

## Student Transfer Policy and Procedure

Approving body	Governing Board
Date approved	27 Feb 2025
Date of effect	Commencement of operation
Next scheduled review	Two years from policy commencement
Policy owner	Chief Executive Officer (CEO)
Policy contact	Chief Executive Officer (CEO)
Related Documents	<a href="#">Admission Policy and Procedure</a> <a href="#">Credit and Recognition of Prior Learning Policy and Procedure</a> <a href="#">Student Fee Policy and Procedure</a> <a href="#">Student Fee Refunds Policy and Procedure</a> <a href="#">Student Code of Conduct</a> <a href="#">Student Grievance Policy and Procedure</a> <a href="#">Student Appeals Policy and Procedure</a> <a href="#">Student Enrolment and Completion Policy and Procedure</a> Discontinuation of Enrolment Form (Schedule 1) Release Request Form (Schedule 2)
Higher Education Standards Framework (HESF) 2021 (Cth)	Standard 1.1.2 Standard 6.2.1 Standard 7.2.4
Other legislation	<i>Education Services for Overseas Students Act 2000 (Cth)</i> <i>National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth)</i> <i>Education Services for Overseas Students Regulations 2001 (Cth)</i> <i>Education Services for Overseas Students (Calculation of Refund) Specification 2014 (Cth)</i> <i>Education Services for Overseas Students Legislation Amendment (Tuition Protection Services and Other Measures) Act 2012 (Cth)</i>



**ZENITH INNOVATION INSTITUTE**  
UNPARALLELED EXCELLENCE

## Student Transfer Policy and Procedure

Approved by the Governing Board on 19 Sep 2024



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# Student Transfer Policy and Procedure

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## Purpose

1. This Policy and Procedure outlines the principles and processes used by Zenith Innovation Institute (**Zenith / the Institute**) when considering transfer requests to and from the Institute, including meeting obligations under of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (Cth) (the **National Code**).

## Scope

2. This Policy and Procedure applies to international students only and addresses their request for transfer into or from the Institute.

## Policy

### Policy statement

3. The Institute will not knowingly enrol international students seeking to transfer from another registered provider's course prior to the students completing six months of their principal course, unless certain limited circumstances, as outlined in this Policy and Procedure, apply.
4. The Institute will take all reasonable checks to ensure an international student is not enrolled with another registered provider before approving the student's enrolment.
5. Transfer requests from international students will be reviewed and responded to promptly and students will be updated on the progress of their transfer requests.
6. If an international student at the Institute applies for a transfer to another registered provider prior to completing six months of his/her principal course from the Institute, the Institute will:
  - (a) assess whether approving the transfer is in the student's best interest; and
  - (b) release the student to another registered provider at no cost to the student if the Institute is satisfied that releasing the student is in the student's best interest.

## Procedure

### General transfer provisions

7. Unless certain circumstances apply to an international student, the Institute will not:
  - (a) accept applications for transfer to the Institute from international students who have not completed at least six months of their principal course; and
  - (b) approve requests from its international students, who have not completed at least six months of their principal course at Zenith, to transfer to another registered provider.
8. International students at the Institute may transfer from the Institute to another registered provider at no cost and without seeking the Institute's permission only after completing six months of their principal course (i.e. outside of the Restriction Period).
9. Before applying for a transfer from the Institute to another registered provider, the student should be aware that a transfer to another registered provider could impact the student's visa and advice from the Department of Home Affairs should be sought.

## Transfer during the Restriction Period

10. Table 1 below sets out the circumstances under which transfers into and out of the Institute is permissible during the Restriction Period.

*Table 1. Circumstances Permitting Student Transfers within the Restriction Period*

<b>Requests from another registered providers' students to transfer <u>to</u> the Institute will be accepted</b>	<b>Requests from the Institute's students to transfer <u>to another registered provider</u></b>
The provider, or the course in which the student is enrolled, has ceased to be registered	The Institute, or the course in which the student is enrolled, has ceased to be registered
The provider has had a sanction imposed on its registration by an ESOS agency that prevents the student from continuing their course at the provider	A sanction has been imposed on the Institute's registration by TEQSA (the nominated ESOS agency for higher education) that prevents the student from continuing their course at the Institute
Any government sponsor of the student considers the transfer to be in the student's best interests and has provided written support for the transfer	Any government sponsor of the student considers the transfer to be in the student's best interests and has provided written support for the transfer
The releasing registered provider has agreed to the student's release and recorded the date of effect and reason for release in PRISMS	The Institute grants the transfer request because it is in the student's best interests

