



# Transfer between Registered Providers Policy and Procedure

## 1. Scope and Purpose

This policy and procedure applies to all members of the Russo Business School higher education community.

This Policy states the principles to be applied and the procedures to be followed when assessing international student visa holders who request a 'Transfer' to another educational institution.

This policy applies to any current Russo Business School student who:

- Is studying in Australia under a student visa program and
- Requests a Transfer to another Registered Provider in Australia, in accordance with Commonwealth and Queensland legislated requirements.

## 2. Definitions

**Appeal** is in response to a decision made on a particular matter.

**Compassionate or Compelling circumstances** are considered to be beyond the control of a Student and have an impact upon the Student's academic performance or wellbeing. These could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the Student was unable to attend classes;
- bereavement of close family members such as parents, siblings or grandparents (where a funeral or death notice should be provided);
- major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the Student's studies;
- a traumatic experience, which has impacted the student (these cases should be supported by documentary evidence, for example a police or psychologists' report), which could include an involvement in, or witnessing of, an accident; or being the victim of, or witnessing, a crime; or
- inability to begin studying on the Course Commencement Date due to a delay in receiving a student visa.

*Please note that the above are only some examples of what may be considered to be defined as 'compassionate and or compelling circumstances'. Each request will be assessed individually based on the information, and any relevant documentary evidence, provided.*

**Course** is a single course leading to an Australian higher education award.

**International student** means a person (whether within or outside Australia) who holds a student visa, but does not include students of a kind prescribed in the regulations.

**Letter of Release** A letter from the Russo Business School giving approval to an international student visa-holder to transfer to another Registered Provider of education prior to them completing six months of their Principal Course of study. The letter must provide information about whether or not the student demonstrated a commitment to their studies during the course and paid all outstanding fees for the course.

**National Code** National Code of Practice for Providers of Education and Training to Overseas Students 2018.

**Package of Courses** A Package of Courses is offered to a student for the purpose of arranging one student visa for the full expected duration of their studies, for example where one course is a prerequisite to another of the courses

**Principal Course** the student's main course of study with the Russo Business School or, in circumstances of a Package of Courses with James Cook University. For example if a RBS Diploma is offered as a pathway to a Bachelor degree at James Cook University, the Bachelor degree is the Principal Course.

**Registered Provider** an institution that is registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) as an approved provider of courses for the state.

**DHA** – Department of Home Affairs

**ESOS** - Education Services for Overseas Students

**PRISMS** – Provider Registration and International Student Management System

### 3. Policy

Russo Business School adheres to National Code Standard 7 whereby Registered Providers are restricted from enrolling transferring international students prior to the student completing 6 months of their Principal Course.

For the purpose of this policy, it is to be acknowledged that Russo Business School may be a pathway provider to higher qualification with another provider which is considered the principal provider and Principal Course. Therefore, a student would need to discuss a transfer with the principal provider.

The purpose of an approval to Transfer is to enable an international student to enroll with another Registered Provider of their choosing, recognizing international students as consumers with the right to set their educational goals and choose an appropriate course to meet those goals. Therefore, this Policy reflects the following principles:

1. Russo Business School aims to support international students in their transition to study in Australia. However, will not support a transfer if it is determined that a premature change of course will be detrimental to the student.
2. Before submitting an application to study with another Registered Provider, students are encouraged to consider and clearly understand how a transfer would better meet their personal requirements or long-term goals.
3. Requests for a Transfer will be assessed by the Dean of Studies (or nominee) and responded to 10 working days of receiving the request. The Dean may consult with others to inform decision making. Responses to requests will be issued in writing, regardless of the decision.
4. Where a Transfer is requested and approved it will be provided without conditions and at no cost to the student.
5. A student has the right to appeal a decision by Russo Business School not to grant a Transfer.
6. A student must maintain their enrolment with Russo Business School and participate in classes while their application for a Transfer is considered.

#### 3.1 Grounds for Granting a Transfer

A Transfer will generally be granted if any of the following circumstances exist:

- a. 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 that registered provider's intervention strategy to assist the international student in accordance with Standard 8 (Overseas student visa requirements).

