

# Transfer of Provider Policy

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## 1. Purpose

This policy outlines the conditions and circumstances under which SIBT will consider a student request for transfer between registered providers.

## 2. Legislative Requirements

The National Code of Practice 2007 requires providers to assess international student visa holder requests to transfer provider up to and including the first six months of their principal program of study (the institution to which the student is packaged). The restriction also applies to any prerequisite programs in a package of programs, as well as the first six months of the principal program. Receiving providers must not knowingly enrol students in this situation, 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 program, 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.

SIBT will not seek to enrol a student wishing to transfer from another registered provider's program prior to the student completing six months of the principal course of study except where the situation falls within the above parameters. Student considering transferring providers must ensure that they continue to meet the conditions of their student visa. More information can be found at: <http://www.border.gov.au/Trav.Stud/More/Changing-courses>.

## 3. Request to transfer

SIBT markets itself as an education provider offering academic programs. Students are provided with a range of information outlining program structures and requirements and articulation pathways. In light of this, requests for student transfers will take into consideration the range of SIBT information provided to prospective students prior to application and enrolment at SIBT.

Students who wish to undertake a transfer of studies must complete an application to transfer provider form and outline the reasons for their transfer. Documentary evidence in support of the transfer must be attached to the application form and demonstrate how the transfer would be in the student's best interests. Students must also see a Student Advisor, depending on the institution to which the student is packaged, there may be additional forms to complete.

To be eligible to apply to transfer providers, a student must:

- hold a valid unconditional enrolment from the receiving CRICOS provider, with a future start date;
- provide documentation to support the application in accordance with Section 3.1; and
- have a status of "C" Current or "D" Deferred.

### 3.1 *Circumstances which SIBT considers sufficient grounds to transfer*

A student must satisfy SIBT that they have a genuine case to request to transfer. SIBT will consider the following circumstances as reasonable grounds for a transfer, provided they are accompanied by the required evidence:

Circumstances which SIBT considers sufficient grounds to transfer	Supporting documentation required
<p>The transfer is considered beneficial to the student's academic progression:</p> <p>The transfer represents an opportunity for the student to complete a higher level tertiary qualification with an entry point matching their academic and language levels.</p>	<p>An unconditional offer letter (not packaged with any pathway program).</p>
<p>The transfer is considered beneficial to the student's academic progression:</p> <p>The student is currently enrolled at SIBT and has applied to transfer to an area not available at SIBT, evidenced with a valid offer of admission from another registered provider.</p>	<p>An unconditional offer of admission from another registered provider and evidence that the student has accessed academic support services provided by SIBT that have not improved the student's performance.</p>
<p>SIBT is no longer able to provide the program in which the student is due to commence, or enrolled.</p>	<p>Nil</p>
<p>The government sponsor of the student considers the change to be in the student's best interest.</p>	<p>Written support for the transfer from the government sponsor.</p>
<p>The student has experienced exceptional compassionate or compelling circumstances.</p>	<p>Evidence of the exceptional compassionate or compelling circumstances (eg medical documentation, death certificate, etc) and Statement of how the transfer would improve the student's circumstances.</p>
<p>The student is planning to transfer to another Navitas university program</p>	<p>Evidence of the offer from the Navitas University Program</p>

### 3.2 *Circumstances which SIBT considers insufficient grounds to transfer*

SIBT considers the following circumstances will have a detrimental impact on the educational outcomes for which the student's visa was granted, and will result in a request for transfer of providers being denied:

The transfer is detrimental to the student's academic progression, including:

- the student has not started studying, or has only recently started studying, and has not experienced the full range of academic and support services available at SIBT;
- the transfer may jeopardise the student's progression through a package of programs, or is not likely to provide adequate preparation for further study (eg the new program does not articulate into the principal provider);
- the student is applying to transfer to a qualification of a lower level or a vocational qualification for reasons other than academic ability;
- the student expresses difficulty with the program of study but has not sought assistance from SIBT;

