

STUDENT TRANSFER AND RELEASE POLICY AND PROCEDURES

Policy Statement	<p>This policy outlines the circumstances under which Kent Institute Australia (Kent) will allow both the enrolment of international students transferring to Kent from other institutions and the release of international students from Kent to another education provider.</p> <p>This policy is supported by:</p> <ul style="list-style-type: none"> • The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) • Education Services for Overseas Students (ESOS) Act 2000 • Higher Education Support Act 2003 • TEQSA, Higher Education Standards Framework, (Threshold Standards) 2021, Domain 1 and Domain 7 Section 7.2.2 • Standards for Registered Training Organisations 2015
Responsibility for Implementation	<p>Executive Dean, Head of Vocational Education, Executive Manager Student and Campus Services, Manager Student Services, Student Engagement & Wellbeing Co-ordinator</p>
Compliance and Monitoring	<p>Executive Dean, Head of Vocational Education, Executive Manager Student and Campus Services, Executive Manager Risk & Compliance/Governing Board Secretary, Academic Board, Governing Board</p>

Purpose

Kent will provide the required student services in order to assist student requests for transfer and release in accordance the ESOS Act, 2000 and National Code, 2018. Kent's compliance with the appropriate regulations and authority guidelines is required to facilitate student requests for transfer or release from a Kent as a provider.

Scope

Students studying at Kent or at other education providers in Australia on a Student Visa.

Aim

This policy outlines the procedures by which Kent is governed and will comply with to allow both the enrolment of international students transferring from other Australian education providers and the release of Kent's international students to undertake another course of study in Australia prior to the overseas student completing six months of their principal course at Kent.

PROCEDURES

1.0 Students transferring to Kent from another Provider

In accordance with the National Code 2018, Standard 7, Kent will not knowingly enrol an overseas student seeking to transfer from another registered provider's course prior to the overseas student completing six

months of his or her principal course (or for the school sector, until after the first six (6) months of the first registered school sector course), except where any of the below extenuating circumstances apply:

- the releasing registered provider, or the course in which the overseas 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 overseas student from continuing his or her course at that registered provider
- the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
- any government sponsor of the overseas student considers the change to be in the overseas student's best interests and has provided written support for the change.

Where extenuating circumstances apply, Kent will request or gather evidence of these circumstances with the student's Application for Admission, for example, in the format an extract from a national regulator or register showing that the releasing registered provider, or the course in which the overseas student is enrolled has ceased to be registered or that a sanction imposed on its registration by the ESOS agency prevents the overseas student from continuing his or her course at that registered provider or a written statement from the student's government sponsor which supports the change and confirms it to be in the overseas student's best interests. Where the student is enrolled by Kent, applicable extenuating circumstances underpinning the transfer will also be recorded on the student's SIS record.

2.0 Requests to transfer to another Education Provider

2.1 Request to Transfer

All requests from Kent students to transfer to another provider must be submitted in writing on the approved form *Student Withdrawal/Transfer/Release Request Form*.

2.2 Supporting Evidence

Documentation required to accompany the completed *Student Withdrawal/Transfer/Release Request Form* **must include the following** depending on the category of the request:

- **Transfer to another Education Provider:**

If the student is requesting to transfer to another education provider, the offer letter from that education provider.

- **Student Exit Interview Record Form**

The student will be contacted by the Student Engagement and Wellbeing Co-ordinator to arrange for a Student Exit Interview. During this 'Exit Interview' a *Student Exit Interview Record form* will be completed and attached to the *Student Withdrawal/Transfer/Release Request Form* prior to submission to the Student Administration Office for processing.

2.3 Kent Students who have NOT commenced their course of study

The Executive Manager Student and Campus Services and/or Manager Student Services will assess all international student requests for release from Kent's course of study if they have not commenced their course at Kent.

