

INTERNATIONAL STUDENT TRANSFER POLICY AND PROCEDURE

Responsible Officer	Head of Student Experience & Success
Approved by	Board of Directors
Approved	14 May 2020
Commenced	14 May 2020
Review by	May 2023
Relevant Legislation	<ul style="list-style-type: none"> • Education Services for Overseas Students Act 2000 (ESOS) • Education Services for Overseas Students Regulations 2001 • National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (The National Code)
Responsible Division	Student Experience & Success

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1. Policy Statement

1.1 Authority

The Australian Institute of Music Limited (AIM), known as ‘the Institute’, is governed by the Board of Directors (BoD) with academic authority delegated to the Academic Board (AB). The BoD and AB share joint responsibility for ensuring that all general and academic policies and procedures follow ‘best practice’ principles for Higher Education and other sectors of educational delivery, in compliance with relevant Australian legislation and current regulatory requirements.

1.2 Application

This policy and procedure applies to Quality Assured (QA) delivery of accredited AIM programs offered at the Sydney and Melbourne campuses. If applicable, this policy and procedure will also apply in future, wherever QA AIM programs are approved for delivery elsewhere in Australia or overseas.

1.3 Context and Purpose

The purpose of this policy and procedure is to outline the process for international students wishing to transfer between registered providers.

AIM is committed to assessing all requests from students seeking a transfer between registered providers and provide an accurate and informative response in a timely manner that will not be detrimental to the student’s educational outcomes in any way and in accordance with relevant legislation and standards.

1.4 Scope and Coverage

This policy and procedure applies to all international students enrolled at the Australian Institute of Music. This policy and procedure applies to all AIM programs offered at the Sydney and Melbourne campuses.

1.5 Special Conditions or Exceptions

This policy does not apply to students who wish to transfer to another AIM course or campus.

This policy does not apply for Domestic students (see *Deferring, Suspending, Withdrawing, Cancelling Student Enrolment Policy and Procedure*)

2. Procedures

2.1 Implementation

International students cannot normally transfer between registered providers prior to completing six calendar months of their principal course.

2.1.1 Principal Course

The principal course is the main course of study to be undertaken by an International student. Where the student visa has been issued for multiple courses, the principal course is usually the final course of study. The first six months is calculated as six calendar months from the date an overseas student commences their principal course.

The transfer restriction also applies to a student during all courses they undertake prior to the principal course.

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For an International student to transfer before completing six months of their principal course the International student must either obtain a release from their registered provider, or meet one of the following conditions:

- the releasing registered provider, or the course in which the International student is enrolled, has ceased to be registered;
- the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the International student from continuing their course with that registered provider;
- any government sponsor of the International student considers the change to be in the International student's best interests and has provided written support for the change. This usually applies where the International student's study in Australia is sponsored by the government of another country.

After completing six calendar months of the principal course, an International student can transfer without needing to meet one of these conditions. For further information see the *Deferring, Suspending, Withdrawing, Cancelling Student Enrolment Policy and Procedure*.

AIM will not knowingly enrol an International student seeking to transfer from another registered provider's course prior to the International student completing six months of his or her principal course (or for the school sector, until after the first six months of the first registered school sector course).

2.1.2 Request to Transfer

All requests to withdraw/transfer must be submitted in writing to the department of Student Experience and Success. If the request is to transfer to another provider, the student must provide a valid enrolment offer from the other registered provider.

The student's documentation must clearly provide a reason(s) as to why they wish to withdraw and if compassionate and compelling circumstances are given, evidence must be provided to support the claim. A copy of this documentation will be placed on the student file.

The Academic Administration Manager or Student Success Coordinator or delegate will counsel the student and ascertain the reasons for wishing to withdraw, which are detailed on the student's documentation.

The Department of Student Experience and Success will provide a response to the student's request in writing within 15 working days of receiving the initial withdrawal letter from the student as per the circumstances listed below:

2.1.3 Circumstances in which a transfer will be granted:

AIM will grant the transfer request where the transfer is in the International student's best interests, including but not limited to where the Institute has assessed that:

- the International student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with that registered provider's intervention strategy to assist the International student in accordance with Standard 8 (Overseas student visa requirements) of the National Code 2018
- there is evidence of compassionate or compelling circumstances
- AIM fails to deliver the course as outlined in the written agreement
- there is evidence that the International student's reasonable expectations about their current course are not being met

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- there is evidence that the International student was misled by the Institute or an education or migration agent regarding the Institute or its course and the course is therefore unsuitable to their needs and/or study objectives
- an appeal (internal or external) on another matter results in a decision or recommendation to release the International student.

2.1.4 Circumstances in which a transfer will not be granted:

- When a transfer is considered detrimental to a student;
- When a transfer is requested before the student has completed six months without any evidence of compassionate or compelling circumstances;
- When a transfer is requested to a provider that does not have Simplified Student Visa Framework (SSVF) arrangements and the student does not have a genuine reason for transferring;
- If the student has unpaid course fees for the current study period. The current study period is the study period in which the student applies for a release to transfer.

