

Monash University Policy

Policy Title	International Student Transfer between Registered Providers Policy
Date Effective	01-January-2018
Review Date	01-January-2021
Policy Owner	Director, Student and Education Business Services
Category	Academic Quality and Standards
Version Number	3.0
Content Enquiries	policy-education@monash.edu
Scope	<ul style="list-style-type: none"> • International students holding a student visa seeking to transfer within the first 6 months of their principal course of study • Organisational units with responsibility for approving and refusing and or processing transfer requests for students who hold a student visa: <ul style="list-style-type: none"> • Faculties • Monash Graduate Research Office (MGRO) • Admissions • Monash Connect
Purpose	To ensure that the University fully complies with the <i>Education Services for Overseas Students Act 2000</i> and the requirements of Standard 7 of the National Code of Practice 2018 (NC18) for administering requests from international students holding a student visa seeking a transfer between registered providers.
POLICY STATEMENT	

Students seeking to transfer from Monash University

International students seeking to transfer from Monash University to another registered provider prior to completion of the first 6 calendar months of their principal course must seek approval to transfer and obtain release approval through PRISMS.

Monash University will confirm Release approval only if:

1. A course is academically unsuitable for a student, e.g. where a student is better suited to a different learning environment or the course does not meet his or her educational or developmental needs or the student is unable to achieve satisfactory course progress at the level they are studying; or
2. Compassionate or compelling reasons for the transfer exist.

Monash University will approve a Release request when the transfer is in the student's best interests if:

1. A course is academically unsuitable for a student, e.g. where a student is better suited to a different learning environment or the course does not meet his or her educational or developmental needs or the student is unable to achieve satisfactory course progress at the level they are studying;
2. The course as outlined in the written agreement has not been delivered;
3. The student provides evidence that his or her reasonable expectations about the course are not being met;
4. The student provides evidence of being misled by Monash University or Monash College or by an education or migration agent regarding the provider or the course and the course is therefore unsuitable;

5. An appeal on another matter results in a recommendation or decision to release the student; or
6. Compassionate or compelling reasons for the transfer exist.

As required by ESOS NC18, S7, before the Release approval is given:

1. The student must present a valid letter of offer of enrolment with the receiving provider; and
2. If the student is under the age of 18, written evidence is required that:
 - the student's parent or legal guardian supports the transfer; and
 - the receiving provider must confirm it accepts responsibility for approving a student's accommodation, support and general welfare.

Refusal of release approval

In accordance with ESOS NC18, S7.2.3, Monash University will refuse Release approval and inform the student in writing of the reasons for the refusal when the transfer does not satisfy the student's best interests as set out in this policy.

In addition, grounds for refusal also include when:

- a student has unpaid course fees for the current study period;
- a transfer would jeopardise a student's progress through a package of courses; or
- a student requires or has access to particular support services that will not be delivered by the receiving provider or accessible by the student following the transfer.

The University will assess and respond to the application within 10 working days. For students refused a Release, they will be advised of their right to appeal the refusal in accordance with the Monash Student Complaints and Grievance Procedures within 20 working days.

Students seeking to transfer to Monash University

International students within the scope of this policy who seek to transfer to Monash University prior to completion of the first 6 calendar months of their principal course will be issued with a CoE only if:

1. The original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered;
2. The original registered provider has agreed to the student's release and recorded the date of effect and reason for release in PRISMS;
3. 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
4. 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; and
5. If the student is under the age of 18, there is written evidence that the student's parent or legal guardian supports the transfer and Monash has put arrangements in place for approving a student's accommodation, support and general welfare arrangements as per S5.

ESOS NC18, S5 requires that where students under the age of 18 are not being cared for in Australia by a parent or suitable nominated relative, registered providers ensure the arrangements made to protect the personal safety and social wellbeing of those students are appropriate.

ESOS NC18, S7 states that if release is granted it must be at no cost to the student. Where a request for release is refused, the student must be advised in writing of the reasons for the refusal and of the right to appeal the decision. Records of all requests for release, the assessment of the application and decision will be maintained on the University's student management system.

Supporting Procedures	International Student Transfer between Registered Providers Procedures
Responsibility for implementation	Faculties Monash Graduate Research Office (MGRO) Admissions

	Monash Connect ESOS Advisory Group	
Status	Revised	
Approval Body	Academic Quality and Standards policies Name: Academic Board Meeting: Steering Committee Date: 12-December-2017 Agenda item: 3.2	Operational policies Name: Date:
Endorsement Body	Academic Quality and Standards policies Name: Coursework Admissions and Programs Committee Meeting: Date: 24-November-2017 Agenda item: 2.1	Operational policies Name: Date:
Definitions	<p>CoE: Confirmation of Enrolment form issued through PRISMS</p> <p>Compassionate: family, medical or wellbeing reasons for supporting a transfer</p> <p>Compelling: circumstances that are generally beyond the control of the student, which affect their course progress or wellbeing</p> <p>CRICOS: Commonwealth Register of Institutions and Courses for Overseas Students</p> <p>Current study period: the study period in which the student applies for a release or the previous study period if the application is made during the holidays</p> <p>Enrolment: the period during which a student, who has been issued with a CoE to confirm acceptance by the registered provider, occupies a place in the CRICOS registered course for which the student was accepted and is progressing towards completion of course requirements. The period of enrolment includes scheduled breaks between study periods.</p> <p>ESOS Act: <i>Education Services for Overseas Students Act 2000</i></p> <p>Original provider: education provider from whom a student is seeking to transfer</p> <p>Government sponsored: an Australian or foreign government sponsored student for study in Australia</p> <p>NC18: National Code of Practice for Providers of Education and Training to Overseas Students 2018</p> <p>Principal course of study: as defined in NC18, the main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study. The principal course of study would normally be the final course of study for which the overseas student arrives in Australia with a student visa that covers multiple courses.</p> <p>PRISMS: Provider Registration and International Student Management System, operated by the Australian government</p> <p>Receiving provider: the provider with whom the student is intending to enrol</p> <p>Release approval: a confirmation of approval of release through PRISMS</p> <p>Student visa: a visa of a subclass mentioned in the definition of student visa in regulation 1.03 of the <i>Migration Regulations 1994</i>, whenever granted, other than:</p> <p>(a) a visa granted to:</p> <p style="padding-left: 40px;">(i) a Foreign Affairs student (within the meaning of the <i>Migration</i></p>	

	<p><i>Regulations 1994</i>); or</p> <p>(ii) a Defence student (within the meaning of the <i>Migration Regulations 1994</i>); or</p> <p>(b) a visa granted to a person who satisfies the secondary criteria, but not the primary criteria, under the <i>Migration Regulations 1994</i> for the grant of the visa; or</p> <p>(c) a visa granted to a person as a secondary exchange student within the meaning of the <i>Migration Regulations 1994</i>; or</p> <p>(d) a visa granted to a person as an overseas student who has been approved under a scholarship scheme, or an exchange scheme, sponsored by the Commonwealth to undertake a course of study or training in Australia.</p> <p>Transfer between registered providers: when an international student applies to transfer to or from another CRICOS registered provider</p> <p>Working days: any day other than a weekend, public holiday or day when the University is closed for business</p>
Legislation Mandating Compliance	<p>Education Services for Overseas Students Act 2000</p> <p>National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth)</p>
Related Policies	<p>Student Complaints and Grievances Policy</p>
Related Documents	<p>Student Complaints and Grievances Procedures</p> <p>Application for Release - International Students form</p> <p>Admissions Manual</p>