

International Student Transfer Policy



1. Purpose

This policy provides a framework for meeting the requirements of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (The National Code) with respect to the transfer of international students between providers.

2. Scope

This policy applies to JMI's Executive Management and commencing and continuation international students.

3. Objectives

This policy aims to:

- Establish processes for international students to request a transfer to or from another provider
- Establish fair and equitable processes for assessing international student requests for transfer to or from another provider
- Define circumstances where a transfer application would be denied
- Establish timeframes for assessing and replying to a transfer request

4. Implementation

4.1 Background

JMI operates in compliance with the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (The National Code). National Code Part D, Standard 7 Transfer Between Registered Providers places restrictions on providers from enrolling transferring overseas students prior to the student completing six (6) months of his or her principal course of study, except for circumstances outlined in the standard. The restriction applies to any prerequisite courses in a package of courses, as well as the first six (6) months of the principal course (the Restricted Period).

Providers from whom the student is seeking to transfer are responsible for assessing the student's request for transfer within the Restricted Period. It is expected that the student's request will be granted where the transfer will not be to the detriment to the student.

Where an overseas student requests a transfer from JMI to another institution within the Restricted Period, JMI will assess the request against this Policy and the National Standard. Applications from students transferring from another registered provider within the Restricted Period will also be assessed against this Policy and the National Standard.

After the Restricted Period of their principal program, students are free to transfer between registered providers and do not require a release letter.

4.2 Transfers from JMI to another Registered Provider

Any JMI student who wishes to transfer to another institution within the Restricted Period must apply for a transfer. All applications must be accompanied by a valid letter of offer from the institution to which the student is transferring.

All applications, except those under Section 4.2.1, must be accompanied by a Request for Release form along with the documentation required by this Policy and must be addressed

to the Chief Executive Officer (CEO). JMI's approach will support the intent of Standard 7 which recognises international students as consumers and supports them to exercise choice, while acknowledging that they may also be a group that requires support to transition to study in Australia. As such, the impact on a student of refusing a request will be one factor taken into consideration.

4.2.1. Circumstances where a Release Letter will be Approved

Failure to Meet Conditions of Offer

Students will receive a release letter if they have not met the condition(s) of their offer. In order for a request for a release letter to be considered, the student must provide the evidence that they have attempted and not successfully completed their preliminary program e.g. ELICOS, Foundation Program

Compassionate or Compelling Circumstances

Students will be provided with a release letter if they can demonstrate compassionate or compelling personal reasons or academic circumstances. It will normally be expected that such circumstances were unexpected and beyond the control of the student.

In order for a request for a release letter to be considered, the student must provide relevant supporting documentary evidence which might include a personal statement and a statement of support from an independent professional (e.g. medical, legal, counselling, academic)

Government-sponsored Students

Government-sponsored students may transfer if their government sponsor considers the change to be in the student's best interest and has provided written support for that change.

In order for a request for a release letter to be considered, the student must provide written support for the transfer from their government sponsor.

Offer Letter Not Detrimental

Students will be provided with a release letter where a student submits a transfer that is accompanied by a letter of offer that is not considered detrimental to the student. Factors that may be considered as possibly detrimental include but are not limited to:

- if the transfer may jeopardise the student's progression through a package of courses;
- if the student is trying to avoid being reported to Department of Home Affairs for failure to meet the provider's attendance or academic progress requirements;
- if 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.

4.2.2 Circumstances where a Release Letter will be Refused

Request for transfer applications will be refused:

- if a student does not have a valid enrolment offer from the receiving provider; or
- if the transfer is not in the best interest of the student

Additionally, JMI will not consider applications under the following circumstances until they have been resolved:

- When there is a JMI-initiated action against the student
- Where there are sanction/s against the student which include, but are not limited to, non-payment of tuition fees, outstanding fines and penalties

4.2.3 Transferring to a Non-AQF Equivalent Degree

Where a student is requesting a transfer to a Non-AQF Equivalent Degree they must provide relevant supporting documentary evidence which might include a personal statement outlining why the transfer is not detrimental to the student.

4.2.4 Application for Release Letter

All applications for release letters must be made in writing, along with the documentation required by this Policy.

4.2.5 Outcome of Application

Students will be given a written statement of the outcome of their request, including reasons for the outcome. The written outcome will normally be provided within ten (10) working days of the date the student submits their written request. Requests that do not contain all necessary information required under this Policy may take longer to process.

All requests from students for a letter of release and the assessment of, and decision regarding, the request will be kept on the student's file.

4.2.6 Appeals

Where a student is not provided with a letter of release, the student has a right of appeal. Appeals should be submitted in accordance with the Student Grievance Handling Policy and Procedure

4.2.7 Refunds

In all cases, students' entitlement to a refund will be assessed in accordance with International Student Refund Policy

4.3 Transferring to JMI from another Registered Provider

JMI University will not knowingly enrol a student wishing to transfer from another registered provider's program prior to the student completing six (6) months of his or her principal course of study except where:

- the original registered provider has ceased to be registered or the program in which the student is enrolled has ceased to be registered;
- the original registered provider has provided a written letter of release;
- 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
- 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. JMI will be required to

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undertake the Genuine Temporary Entrant (GTE) and Genuine Student (GS) checks prior to making any offers of enrolment.

5. Definitions

Compelling and compassionate circumstances

Circumstances that are beyond the control of the student and which have an impact upon the student's course progress or student well-being. These could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the 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 student's studies, or
- a traumatic experience which could include:
 - involvement in, or witnessing of a serious accident; or
 - witnessing or being the victim of a serious crime, and this has impacted on the student (these cases should be supported by police or psychologists' reports)
- where the registered provider was unable to offer a pre-requisite unit; or
- inability to begin studying on the course commencement date due to delay in receiving a student visa.

International student

A person studying in Australia on a student visa.

Letter of Release

A letter issued by a CRICOS Registered Provider to confirm approval for an international student to be released from that provider to study with another provider.

Letter of Offer

A statement issued by an education provider which confirms its approval for an international student to enrol in the course(s) indicated on the letter.

National Code

The National Code of Practice for Providers of Education and Training to Overseas Students 2018

Registered Provider

A university, TAFE or private educational institution listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) to offer courses to people studying in Australia on student visas.

6. Related Documents

This policy is related to the following documents:

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- ESOS Act (2000)
- International Student Refund Policy
- International Student Deferment, Suspension and Cancellation Policy

7. Review

This policy should be reviewed three years after commencement or last review.

8. Accountabilities

JMI Executive Management is responsible for the approval, implementation and review of this policy

9. Version Control

Document	International Student Transfer Policy	Author	JMI Executive Management
Approver	JMI Executive Management	Approved	24 January 2018
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Reviewer	JMI Executive Management	Due for Review	January 2021