## Determining the Student's Best Interest

11. Circumstances where the Institute will grant a release during the Restriction Period because it is in the student's best interests include:
- (a) failings of the Institute:
    - (i) the Institute fails to deliver the course as outlined in the Letter of Offer and Written Agreement;
    - (ii) there is evidence that the student's reasonable expectations about their current course at Zenith are not being met; and
    - (iii) there is evidence that the student was misled by the Institute or an education regarding the Institute or its course and the course is therefore unsuitable to their needs and/or study objectives;
  - (b) appeal:
    - (i) an appeal (internal or external) on another matter results in a decision or recommendation to release the student;
  - (c) compassionate or compelling circumstances, including:
    - (i) serious illness or injury, where a medical certificate states that the student was unable to attend classes;
    - (ii) bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);

- (iii) major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies;
    - (iv) 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); and
    - (v) where the Institute was unable to offer a prerequisite subject, or the student has failed a prerequisite subject and therefore faces a shortage of relevant subjects for which they are eligible to enrol; and
  - (d) unable to achieve satisfactory academic progress:
    - (i) progression and academic issues that persist despite the student engaging with the Institute's intervention strategy to assist the student.
12. Circumstances where the Institute may refuse a release during the Restriction Period include:
- (a) the student has provided false or misleading information in support of their transfer request;
  - (b) the student does not provide a full letter of offer from another registered provider;
  - (c) there is no evidence of compassionate or compelling circumstances;
  - (d) the student is not genuinely engaging with an intervention strategy as a result of unsatisfactory progress;
  - (e) the student is seeking to avoid disciplinary action or being reported as being in breach of visa requirements;
  - (f) the student has outstanding fees or other costs owed to the Institute; and
  - (g) the student's enrolment is currently deferred, or the student was suspended or excluded for misconduct

### **Intention to refuse a release**

13. If the outcome of the review is that the transfer is to be refused, the student will be given the opportunity to access the Institute's internal and external appeals process before the decision is finalised and communicated to Australian government authorities via PRISMS. A student may lodge a formal grievance against a decision made under this Policy under the provisions of the *Student Grievance Policy and Procedure*. If the student is dissatisfied with the outcome of the grievance handling process, they may formally appeal under the provisions of the *Student Appeals Policy and Procedure*.

### **Initiating a transfer after the Restriction Period**

14. For a transfer to the Institute, an application for admission to the Institute in accordance with the *Admission Policy and Procedure* and requests for credit and recognition of prior learning should be made at the same time in accordance with the *Credit and Recognition of Prior Learning Policy and Procedure*.
15. For a transfer to another registered provider, the student should discontinue their enrolment at the Institute by lodging a *Discontinuation of Enrolment Form* in accordance with the *Student Enrolment Policy and Procedure* and as applicable, refer to the *Student Refunds Policy and Procedure*.
16. The discontinuation of enrolment will be recorded in PRISMS to allow another registered provider to issue a new Confirmation of Enrolment.

17. The student will be advised to contact the Department of Home Affairs to seek advice on whether a new student visa is required.

## Procedures for requesting a transfer between providers during the Restriction Period

### Transferring to the Institute

18. Students wishing to transfer to the Institute should apply for admission to the Institute in accordance with the *Admission Policy and Procedure*. Requests for credit and recognition of prior learning should be made at the same time as applying for admission in accordance with the *Credit and Recognition of Prior Learning Policy and Procedure*.
19. The application should refer to the reason for the transfer and include as appropriate:
  - (a) evidence of release from the previous registered provider, such as a letter of release or other notification of release;
  - (b) evidence of deregistration of the provider or course in which they were enrolled;
  - (c) evidence of sanction imposed by the relevant ESOS agency on the provider's registration preventing the student from continuing the course; or
  - (d) written support of a relevant government sponsor for the transfer.
20. The Student Services Manager or nominee will:
  - (a) review the request for the transfer and reason for the request;
  - (b) verify the authenticity of the information provided;
  - (c) confirm that the student meets one of the conditions for a transfer during the Restriction Period (refer to Clause 16 of this Policy), including referring to PRISMS for current enrolment status;
  - (d) confirm applicable policies and/or legislation and precedents; and
  - (e) confirm the eligibility of the student for a place in the chosen course at the Institute.
21. If the Student Services Manager or nominee finds that the student is not eligible for a transfer during the Restriction Period, a response will be sent to the student, including reasons for refusing the transfer. The student will be advised to re-apply after the Restriction Period as appropriate.
22. If the student is eligible for a transfer, the Student Services Manager or their nominee will proceed with reviewing the student's application for admission in accordance with the *Admission Policy and Procedure*.