2.4 Kent Students who have Commenced their course of study

An international student requesting a withdrawal/transfer/release from a course of study and has commenced their course of study at Kent, but has not completed six (6) months study will be assessed as follows:

Higher Education (HEd)

- The Student Engagement and Wellbeing Co-ordinator (or nominee) is responsible for arranging an exit interview for Kent HEd students requesting a withdrawal/transfer/release.
- The exit interview will determine if any retention opportunities exist for the student prior to granting the transfer or release. This process will be recorded in the Kent Student Information System (SIS) and co-ordinated by the Manager Student Services to make the final decision to either approve or decline the withdraw/transfer/release student request.
- A *Student Exit Interview Record* document will be completed by the Student Engagement and Wellbeing Co-ordinator and will be attached to the *Student Withdrawal/Transfer/Release Request Form* prior to submission to the Student Administration Office for processing.

Vocational Education & Training (VET)

- The Head of Vocational Education will interview the VET student and recommend whether to grant the transfer or release.
- The exit interview will determine if any retention opportunities exist for the student prior to granting the transfer or release.
- This process will be recorded in the Kent Student Information System (SIS) and co-ordinated by the Manager Student Services to make the final decision to either approve or decline the withdraw/transfer/release student request.
- A *Student Exit Interview Record document* will be completed by the Head of Vocational Education and attached to the *Student Withdrawal/Transfer/Release Request Form* prior to submission to the Student Administration Office for processing.

3.0 Circumstances when Approval to Transfer will be Granted

Subject to the *Student Payments Policy & Procedures* and *Student Refund Policy & Procedures*, international students may transfer to another provider within their first six months of study at Kent in extenuating circumstances, being:

- Kent or the course in which the overseas student is enrolled at Kent has ceased to be registered
- Kent has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course at Kent
- Kent has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
- The student's any government sponsor considers the change to be in the overseas student's best interests and has provided written support for the change.

3.1 Kent will also approve an overseas student's release request when Kent has assessed that the transfer is in the overseas student's best interests, including but not limited to where Kent has assessed that:

- 3.1.1 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 Kent's intervention strategies as outlined in the ***Academic Monitoring and Intervention Policy and Procedures***.
- 3.1.2 there is evidence of compassionate or compelling reasons beyond the control of the student e.g. personal or educational problems that cannot be addressed by Kent support services, as considered by the Executive Dean, Head of Vocational Education, Associate Dean or the Executive Manager Student and Campus Services and/or Manager Student Services as appropriate.

- 3.1.3 Kent fails to deliver the course as outlined in the ***Offer of Admission- International Student Enrolment Agreement***.
 - 3.1.4 there is evidence that the overseas student's reasonable expectations about their current course are not being met, or there is evidence that the overseas student was misled by Kent or an education or migration agent regarding Kent or its course and the course is therefore unsuitable to their needs and/or study objectives. Evidence may take the form of course brochures; email correspondence, website screenshots, course material etc.
 - 3.1.5 an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student, or
 - 3.1.6 The international student requests a transfer to undertake a course of study at an academic level considered equal, or higher than the level of their current course, in a discipline of study not available at Kent.
- 3.2 If a request for transfer is approved, the outcome of the application to transfer will be communicated to the student in writing within ten (10) working days from receipt of the completed application and all supporting documentation. The student will be advised of the requirement to contact the Department of Home Affairs (DHA) to seek advice on whether a new visa is required.
- 3.3 As part of the approval process, Kent will record the date of effect and reason for release in PRISMS.
- 3.4 The application and a copy of the response will be kept on the student's file in the Kent SIS.
- 3.5 There will be no cost to the overseas student associated with the application or granting of release to transfer. Any applicable refunds will be processed in accordance with Kent's Student Refund Policy and Procedures.