- the student has not completed more than 6 months of their principle program;
- the student has not attempted an in-semester or end of semester assessment item;
- the student has been warned for non-attendance;
- the student is experiencing Homestay or other accommodation problems;
- 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 has changed his or her mind about the program;
- the student wants to live somewhere else (unless there are exceptional compassionate grounds);
- the student has already accepted an offer and paid for a Program at another registered provider;
- the student claims financial hardship and wants to transfer to a provider with lower fees, or would lead to an overall reduction in costs to the student;
- SIBT forms the view that the student is trying to avoid being reported to DIBP for failure to meet attendance or academic progress requirements;
- SIBT considers the student has taken advantage of the Streamlined Visa Processing (SVP) arrangements to obtain a student visa and enter Australia and has requested to transfer to a non-SVP provider without making a genuine effort to undertake their study at SIBT;
- the student has 25% or less of the program to complete;
- the student attempts to avoid a 'Conditional 3' enrolment ;
- the student has outstanding debts or fines;
- the student's migration agents error;
- the student is under18 and there is no written evidence that the student's parent or legal guardian supports the transfer and they have no approved arrangements for accommodation, support or general welfare
- the government sponsor of the student does not approve the request.

### 3.3 *Circumstances in which a letter of release is not required*

A letter of release is not required where:

- the student has been studying in their Program for more than six months (the principle program that their visa is based on). For packaged students, the program will be the "degree program" with their principal provider;
- the student does not meet the conditions of their letter of offer and no alternate program is available;
- the student wishes to withdraw and return to their home country;

### 3.4 *Refund of Fees*

Once a student's release is granted, the student will be subject to SIBT's Refund Policy.

## 4. Outcome of transfer request

All requests for Transfer of Provider must be in writing using the appropriate Transfer of Provider forms from SIBT and, if packaged to another institution, the relevant form from the other institution. The application for release for SIBT will be considered by the Student Advisors. Please see Section 6 of this policy for the assessment of release

by partner institutions. There is no cost for application. Students will be advised of the outcome of their request within 10 working days of the application. In situations where a transfer is approved, the outcome will be effective from either the date of lodgement or the end of semester, as nominated by the student on the application form. If no indication is given on the application form, the default effective date will be the date of lodgement of application.

Where a student's application cannot be considered, because the relevant documentation has not been attached, the student will be notified.

Where a request for Transfer of Provider has been approved, a release letter will be supplied at no cost. The student's enrolment at SIBT will be cancelled, and notification will be provided to DIBP (via PRISMS) of the student's cessation of studies at SIBT through cancellation of the Confirmation of Enrolment (eCoE). Cancellation fees and penalties will be applied in accordance with SIBT's Refund Policy.

Where a student under the age of 18 has had a request for Transfer of Provider approved, SIBT will liaise with the other provider in regards to the transfer of care arrangements. As a guideline, SIBT will only continue care arrangements for the student for seven (7) days after the date of the Transfer of Provider was approved.

Where a request for Transfer of Provider has been declined, the student's enrolment will remain current and the student will be advised of the reason for the refusal of the request in the letter notifying them of the outcome of the current request (including the duration of the appeal process). It is the responsibility of the student to keep their enrolment current by remaining enrolled in their program of study while they are waiting on an outcome of their release application or appeal.

## 5. Letter of Release

SIBT will supply of Letter of Release to all approved transfer applications. There is no cost associated with a Letter of Release.

## 6. Packaged Offers with a Partner Institution

If a student has a packaged offer that includes both an SIBT program and a Partner Institution degree, a student must identify whether he or she wishes to be released from one or both programs.

The Partner Institution degree will be considered the principal program for the purposes of this policy.

SIBT will assess the request and advise the student and the partner institution in writing of the outcome. If the student is seeking a transfer from the partner institution which is part of a packaged offer, that institution will assess the student under its own policies. SIBT will request advice from the partner institution as to the outcome, for the purposes of record keeping.

## 7. Appeals

### 7.1 *Internal Appeal Process*

Where a student's request for transfer has not been supported, the student can lodge a written appeal with SIBT as per the following:

- the appeal must be submitted within 21 days of the date of the initial decision;
- appeals will be considered within 10 working days after submission;
- the student will receive written advice of the outcome;

- It is the student's responsibility to maintain a current enrolment at SIBT while an internal and / or external appeal is being considered.