### Transferring to another provider

23. The student should check eligibility for a release prior to lodging a transfer request.
24. The student should provide reasons for a transfer request to another registered provider and include supporting evidence (refer to Section 4.1.2), as appropriate:
  - (a) a valid letter of offer from another registered provider must accompany a transfer request.
25. Upon receipt of the student's transfer request, the Student Services Manager or their nominee will:
  - (a) acknowledge receipt of the request within 5 business days; and

- (b) inform the student that a response will be provided within 10 business days.
26. The Student Services Manager or nominee will:
- (a) assess the transfer request and verify the evidence provided;
  - (b) consult with other staff members, as appropriate, to confirm that all conditions for a transfer are met. The relevant Course Coordinator will also be consulted regarding on any potential detriment to the student's educational goals; and
  - (c) consult applicable policies and/or legislation and precedents.
27. The student may be asked to:
- (a) provide additional information; and
  - (b) attend an interview, which may take place over the phone, the internet or in person. The student may request that a person attends the interview for support or advocacy.
28. The student will receive written notification of the outcome of the review of the release request will be sent to the student.
29. In the event of a release refusal, the student will be informed of:
- (a) the reason for refusing the release;
  - (b) the option to wait until the end of the Restriction Period before lodging another transfer request; and
  - (c) the right to access the College's appeals process within 20 working days.
- The Student Services Manager will not record the decision to refuse the release in PRISMS until there is an outcome from any appeals process.
30. In the event of a release:
- (a) the student's enrolment will be discontinued;
  - (b) a notification of release issued to the student;
  - (c) the release is recorded in PRISMS; and
  - (d) the student is advised on processes relating to discontinuation of enrolment, such as fee refunds.

## Appeals

31. A student may lodge a formal grievance against a decision made under this Policy under the provisions of the *Student Grievance Policy and Procedure*. If the student is dissatisfied with the outcome of the grievance handling process, they may formally appeal under the provisions of the *Student Appeals Policy and Procedure*.

## Records and reporting

32. The Institute will record all transfer request outcomes in PRISMS.
33. In the event of a release not requiring the Institute's permission, the student's release or discontinuation of enrolment will be promptly recorded in PRISMS.
34. In the event of a refusal and where the student chooses to access the internal and external appeals process within twenty (20) days of notification of the decision:



- (a) if the internal and/or external appeals find in favour of the Institute, or if the student withdraws from the appeals process before its conclusion, the decision not to release the student will be promptly recorded in PRISMS; or
  - (b) if the internal or external appeal finds in favour of the student, the decision to release the student will be promptly recorded in PRISMS.
35. In the event of a refusal and where the student does not access the internal and external appeals process within twenty (20) days of notification of the decision, the decision to not release the student will be promptly recorded in PRISMS.
36. A record of all transfer requests, supporting documentation, assessment and outcomes will be created and stored for a period of at least two (2) years after the student ceases to become an accepted student at the Institute.

## Monitoring and improvement

37. The Institute collects data on transfers to and from the Institute. Student feedback is sought on their experience at the Institute, including on processes relating to admission and discontinuation of enrolment.
38. The Institute uses the collected data to monitor trends in international students requesting transfers to and from the Institute, including on transfers taking place within the Restriction Period. Monitoring includes identifying student cohorts (e.g. particular education agents and countries), which HEPs or states students are transferring to and the response of students toward student support / courses offered at Zenith toward students asking for transfers to identify continuous improvement for Zenith.
39. The Institute will improve its transfer request assessment process based on the collected data.
- The Institute will also continuously monitor for any changes in legislative requirements concerning transfers

## Responsibilities

40. The Student Services Manager is responsible for:
- (a) approving or refusing transfer requests;
  - (b) ensuring students are informed of all their rights and obligations under this and related Institute policies, including the right to appeal;
  - (c) ensuring that all appropriate records are updated, and evidence is stored for the requisite periods; and
  - (d) providing an annual report on international student attrition including any developing trends and issues to the Academic Dean for reporting to the Academic Board and as relevant the Governing Board.