- b. there is evidence of Compassionate or Compelling circumstances.
- c. the Registered Provider fails to deliver the course as outlined in the written agreement.
- d. there is evidence that the international student's reasonable expectations about their current course are not being met.
- e. there is evidence that the international student was misled by the Registered Provider or an education or migration agent regarding the Registered Provider or its course and the course is therefore unsuitable to their needs and/or study objectives.
- f. an appeal (internal or external) on another matter results in a decision or recommendation to release the international student.

### 3.2 Grounds for Denying a Transfer

A Transfer will generally not be granted in the following instances:

- a. The international student has outstanding course fees for the current study period.
- b. A valid Confirmation of Enrolment from another Registered Provider is not provided.
- c. The international student's government sponsor has not provided written support for the change.
- d. The international student has not completed 6 months of their principal course.
- e. The international student requesting a transfer does not have an accurate understanding of what the transfer represents to their study options.
- f. The scheduled date for commencing classes at the other Registered Provider has passed at the date of lodging the request for a Transfer
- g. If the only reasons provided with the request for a Transfer are that the student changed their mind or wants to live somewhere else

A Transfer will also not be granted if a Transfer is assessed as being detrimental to the student's welfare or their future studies after taking into account all relevant factors such as:

- a. Where an International Student applies to transfer to another provider in a different Education sector (e.g. VET sector) or another course level (e.g. Master to Bachelor course) and Russo Business Schools Executive Dean or Dean of Studies determines that the transfer is not in the student's best interests, for example where the student is downgrading for reasons unrelated to their academic ability and they are likely to succeed in their present course
- b. Where the transfer may jeopardize the international student's progression through a Package of Courses
- c. Where an international student has not accessed the Russo Business School's available support services for assistance with their studies and/or personal problems, for example, they have not sought assistance from Russo Business School's learning support or counselling services following a referral

### 3.3 Calculating six months completion of the Principal Course

The start date for calculating the six-month limitation period is when the student starts, or is scheduled to start, their Principal Course. Where a student has had a break from their studies due to a deferment or suspension, that break is not counted for the purpose of determining if the student has completed six months of the Principal Course.

Students who have studied longer than a 6-month period can apply to withdraw from their principal course as no Letter or release is required.

### 3.4 Accepting a Transfer Request from a student enrolled with another provider

Russo Business School will not knowingly enrol an international student seeking to transfer from another registered provider prior to the student completing 6 months of their Principal Course except where any of the following apply:

- The releasing provider, or the course in which the international student is enrolled, has ceased to be registered;

- The releasing registered provider has had a sanction imposed on its registration that prevents the overseas student from continuing their course at that provider;
- The releasing registered provider has agreed to the international student's release and recorded the date of effect and reason for release in PRISMS; or
- Any government sponsor of the overseas student considers the change to be in the interests of the international student and has provided written support for the change

#### **4. Procedure for Requesting a Transfer**

International students must submit a written request for a Transfer and supporting documents to the Dean of Studies, Russo Business School.

To be eligible to receive a Transfer the international student must:

- a. Pay all outstanding fees to Russo Business School
- b. Provide supporting documents including a valid enrolment offer from another Registered Provider
- c. Provide documentary evidence to support their request for a Transfer, for example
  - i. evidence of compassionate or compelling circumstances
  - ii. evidence that Russo Business School failed to deliver the course as outlined in the written agreement
  - iii. evidence that the overseas student's reasonable expectations about their current course are not being met
  - iv. evidence that the overseas student was misled by the registered provider or an education or migration agent regarding the registered provider or its course and the course is therefore unsuitable to their needs and/or study objectives
- d. Where applicable, provide written support for the change from their government sponsor

Russo Business School will acknowledge receipt of the Request for a Transfer by email to the student's nominated email address.

#### **5. Notification and Recording of Outcome**

Where the request for a Transfer is approved, Russo Business School will issue a Letter of Release. The confirmation will be issued within ten (10) working days of receiving the request and will be sent together with separate advice to the student.

The International Student is required to contact the Department of Home Affairs directly to determine the effect of the Transfer on their student visa and gain Instructions from Russo Business School on how to withdraw from their current course.

Any course Tuition Fees or refunds will be determined in accordance with the Russo Business School's Student Fees Policy and Student Tuition Fees Refund Policy.

Where the request is unsuccessful, Russo Business School will notify the student in writing of the decision, including the reasons for the decision and the avenues for internal or external appeal as appropriate.

Upon approval Russo Business School will record the Transfer approval in PRISMS the Transfer approval.

Should the Transfer be refused, Russo Business School will not finalise the student's refusal status in PRISMS until any appeal processes have been exhausted, or the international 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.

Records of requests for 'Transfer' and the decision-making process will be documented and retained on the student's file.

## 6. Transferring Without a Release

Where a Request for Transfer is denied and the student advises they have enrolled at another registered provider or are absent for 4 weeks of a Study Period, the student will be identified as having abandoned their course and be making unsatisfactory academic progression (as per the Assessment, Moderation and Progress Policy and Procedure).

International students will be issued with a Notice of Intention to Report on the basis of unsatisfactory academic performance as required under Section 19 of the ESOS Act and Standard 9 of the National Code.

Students will have 20 days to appeal the decision in accordance with the Student Complaints and Appeals Policy and Procedure.

International students should seek advice from the Department of Home Affairs on the potential impact on their visa.

The cancellation of the international student's enrolment will not take effect until the internal appeals process is completed, unless the student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

## 7. Appeals

Where a student's request for a Transfer is denied, the student has the right to appeal the decision in accordance with the Student Complaints and Appeals Policy and Procedure.

### Related legislation and standards to be read in conjunction with

[Commonwealth Register of Institutions and Courses for Overseas Students \(CRICOS\)](#)  
[Educational Services for Overseas Students Act 2000 \(ESOS Act\)](#)  
[Higher Education Standards Framework \(Threshold Standards\) 2021](#)  
[National Code of Practice for Providers of Education and Training to Overseas Students 2018](#)

### Related documents to be read in conjunction with

#### **Policies**

*Admissions Policy and Procedure*  
*Assessment, Moderation and Progress Policy and Procedure*  
*Student Complaints & Appeals Policy and Procedures*  
*Student Fees Policy and Procedures*  
*Student Tuition Fees Refund Policy and Procedures*

#### **Forms and Agreements**

*Student Request for Withdrawal from Study Form*  
*Student Request for Refund Form*  
*Russo Business School Letter of Offer (Terms of Agreement and relevant conditions)*

## Delegation

Delegated Authority	Delegation
<b>Governance</b>	
Learning and Teaching Committee	Refer to the Terms of Reference
<b>Executives</b>	
Chief Executive Office	Relevant to Accountability Statement
Executive Dean	Relevant to Accountability Statement
<b>Management</b>	
Dean of Studies	Relevant to Accountability Statement
Chief Operating Officer	Relevant to Accountability Statement
Admissions Department	Relevant to Accountability Statement

## Version control

Policy & Procedure Version No	Policy & Procedure Sponsor	Approval Authority	Date of Approval	Date for next review
1/2015	Dr Elizabeth O'Brien Executive Dean, Russo Business School	Academic Board	23/11/2015	23/11/2016
2/2016	Dr Elizabeth O'Brien Executive Dean, Russo Business School	Academic Board	7/10/2016	7/10/2017
3/2018	Dr Paul Greenfield, Executive Dean, Russo Business School	Academic Board	25/06/2018	25/06/2019
4/2020	Ms Kathleen Newcombe CEO (Education Group)	Academic Board (Minor Amendment)	3/6/2020	3/6/2021
5/2022	Chief Operating Officer	Academic Board (Minor Amendment)	17/6/2022	17/6/2024
6/2022	Chief Operating Officer	Academic Board	13/03/2023	13/03/2025