## 7.2 *External Appeal Process*

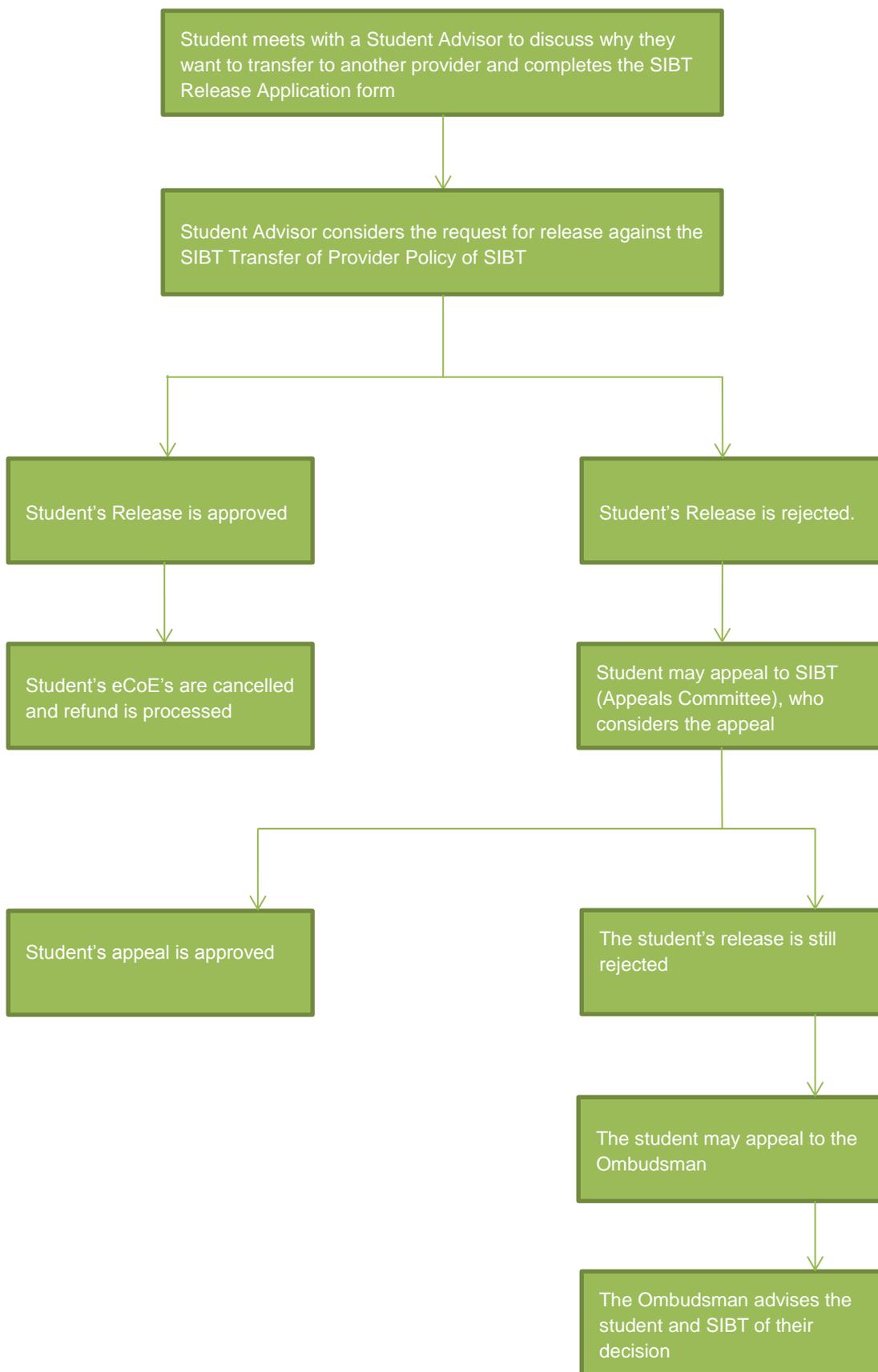
Following the outcome of an internal appeal, students have the ability to lodge an external appeal to the Overseas Student Ombudsman:

