



36. Overseas Student Transfer Policy and Procedure

Purpose	Sets out the Institute's guidelines and procedure relating to the transfer of overseas students.
Location	The policy is maintained on owncloud (original: Pydio)- http://cloud.ee.edu.au/owncloud
Responsible executive	CEO
Responsible office	CEO's Office
Effective date	1 Dec 2017
Review date	30 November 2018, 30 November 2022, 30 November 2026
Modification history	Replace existing International student transfer Policy, Apr 18 (V2), Nov 18 (V3)
Related documents	Academic Credit and Recognition of Prior Learning (RPL) Policy
Authority	Approved by Council

1. Scope

Relevant to Elite Education Institute's (EEI) overseas students transferring from a registered higher education provider or transferring to a registered higher education provider.

2. Procedure

Incoming (transferring into EEI) students

Elite Education Institute Pty Ltd trading as Elite Education Institute (EEI), will not knowingly enroll an overseas student seeking to transfer from another registered provider's course prior to the overseas student completing 6 months of his or her principal 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; or
- The releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course at that registered provider; or
- The releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS; or
- 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.

Outgoing (transferring out) students

EEI, as the releasing registered provider, will assess the overseas student's transfer request prior to the overseas student completing 6 months of their principal course when the student lodges a written Request to Transfer. The Request to Transfer should:

- outline the grounds for the request;
- should be addressed to EEI's Principal & CEO; and
- include a valid enrolment offer from another registered provider (where relevant).

The transfer will go through the following process:



- 2.1. The student lodges a written request to EEI's Principal & CEO, it ought to incorporate the above stipulated aspects.
- 2.2. The transfer request, inclusive of all provided supporting documentation, will be reviewed and assessed within 10 working days of receipt of the request from the student.
- 2.3. The transfer request will be granted, if it is deemed in the student's best interest, including but not limited to where EEI has assessed that:
 - a. The student is unable to make satisfactory progress, even after engaging with EEI's intervention strategy to assist the student in accordance with the Overseas student visa requirements. In this instance the student will also be reported.
 - b. There is evidence of compassionate or compelling circumstances (outlined in the ESOS Act s 19, National Code, Part D; such as ill health, see Item 11 of this policy for further clarification on Compassionate or Compelling circumstances);
 - c. EEI fails to deliver the course as outlined in the written agreement (Letter of Offer);
 - d. There is evidence that the student's reasonable expectations about their current course are not being met;
 - e. There is evidence that the student was misled by EEI or an education or migration agent regarding EEI or its course and the course is therefore unsuitable to the student's needs and/or study objectives;
 - f. An appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.
- 2.4. Reasonable grounds in which EEI will refuse the transfer will include, but not be limited to,
 - circumstances where there is no evidence in support of section 3 (where a transfer is in the student's best interests);
 - 6 months of the principal course have not been completed;
 - there is no valid enrolment offer from another registered provider; and
 - when the request for transfer has not been provided in writing from the student to EEI.
- 2.5. Immediately following 10 working days from receipt of the request from the student for a transfer, EEI will provide a written response to the student by email to the student's EEI email address, and by postal services to the student's most current residential address in Australia.

Outstanding Fees

- 2.6. EEI requests students to finalise outstanding fees prior to transfer.

Students under 18 years of age

- 2.7. If the student is under 18 years of age:
 - a. EEI must have written confirmation that the student's parent or legal guardian supports the transfer;
 - b. Where the student is not being cared for in Australia by a parent or suitable nominated relative, the receiving provider must confirm it accepts responsibility for approving the student's accommodation, support and general welfare arrangements in accordance with Standard 5 (younger overseas students).

Release granted



2.8. If a release is granted, there will be no cost to the student.

2.9. The student will be advised in writing (email and postal services) to contact the Department of Home Affairs to seek advice on whether a new student visa is required.

Release refused

2.10. If EEI refuses the transfer request, EEI will inform the student in writing (email and postal services mail) of the reason for the refusal no later than 10 working days from receipt of the request from the student for the transfer.

Compassionate or Compelling Circumstances

2.11. 'Compassionate or compelling' circumstances are generally those beyond the control of the overseas student and which have an impact upon the overseas student's course progress or wellbeing. Students must provide relevant supporting documentary evidence (e.g. personal statement and support from an independent professional (e.g. medical practitioner, legal, counselling). Compassionate or Compelling Circumstances could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes;
- bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
- major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies; or
- a traumatic experience, which could include (these cases should be supported by police or psychologists' reports):
 - ✓ involvement in, or witnessing of a serious accident; or
 - ✓ witnessing or being the victim of a serious crime, and this has impacted on the overseas student.

Appeal

2.12. Students have a right of appeal through the internal complaints and appeal processes at EEI, within 20 working days of the decision being made by EEI.

2.13. Students have a right of appeal externally to EEI after finalisation of an outcome from the EEI internal complaints and appeal process.

2.14. For information and assistance on appeal rights, please view EEI's Student Grievance Mediation Policy and/or seek assistance from a Student Services Manager at EEI.