

# Overseas Student Transfers – Policy and Procedure

## OVERVIEW

This policy has been developed in accordance with the Standards for Registered Training Organisations 2015, The ESOS Framework including the ESOS ACT 2000 as amended and National Code 2018 Standard 7.

The purpose of this policy is to ensure the PGA of Australia Institute (PGA) do not enrol an overseas student seeking to transfer from another provider prior to the overseas student completing six months of their principle course only under certain circumstances. The PGA will not actively seek any overseas student that has not completed six months of their principle course.

## POLICY

The PGA will only accept a student who has not completed six months of their principle course if the following applies:

- The registered provider or the course in which the overseas student is enrolled has ceased to exist to be registered
- The releasing registered provider has had a sanction imposed on its registration by the ESOS Agency (ASQA) that prevents the overseas student from continuing his or her course at that registered provider
- The releasing registered provider has agreed to the overseas students release and recorded the date of effect and reason for the release in PRISMS
- Any government sponsor of the overseas student considers the change to be in the best interest and has provided written support for the change.

This policy and procedure outlines the processes for assessing overseas student transfer requests prior to completing six months of their principle course. This policy and procedure is available in the Student Handbook and is made available to all students prior to enrolment. All staff can access this policy via the Google drive and the eHub.

The overseas student who wishes to transfer from the PGA to another registered provider must:

- Lodge a written request to transfer to another provider and they must include a valid Letter of Offer from another registered provider, the PGA IGI will make a decision on whether to grant the transfer within two weeks of receiving all signed documents listed in the Overseas Transfer Request Application Form available from Student Administration.

The PGA IGI will grant the overseas student's application for transfer under the following conditions:

- The overseas student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with the PGAI intervention strategy to assist the overseas student in accordance with National Code 2018 Standard 8
- There is evidence of compassionate and compelling circumstances, compassionate and compelling circumstances are generally beyond the students control and if these circumstances an impact on an overseas student's wellbeing and or on their ability to progress in their course of studies, these can include but are not limited to:
  - Serious injury or illness with a medical certificate
  - Bereavement of a close family member, if possible, the death certificate should be provided as evidence
  - A major political upheaval or natural disaster in the overseas student's home requiring emergency travel and which has or may have impact on their studies
  - A traumatic experience which could include but not limited to:
    - Involvement in or witnessing of an accident or crime
    - A crime committed against the overseas student
  - Other clearly compassionate and compelling circumstances at the discretion on the PGAI Senior Manager
- The PGAI fails to deliver the course outlined in the written agreement
- There is evidence that the overseas students' reasonable expectations about their current course are not being met
- There is evidence that the overseas student was misled by the PGAI or one of their education agents regarding the PGAI course and is therefore unsuitable to the overseas students' needs or study objectives
- An appeal (internal or external) on another matter that results in a decision or recommendation to release the overseas student

The PGAI will only refuse a transfer it considers not beneficial for the overseas student and if the overseas student has no outstanding fees. All applications to transfer will be assessed and an answer in writing provided to the overseas student within 14 days from receiving the written application. Overseas students will be informed in writing as to the reason for the refusal and that they have right to access the PGAI Complaints and Appeals process in accordance with the National Code 2018, Standard 10 Complaints and Appeals within 20 working days. The Complaints and Appeals policy are available on the PGAI website and in the Student Handbook.

The PGAI will not finalise the student's refusal status in PRISMS until the appeal finds in favour of the PGAI or the overseas student has chosen not to access the complaints and appeals process within the 20 working days or the overseas student withdraws from the process.

If the application for release is successful then there is no cost the overseas student and they are all informed to seek advice from the Department of Home Affairs for advice on whether they require a new visa.

The PGAI will retain all records of all requests from overseas students for a release and the assessment of, and the decision regarding the request for two years after the overseas student ceases to be an accepted student.

## PROCEDURE

Action Step	Responsibility	Details
Accepting application from an overseas student wishing to transfer from another provider	Student Recruitment/Student Administration	<ul style="list-style-type: none"> <li>Students' application form to be checked to</li> <li>see if they are transferring from another provider Student asked why are they wanting to transfer</li> <li>If the student meets the criteria in the 'Overseas Student Transfers' policy then the application may be accepted</li> <li>Student to provide Letter of Release from current provider</li> </ul>
Transferring from the PGAI to another Provider	Student Administration/Senior Manager	<ul style="list-style-type: none"> <li>Student counselled as to why they wish to transfer to another provider</li> <li>Student to complete the Overseas Student Application to Transfer application form</li> <li>Application assessed to ensure compliance with 'Overseas Student Transfers' policy</li> <li>Letter of offer from new provider received and any other supporting evidence</li> </ul>
	Senior Manager	<ul style="list-style-type: none"> <li>Decision made and student informed as in writing</li> </ul>

If release granted	<ul style="list-style-type: none"> <li>• If the overseas student is granted the transfer, then they complete the Deferment, Suspension or Cancellation form and this is processed by Student Administration and recorded in PRISMS</li> <li>• Overseas student informed to contact the Department of Home Affairs for advice on whether they require a new visa</li> </ul>
If release is not granted	<p>Senior Manager</p> <ul style="list-style-type: none"> <li>• Student informed of decision in writing and if the student does not agree with the decision, they are informed of their right to appeal the decision within 20 working days.</li> <li>• If the students appeal is upheld the process of above will occur, if the students appeal is not upheld then they will be expected to return to their studies or appeal externally.</li> <li>• If the overseas students external appeal is upheld the process above will occur, if the overseas students external appeal is not successful then they are to expected to return to their studies.</li> </ul>