<http://www.ombudsman.gov.au/making-a-complaint/overseas-students>

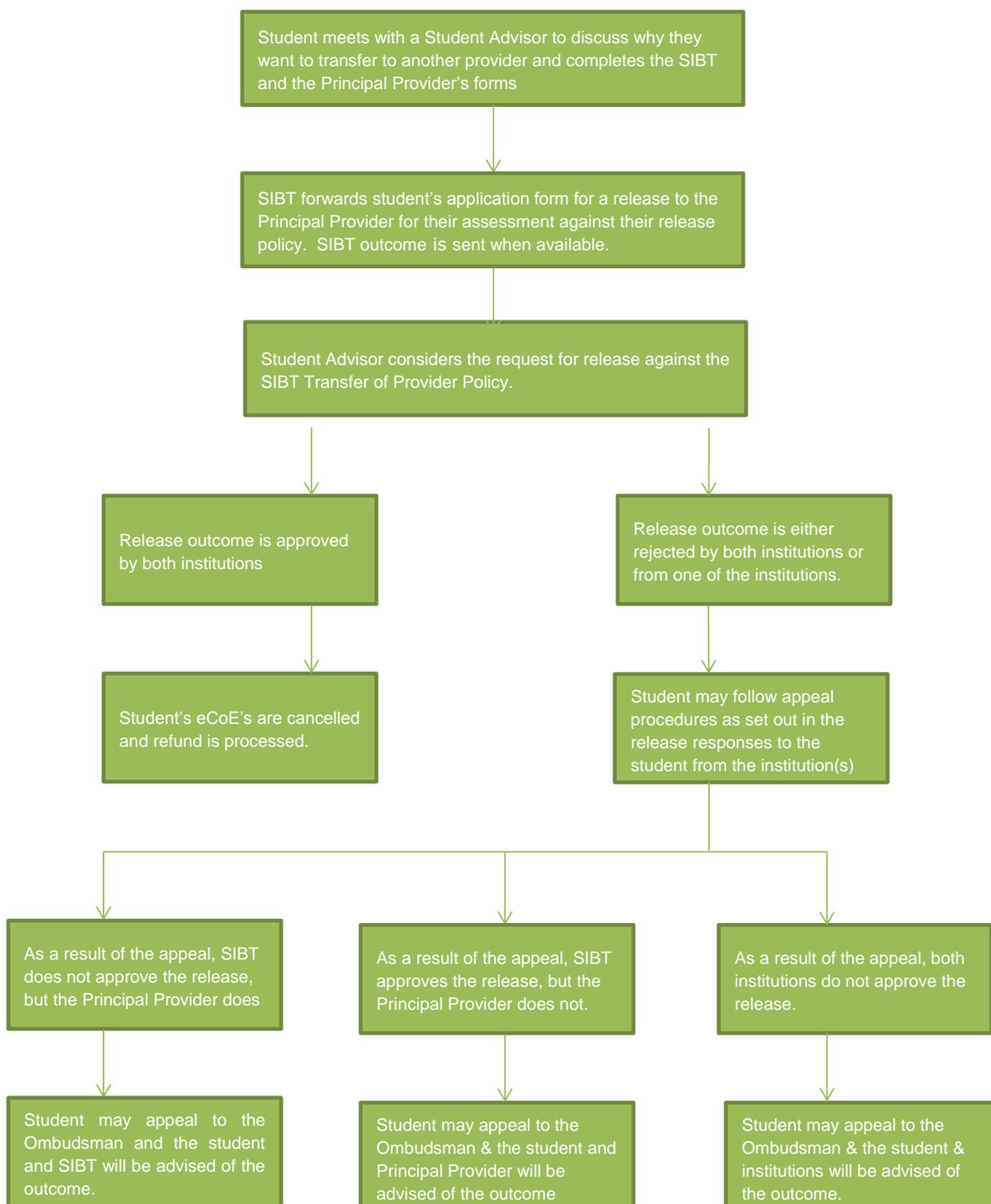
## 7.3 *Appeal Process at Partner Institution*

It is the student's responsibility to follow the process of the partner institution in terms of appeals.

Appendix 1 – Summary of Student Applying for a Release with a Stand-a-lone SIBT offer



Appendix 2 – Summary of Student Applying for a Release with a Packaged offer



Amendment History

<b>Department:</b>	Student Services	
<b>Approval Authority:</b>	SMT	
<b>Approval Date:</b>	14 April 2014	
<b>Date for Next Review:</b>	10 February 2020	
<b>Revision Date</b>		
<b>Version</b>		
<b>Summary of changes</b>		
30/06/10	1	Formatted into new policy template
06/10/11	2	Reformatted in line with UPD
19/06/12	3	Added statement - <i>SIBT may commence applicable disciplinary procedures if a person to whom this policy applies breaches this policy (or any of its related procedures).</i>
28/06/13	4	Added statement - <i>If the student applies to transfer from a SIBT package that was processed under Streamlines Visa Processing (SVP) to a provider that is not eligible for SVP</i>
14/04/14	5	Review and revised the complete document to better align with MQ policy
22/03/16	6	Policy updated to represent SIBT's status as of 2016.
01/04/16	7	Policy updated to include the changes in processing and assessing release applications and title change.
06/05/16	8	Policy updated to include U18 in the general policy and process of students applying for a release with a packaged offer changed.
01/07/16	9	Policy updated to include a section on students transferring to another Navitas Business Unit.
10/02/17	10	Policy updated and reviewed,