2.1.5 Release to Transfer

The Institute will only provide a release to transfer via PRISMS if:

- The student is withdrawing/transferring within the first 6 months of enrolment;
- The student has provided a letter from another registered provider confirming a valid enrolment offer has been made;
- If the student is under 18 years old:
 - The Institute has written confirmation from the student's parents or legal guardian which supports the transfer;
 - Where the International 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) of the National Code 2018.

The Department of Student Experience and Success will advise the student verbally and in writing to contact DIBP to seek advice on the visa implications that a withdrawal from the course may cause, and whether a new student visa is required. A copy of the written communication will be placed on the student file.

There will be no cost to the International student applying for a release to transfer

2.1.6 Non-approval of Release to Transfer:

If the Institute does not approve the release to transfer:

- The student will be provided with written communication from the Academic Administration Manager stating the reasons for refusing the transfer request.
- The student will also be informed in the written communication that they have the right to appeal the decision and may access the *Student Grievances and Complaints Policy & Procedure*.
- The Institute will not finalise the student's refusal to transfer status in PRISMS until the appeal finds in favour of the Institute, or the International student has chosen not to access the appeals process within the 20 working day period, or the International Student withdraws from the process.
- A copy of this written communication will be placed on the student file.

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NOTE: Students granted a student visa under the Simplified Student Visa Framework (SSVF) arrangements generally need to enrol in another streamlined eligible course or package courses at the same level as the student's current course. For more information, refer to [SSVF Changing Courses](#).

2.1.7 Other Information

A student who ceases attending a course or does not return from leave, and is not contactable by the Institute, has "inactively" advised the Institute of his/her failure to continue studying. Under Section 19(1) of the ESOS Act, the Institute must notify the Australian Government's Department of Education and Training via PRISMS of termination of an accepted student's studies within the prescribed timeframe (14 days for students under 18 years; 31 days for all other students) of the event occurring, by completing a Student Course Variation. This does not require the Institute to give the student access to the appeals process, however a timeframe which indicates the minimum student absence prior to the student's enrolment being cancelled is included in the Institute's *Assessment Policy and Procedure*.

2.2 Procedure

- Student submits transfer request in writing to the Department of Student Experience and Success
- Request is assessed by the Academic Administration Manager/Student Success Coordinator or delegate
- All transfer requests will be assessed within 15 working days
- Student will be informed of the outcome in writing
- Student will be advised to contact the Department of Immigration and Border Protection (DIBP) for Visa implications
- Student has the right to appeal (if applicable)
- Student's transfer request will be recorded in PRISMS within the prescribed timeframe (14 days for students under 18 years; 31 days for all other students)
- All transfer requests will be maintained on the student files for a period of two years after the International student ceases to be an accepted student.

2.3 Contextual Considerations

Nil

3. Accountabilities

3.1 Policy Owner

a. Head of Student Experience and Success

3.2 Responsible Officers

a. **Academic Administration Manager/Student Success Coordinator:** responsible for counselling the student and ascertaining reasons for withdrawal and notifying students in instances where the Institute refuses to release to transfer

b. **Academic Administration Manager:** responsible for responding to students' request for withdrawal and advising students to contact DIBP with regard to visa implications

4. Supporting Information

4.1 Supporting Documents

Nil

4.2 Related Documents

- *Assessment Policy and Procedure*

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- *Deferring, Suspending, Withdrawing, Cancelling Student Enrolment Policy and Procedure*
- *Student Grievances and Complaints Policy and Procedure*

4.3 Superseded Documents

Nil

5. Definitions and Acronyms

TERM/ACRONYM	DEFINITION
AIM referred to as the 'Institute'	The Australian Institute of Music Limited ABN: 89 003 261 112; PRV: 12050; CRICOS 00665C; RTO: 90465.
Compassionate or Compelling (Exceptional) Circumstances	<p>Are generally those circumstances beyond the control of the student and which have an impact upon the student's course progress or wellbeing and could include, but are not limited to:</p> <ul style="list-style-type: none"> • serious illness or injury, where a medical certificate states that the student is 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: <ul style="list-style-type: none"> ○ 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
Domestic student	A student who is an Australian citizen, a New Zealand citizen, or a holder of an Australian permanent visa (holders of all categories of permanent resident visas including Humanitarian Visas).
International student	A student who is not a domestic student, and who may hold a student visa and is protected by the ESOS legislative framework.

6. Approval and Review Dates

Version	Date Approved by Leadership Group	Date Approval Academic Board	Date Approved by Board of Directors	Amendment Details
1.1		CEO (Interim approval granted) 23 January 2018	15 March 2018	
1.2	04/05/2020	N/A	14/05/2020	<ul style="list-style-type: none"> • Updated to new format

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				<ul style="list-style-type: none"> • Amendments to roles to reflect organisational changes
1.3	N/A	N/A	N/A	<ul style="list-style-type: none"> • Reference to correct policy names • Slight amendment to policy format

7. Flowchart – Showing process and decision points

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