4.0 Grounds for denying a Request to Transfer

- 4.1 A student's request for transfer to another education provider will be denied where extenuating circumstances, as defined in this Policy and Procedures do not apply, and in any of the following circumstances:
- 4.1.1 The student is applying to transfer to another sector or lower level of study e.g. Bachelor to Diploma and based on the students' academic ability the transfer would be seen as a detriment to the student.
 - 4.1.2 The student has outstanding debts or fines at Kent.
 - 4.1.3 There is no offer of admission or written confirmation from another registered provider that a valid unconditional enrolment offer has been made.
 - 4.1.4 The student requests to transfer to study a course at another registered provider of an academic level and in a discipline area available at Kent (except where 3.1.4 applies).
 - 4.1.5 The student is requesting to change course due to academic difficulty and has not accessed or reasonably engaged with the relevant academic and support services available at Kent.
 - 4.1.6 The transfer would be considered detrimental to the student. For example, the transfer may jeopardise the student's progression through a package of courses.
 - 4.1.7 The student wants to live somewhere else, unless there are compassionate and compelling circumstances/reasons beyond the student's control.
- 4.2 If the request for transfer is denied, the student will be advised of the reasons for this decision in writing and will be informed of their right to appeal the decision in accordance with Kent's ***Complaints and Appeals Policy and Procedures*** within 20 working days.

- 4.3 Where a student's application is denied they will be expected to continue in their current/proposed course of study as initially planned.
- 4.4 If the student does not wish to continue studies at Kent, they need to formally request for withdrawal from their course (without release) in writing in accordance with Kent's ***Withdrawal, Suspension and Cancellation of Enrolment Policy and Procedures***.

If the student wishes to return to his or her home country, evidence of a confirmed flight itinerary and visa cancellation request/notice will be requested.

Kent will then cancel their course, noting that no release was granted. This information will also be reported to the DHA via the Provider Registration and International Students Management System (PRISMS). **This may result in cancellation of the student's visa.**

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

5.0 Refunds

Students will be required to request a refund using the Refund Request Form. If a student's transfer to another provider is approved, the student's tuition payments will be reviewed subject to the provisions of Kent's *Student Refund Policy & Procedures*.

6.0 Responsibilities

The Executive Dean, Head of Vocational Education, Executive Manager Student and Campus Services, Manager Student Services, Student Engagement & Wellbeing Co-ordinator are responsible for implementing this Policy and Procedure.

The Executive Manager Student and Campus Services, Executive Dean and Head of Vocational Education will regularly report to Academic Board on trends and matters associated with requests to Transfer.

The Governing Board will receive a monthly PRISMS Report inclusive of student Transfers to other Providers.

7.0 Records Management

Student Services Unit staff are responsible for ensuring all relevant documentation (Student Withdrawal/Transfer/Release Request Form, supporting documentation and all incoming/outgoing correspondence) and any Exit Interviews are scanned to the student's file on Kent's Student Information System (SIS). Kent will maintain records for at least two years after the overseas student ceases to be an accepted student.

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Version Control Update (Current): Version 1 – 25 th May 2015 Version 2 – 21 st April, 2016 Version 3 – 29 th October, 2017 Version 4 – 10 th October, 2019 Version 5 – 6 th April 2022	Approved by: Governing Board Meeting Date: V1 12 th August, 2015 V2 8 th June, 2016 V3 6 th December, 2017 CEO – 10 th October, 2018 Executive Chair – 10 th October, 2019 Governing Board – 6 th April 2022
AMENDMENTS: 23/11/2016 - change Item 1.4 reference from Student Engagement and Wellbeing Co-ordinator to Manager Student Services. 29/10/2017 – Update to the Policy Statement reference to the National Code 2018 and related definitions and procedures to be compliant with the new National Code 2018. 12-month review of the document and updates related to evaluating the criteria for applications and reporting against actions taken. 20/02/2018 – reference to Department of Home Affairs (DHA) 08/10/2018 – 12-month review – minor amendments to update Kent position titles. 10/10/2019 – 12-month review – minor word amendments, update to Kent position titles and BMS\Sharepoint Hyperlinks. Update Version Control for currency of date. 06/04/2022 – 24-month review including revisions to better align wording with the National Code, 2018, notably addition of 20 working day appeal period and no cost to student associated with transfer requests. Extenuating circumstances defined in the context of National Code Standard 7. Additional detail on record keeping and reporting to Governing Board added. Withdrawals and changes to visa categories relocated to Kent’s Student <i>Suspension and Cancellation of Enrolment Policy and Procedure</i> (concurrently under review). Clarification of staff responsibilities in alignment with current practices.	