## Definitions

41. For the purposes of this Policy:



Term	Definition
Confirmation of Enrolment	An electronic document issued by the Institute to a prospective international student applying for a student visa to the Department of Home Affairs to confirm the student's eligibility to enrol into a course offered by the Institute.
Credit and recognition of prior learning	Credit and recognition of prior learning or 'credit' is the recognition of relevant and equivalent prior study or informal learning completed by students which may lead to a reduction in the number of academic units or credit points that are required to successfully complete a course at the Institute. Credit and recognition of prior learning may be given for specific units as well as specified and unspecified electives.
CRICOS	The Commonwealth Register of Institutions and Courses for Overseas Students.
Domestic student	A student who is an Australian or New Zealand citizen or holds an Australian permanent visa.
ESOS agency	Either the Tertiary Education Quality and Standards Agency ( <b>TEQSA</b> ) or the Australian Skills Quality Authority ( <b>ASQA</b> ), which have direct powers to regulate higher education and vocational education and training providers respectively under the <i>Education Services for Overseas Students Act 2000</i> ( <b>ESOS Act</b> ).
International student	International student means any overseas student, including those who have student visas, temporary residency, bridging visas and provisional residency (as falling under the ESOS Act). Unless otherwise specified in this Policy, 'student' refers to an international student.
Letter of Offer	A document issued by the Institute to offer a student a place in a course at the Institute.
Principal course of study	The main course of study to be undertaken by an international student where a student visa has been issued for multiple courses of study, i.e. the course leading to the highest AQF qualification or, if there is more than one enrolment at the highest AQF qualification, the course with the earliest proposed start date.
PRISMS	The Provider Registration International Student Management System, a secure database owned and maintained by the Department of Education for the purposes of administering the <i>Education Services for Overseas Students Act 2000</i> .
Registered provider	An institution providing courses to international students as listed on the Commonwealth Register of Institutions and Courses for Overseas Students ( <b>CRICOS</b> ).
Release	The permission given by the Institute to an international student to transfer to another registered provider during the restriction period.
Restriction Period	The length of time during which international students may not transfer between registered providers, except in specified circumstances.



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Term	Definition
Student visa	An authorisation permitting people who are not Australian citizens or permanent residents to come to Australia for the primary purpose of studying in Australia as defined by the <i>Migration Act 1958</i> .

## Version control

Version	Changes	Approval Body	Approval Date
1.0	New policy	Governing Board	19 Sep 2024
1.1	Policy box formatted for consistency and added HESF standards and legislation Point 11 updated “Letter of Offer and Agreement” to “Letter of Offer and Written Agreement”	Governing Board	27 Feb 2025

# Schedule 1 – Discontinuation of Enrolment Form

**ONLY LODGE THIS FORM IF YOU WISH TO WITHDRAW FROM YOUR COURSE AND TERMINATE YOUR ENROLMENT AT the Institute**

Date:                      /   /

## Student Details

Name: \_\_\_\_\_ Student ID: \_\_\_\_\_

Phone number: \_\_\_\_\_ Email address: \_\_\_\_\_ @students.Zenith.com.edu.au

Enrolled in course: \_\_\_\_\_

## Reason for discontinuation of enrolment

## Attached supporting documentation

## Refund

I am also lodging an application for a refund: ☐ Yes ☐ No

## Declaration

I have read and understood the Institute's *Student Enrolment Policy and Procedure*.

## Signature

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

**Office Use Only**

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Reference Number:

Received on:

Acknowledged on:

Responsible officer:

Interview or further information requested (if applicable):

Outcome of review:

Written response provided to the student on:

Required actions completed on:

Notification of discontinuation of enrolment on PRISMS on (international students only):

## Schedule 2 – Release Request Form

**ONLY LODGE THIS FORM IF YOU ARE AN INTERNATIONAL STUDENT AND YOU WISH TO TRANSFER TO ANOTHER REGISTERED PROVIDER PRIOR TO HAVING COMPLETED SIX (6) MONTHS OF YOUR PRINCIPAL COURSE OF STUDY at Zenith .**

**the Institute WILL PROVIDE YOU WITH A RELEASE LETTER IF YOUR APPLICATION IS SUCCESSFUL.**

**Date:**                      /   /

### Student Details

Name: \_\_\_\_\_ Student ID: \_\_\_\_\_

Phone number: \_\_\_\_\_ Email address: \_\_\_\_\_ @students.Zenith.com.edu.au

Enrolled in course: \_\_\_\_\_ Since: \_\_\_\_\_

**Reason for transfer (please include relevant reference from the Institute's *Student Transfer Policy and Procedure*)**

**Attached supporting documentation**

### Refund

I am also lodging an application for a refund: ☐ Yes ☐ No

### Declaration

I have read and understood the Institute's *Student Transfer Policy and Procedure* and have completed this form in accordance with the requirements of the Policy. The information I have provided in support of my review or appeal is true, accurate and complete.

### Signature

Name: \_\_\_\_\_

Signature:

**Office Use Only**

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Reference Number:

Received on:

Acknowledged on:

Responsible officer:

Interview or further information requested (if applicable):

Outcome of review:

Written response provided to the student on:

Required actions completed on:

Notification of transfer on PRISMS on: