

International Student Transfer Policy

Scope

This policy is applicable to Kaplan Business School Pty Ltd (KBS), Kaplan Higher Education Pty Ltd, trading as Murdoch Institute of Technology (MIT), and Kaplan International Languages Australia (KIL), hereafter referred to as 'Kaplan'.

Purpose

The purpose of this policy is to provide information on the:

- conditions under which Kaplan will consider an international student's request for a transfer to or from another registered provider; and
- procedures for students to follow in relation to changing their provider.

Policy Statement

This policy relates to international students studying with Kaplan on a student visa and has been established to ensure consistency of approach for students wishing to transfer to another provider as transfers are subject to specific requirements of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018).

This policy does not apply to domestic students or international students on non-student visas such as tourist, work or family visas that allow the student unrestricted rights to study in Australia.

Where a student has a packaged enrolment, that is enrolment in multiple courses, the provider of the final course of study is known as the principal education provider. Packaged students seeking to transfer to another provider must generally seek a release from their principal provider. For example, where a Murdoch Institute of Technology (MIT) student is also enrolled to complete a Murdoch University course, Murdoch University is the principal provider and release must be sought from Murdoch University directly.

Definitions

The following terms and definitions are applicable to this Policy.

AQF levels means the criteria required to demonstrate the achievement of a qualification as per the Australian Qualifications Framework (AQF). For example, Level 7 = Bachelor Degree, Level 9 = Masters Degree

Compelling and compassionate circumstances means circumstances that may negatively impact a student's study, including but not limited to serious illness or injury, bereavement of close family members, major political upheaval or natural disaster in their home country, a traumatic experience such as a serious accident or crime.

Confirmation of Enrolment (CoE) means a document issued by education providers to verify the applicant's enrolment in a specified course.

CRICOS means the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) is an Australian government register that lists all Australian education providers offering courses to students studying in Australia on a study or training visa and the courses offered.

International student means a student on an overseas student visa.

Principal course of study means the main course of study to be undertaken by an international student where the student visa has been issued for multiple courses and is usually the final course of study.

PRISMS means the Provider Registration International Student Management System (PRISMS) is an Australian Government secure online system that allows providers to issue Confirmations of Enrolment (CoEs), and that government agencies use to monitor student compliance with visa conditions and educator provider compliance with the ESOS Act 2000.

Policy Principles

- According to the National Code 2018, registered providers are restricted from enrolling transferring international students prior to the student completing six months of their principal course of study, unless the student has met an exception under Standard 7. The first six months is calculated as six calendar months from the date the overseas student commences their principal course
- As the principal course of study is generally the final course of study covered by the international student's visa, transfer requirements apply to all courses of study prior to the international student's principal course;
- Kaplan will not prevent an international student from transferring to another provider after the student has completed six months of the principal course at Kaplan.

Guiding Procedures

Transferring from Kaplan to another provider before the first six months of the principal course have been completed

Kaplan will consider permitting a student to transfer to another registered provider prior to completing six calendar months of their principal course in certain circumstances. Circumstances when a transfer may be assessed as being in the best interests of the student may include, but are not limited to:

- the student will be reported to the Department of Home Affairs because they are unable to achieve satisfactory course progress, even after engaging with Kaplan's intervention strategies
- when there is evidence of compassionate or compelling circumstances
- Kaplan is unable to deliver the course as outlined in the written agreement
- there is evidence that the course the student is enrolled in does not meet the student's reasonable expectations
- there is evidence that the student was misled by the registered provider (Kaplan) or an education agent regarding the course or the registered provider
- an appeal (internal or external) on another matter results in a decision or recommendation to release the student
- when the 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.

For students under 18 years of age, the following must also be provided:

- a written letter of support for the transfer from their legal guardian, and
- if the student is not being cared for in Australia by a parent or suitable nominated relative, confirmation that the new provider must accept responsibility for the student's accommodation and general welfare arrangements. This information is usually in the Letter of Offer/Offer of Admission for students under 18.

Kaplan may, in its absolute discretion, **not** grant a release or transfer request (i.e. not record a release in PRISMS). Reasonable grounds for refusal may include, but are not limited to, the following:

- the request for transfer is made by a student who has not commenced their studies
- the student has not attached a copy of a valid letter of offer of unconditional enrolment with a CRICOS registered provider
- the student has any outstanding debt to Kaplan. Debts may include all fees, loans or library fines
- the student's actions have caused Kaplan to form the view that the student is not a genuine student (e.g. student was absent from Orientation sessions, low attendance rate, failure to access support services)
- the student has been excluded or suspended from their course
- Kaplan has formed the view that the student is trying to avoid being reported to the Department of Home Affairs for failure to meet Kaplan's attendance and/or academic progression requirements
- change of mind request is based on financial reasons such as transferring to another provider with lower tuition fees
- the transfer is considered detrimental to the student's welfare or future studies
- the student applies to transfer from a Kaplan course to a course that is at a lower AQF level or a non-AQF level for which the original student visa was issued
- the student is not genuinely engaging with an intervention program with the intention of failing and being released
- the transfer would result in a breach of the student's mandatory visa conditions (e.g. student is trying to manipulate the Simplified Student Visa Framework (SSVF) system)
- the student's visa was processed under the SSVF arrangement and the student applies to transfer to a course at a registered provider that is not eligible for SSVF
- the student has not, or only recently, started to study their principal course and the full range of Kaplan's student support services are yet to be provided to the student
- the transfer may jeopardise the student's progression through a package of courses.

Kaplan reserves the right to take into consideration other factors, including the individual circumstances of a student, which may not have been specified above.

Applying for a Release

1. KBS and MIT students must request a release by submitting a completed *Release form for International Students* application available on the respective provider's website. KIL students can request a *Change Form* from Student Services. Kaplan will not release a student unless a letter is provided from another CRICOS registered provider confirming that a valid unconditional enrolment offer has been made.
2. Kaplan staff may meet with the student to discuss their request. Where the student is close to the completion of a subject or near the end of a study period, Kaplan will advise the student to complete the study period, including relevant examinations.
3. Kaplan will provide a student with a written response within 10 working days from the receipt of the release form application.
4. If approved, Kaplan will record the release in PRISMS, therefore a hard copy release letter is not required and will not be provided. The student will also be advised to contact the Department of Home Affairs to seek advice on whether a new student visa is required.
5. Where Kaplan does not grant a release, the student will receive a notification of intention to refuse the release which will include the reason(s) for refusing the request and the student's right to access the relevant Kaplan Grievances, Complaints and Appeals Handling process. Kaplan will not finalise the refusal in PRISMS until the student has been given an opportunity to access the relevant Kaplan Grievances, Complaints and Appeals Handling process within 20 working days of receiving the outcome, the student withdraws from the process, or if the appeals process finds in favour of Kaplan.

6. Records of interviews and correspondence will be documented in the student's file and relevant information entered into PRISMS. Kaplan will maintain records of all student requests for a release, including the assessment and decision regarding the request, for two years after the student ceases to be a student at Kaplan.

Transferring to Kaplan from another provider before the first six months of the principal course has been completed

Kaplan will not willingly enrol students from another registered provider prior to the student completing six months of their principal course except under the following circumstances:

- the other registered provider has released the student
- the registered provider has ceased to be registered, or the course in which the student is enrolled has ceased to be registered or is no longer being offered
- the original registered provider has had a sanction imposed on its registration by the Australian Government or by a state or territory government that prevents the student from continuing their principal course
- a government sponsor of the student considers the change to be in the student's best interest and has provided written support for the change.

Process for applications to transfer to Kaplan

Any request from an applicant to transfer to Kaplan must follow the regular application process. Kaplan may:

- ask permission to contact the institution concerned
- check the student's commencement date
- request that the student contacts the principal provider to record the release in PRISMS.

Where a release from the provider cannot be approved and recorded in PRISMS, Kaplan will not accept the student's application.

Complaints and Appeals

Students who are dissatisfied with the application of this Policy by Kaplan may refer to the relevant Kaplan *Grievances, Complaints and Appeals Handling Policy* (available on the relevant Kaplan website) for information regarding their options.

Relevant Legislation

As a registered education provider, Kaplan operates under strict laws and regulations. Policies and procedures are in place to ensure compliance with such laws. Below, please find the most relevant legislation which apply to this policy:

- *The Education Services for Overseas Students Act (ESOS Act) 2000*
- *The National Code of Practice for Providers of Education and Training to Overseas Students 2018*

Related Policies

This Policy should be read in conjunction with the following School specific policies:

- *Changes to Enrolment Policy* (KBS/MIT)
- *Deferrals, Suspensions and Cancellations Policy* (KIL)
- *Academic Success Policy* (KBS)
- *Course Progression Policy* (MIT)
- *Grievances, Complaints and Appeals Handling Policy*
- *Management of International Students Policy*
- *Refund Policy*
- *Student Record Management Policy*

Version Control and Accountable Officers

It is the joint responsibility of the Implementation Officer and the Responsible Officer to ensure compliance with this policy.

Policy Category	Academic			
Responsible Officer	Vice President, Academic			
Implementation Officer(s)	General Manager, National Operations (KBS) College Director and Student Services Manager (MIT) Regional Director of Academic (KIL)			
Review Date	September 2023			
Approved by				
Vice President Academic under a delegation from KBS and KHE Academic Boards Policy Committee for KIL				
Version	Authored by	Brief Description of the changes	Date Approved:	Effective Date:
1.0	Quality, Regulations and Standards Team	New Policy. Incorporates existing "Transferring Another Provider" but is significantly restructured and renamed. Combined separate school policies for MIT, KBS, KIL into one. Added sections on definitions, relevant legislation, related policies. Added further details aligned to the National Code 2018.	KIL: 19.8.2020 MIT: 17.9.2020 KBS: 16.9.2020	KIL: 11.9.2020 MIT: 23.9.2020 KBS: 23.9.2020