol a student wishing to transfer from another registered provider's course of study except where:
 - a. the original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered;
 - b. the original registered provider has provided a written letter of release;
 - c. 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; 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.
- 1.2 If any of the above conditions apply, Lawson College can enrol a student before they have completed six months of their principal course.
- 1.3 Lawson College will not actively recruit a student before the student has completed six months of their course.
- 1.4 The restriction to not enrol transferring students also applies to any prerequisite courses in a package of courses.
- 1.5 Lawson College will check all enrolling students on Provider Registration and International Student Management System (PRISMS) to ensure that students who have not completed six months of their principal course of study are not enrolled except in the circumstances outlined in 1.1.

2. Students wishing to transfer to another registered provider

- 2.1 Students may transfer to another registered provider before they have completed six months of their principal course or at least 2 study periods based on the following:
- 2.2 In order for a request for transfer to be considered and a letter of release provided, students must provide a letter of offer from another registered provider confirming that a valid offer of enrolment has been made.

2.3 All decisions made with regard to student's requests to transfer to another provider will be fair and take into account the student's individual circumstances and any other relevant factors and a decision made within a reasonable timeframe.

2.4 The circumstances in which a transfer will be granted include:

- ◆ Where it is considered that the course that the student wishes to transfer to:
 - Better meets the study capabilities of the student; and/or
 - Better meets the long term goals of the student, whether these relate to future work, education or personal aspirations; and/or
 - Offers the student access to greater support either through services offered by another registered provider, commercial or non-profit services or through access to family, friends or a cultural support network.
- ◆ The student claims or can provide evidence that his or her reasonable expectations about the current course are not being met.

2.5 A transfer to another registered provider will usually not be granted where:

- ◆ The transfer may jeopardise / be detrimental to the student's progression through a package of courses.
- ◆ The student has not commenced their principal course of study for which they have a CoE
- ◆ The College or its nominated officer forms the view that the student is trying to avoid being reported to DIBP for failure to meet the College's attendance or academic progress requirements.
- ◆ The student has recently started studying the course and the full range of support services are yet to be provided or offered to the student.
- ◆ The transfer to the new program may be detrimental to the student's well being and/or career objectives as stated in the student's original admissions application.
- ◆ The student is trying to avoid being reported to DIBP for failure to meet the provider's attendance or academic progress requirements.
- ◆ The student was given adequate information at the time of enrolment to enable the student to make an informed decision to undertake the course.
- ◆ The student has changed their mind about the course of study they wish to undertake.
- ◆ The student's personal statement is inconsistent with other information provided to the College.
- ◆ The student has any outstanding fee for current course enrolled or a previously enrolled/completed course at Lawson College Australia.
- ◆ The College considers the request for a transfer to be the result of student poaching
- ◆ The student has any outstanding debts.

2.6 Lawson College will assess any request against this policy and related procedure and students will be informed in writing of the decision, including reasons why in the case of refusal. The reasons for refusal will be sufficiently detailed so that students can make an informed decision on whether to appeal the decision.

2.7 There is no cost in providing students with a letter of release. However, where a student transfers to another registered provider, any refund of course fees paid will be in accordance with Lawson College's Fees, Charges and Refund Policy.

2.8 Where students are granted a letter of release, they must contact DIBP to seek advice on whether a new visa is required. To find out more about visa requirements, student should call DIBP on 131881 or visit their web site at www.immi.gov.au

2.9 A reasonable timeframe for assessing and replying to the student's transfer request will be implemented, having regard to the restricted period.

3. Informing students & staff

3.1 Lawson College provides all students and staff with clear expectations on transfer between registered providers.

3.2 Lawson College provides information on the above in the Overseas Student Handbook which is provided to students prior to or upon commencement of a course. These are also available on Lawson College's intranet via website at www.lawsoncollege.edu.au.

3.3 Students and staff will be informed of outcome of the student's application for transfer within 10 working days of lodging the application.

3.4 The policy and procedure relating to transferring between registered providers is discussed at staff orientation and induction and accessed at www.lawsoncollege.edu.au.

4. Complaints and appeals

4.1 Where the decision is made to refuse a student or Lawson College does not respond to the request in the timeframe set out in this Policy, the student may appeal against the decision by accessing Lawson College's Complaints and Appeals process. The student has 20 days in which to do this.

4.2 If the appeal finds in favour of a student wishing to transfer, a letter of release will be granted.

5. Record keeping

5.1 All records of requests for letters of release and the assessment of and decision regarding the request will be kept on the student's file.

Document Summary

Quality Assurance Area	Student Management		
Policy & Procedure Name	Transfer between registered providers	CODE: LQAF-SM	SM-7
Compliance reference: https://aei.gov.au/regulatory-information/education-services-for-overseas-students-esos-legislative-framework/national-code/nationalcodepartd/pages/esosnationalcode-partd.aspx			
Related Polices & Procedures			
National Code: Standard 5 Younger overseas students Standard 8 Complaints and appeals	ESOS Act Section: N/A	Other: N/A	
Related Guidelines, forms and associated documents	<ul style="list-style-type: none"> ■ Checklist - request to Transfer decision process ■ Letter-Letter of receipt of request to transfer ■ Form-Request to transfer - FROM LCA ■ Form-Request to transfer - INTO LCA ■ Letter- Letter of release ■ Letter - Letter of refusal of release ■ Form-Enrolment variation ■ Letter of release ■ Letter of refusal of release ■ Checklist -Staff Induction ■ Register - Requests to Transfer 		
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