



## SYDNEY FILM SCHOOL

Name	<b>Assessing Overseas Student Transfer Requests</b>		
What is the purpose of this policy?	To ensure that Sydney Film School ( <b>SFS</b> ) does not enrol any transferring overseas student prior to 6 months of their principal course being completed, unless that student has obtained release agreeing to such a transfer, or if other specific conditions are met.		
Version	#4	Next review	February 2019
What law applies?	National Code of Practice for Registration Authorities and Providers of Education and Training to International Students 2018: Standard 7.		
Who is affected by this policy?	Who has rights?		Who has responsibilities?
	Overseas Students		Head of Film Student Services Manager & Registrar

### Policy

SFS will not knowingly enroll an overseas student wishing to transfer from another registered provider's course prior to the overseas student completing six months of their principal course of study, except in certain circumstances. The first six months is calculated as six calendar months from the date an overseas student commences their principal course. For the school sector, a transfer cannot happen until after the first six months of the registered school sector course. As the principal course of study is generally the final course of study covered by the overseas student's visa, transfer requirements apply to all courses of study prior to the overseas student's principal course.

For an overseas student to transfer before completing six months of their principal course, the overseas student must either obtain a release from their registered provider, or meet one of the following conditions:

- the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered;
- the releasing registered provider had had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing their course with that registered provider;
- 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. This usually applies where the overseas student's study in Australia is sponsored by the government of another country.

After completing six calendar months of the principal course, an overseas student can

transfer without needing to meet one of these conditions.

## Procedure

### **Lodging a written request to transfer to another registered provider**

For overseas students who have studied for less than six months at the SFS, the student must:

- submit a written request by email to the Student Services Manager & Registrar that they wish to transfer
- provide an original or verified copy of the letter of offer from the other registered provider
- attend an exit interview with the Head of Film, at which they will be invited to provide their reasons for and any additional evidence in support of their transfer request.

The Student Services Manager & Registrar will arrange for an exit interview within 5 days from receiving all the required documentation from the student.

### **The grounds on which a request to transfer may be granted**

Within 5 days following the exit interview with the student, the Head of Film will make a determination whether or not to release the student.

The Head of Film will release a student if the transfer is in the student's best interests to do so, or if there is compelling and compassionate circumstances surrounding the transfer – see the *SFS Compassionate and Compelling Circumstances Policy and Procedure*.

Circumstances where it is in the student's best interest to do so, and where a transfer will be granted include where:

- 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 SFS' intervention strategy to assist overseas students;
- the circumstances are generally beyond the control of the overseas student and which impact upon the student's course progress or wellbeing;
- there are specific circumstances that affect the individual student;
- SFS fails to deliver the course as outlined in the written agreement;
- there is evidence that the overseas student's reasonable expectations about their current course are not being met (such as correspondence between the overseas student and SFS, or marketing materials given to the overseas student prior to enrolment, and setting particular expectations about the course);
- there is evidence that the overseas student was misled by SFS or an education or migration agent regarding SFS or its course, and the course is therefore unsuitable to their needs and/or study objectives;
- an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.

### **The grounds on which a request to transfer may be refused**

Within 5 days following the exit interview with the student, the Head of Film will make a determination whether or not to release the student.

The Head of Film may refuse to grant a transfer request from an overseas student who:

- is not genuinely engaging with an intervention strategy, with the intention of failing and being released;
- does not have a clear understanding of what the transfer represents to their study options, and the Head of Film determines that the transfer is not in the student's best interests;
- has outstanding course fees owing to SFS relating to the period previously studied;
- has property belonging to SFS within their possession

### Once a transfer request decision has been made

Transfer request outcomes are recorded in PRISMS by the Student Services Manager & Registrar.

The Student Services Manager & Registrar will also advise the overseas student of the outcome of their transfer request via email within 5 days of the exit interview taking place.

Where a transfer request is granted, this email will also advise the student to contact the Department of Home Affairs to seek advice on whether a new student visa is required, and refer the student to <https://www.homeaffairs.gov.au/Trav/Stud/More/Changing-courses>

If a transfer will affect the start dates of any subsequent courses covered by the visa, the overseas student will need to be released from those courses as well, or gain the subsequent registered provider's agreement to delay the start of those courses.

If the overseas student subsequently intends to study at a lower Australian Qualifications Framework (AQF) level, they will need to apply for a new student visa.

Where a transfer request is refused, the Student Services Manager & Registrar, after consulting with the Head of Film, will notify the overseas student in this email the reasons for refusing the transfer request, and the overseas student's right to access SFS' *Complaints and Appeals Policy and Procedure* within 20 working days.

The Student Services Manager & Registrar will not finalise the overseas student's refusal status in PRISMS until:

- any appeal against the refusal lodged by the overseas student is finalised and upholds SFS' decision not to release the student;
- the overseas student did not access SFS' Complaints and Appeals processes within 20 working days of being notified of the refusal; or
- the overseas student withdraws their appeal against the refusal.

SFS will maintain records of overseas student transfer requests for two years after the student ceases to be an accepted student.

## Version Control

Approved by	Version #	Date
Management Committee	2	9 July 2009
Course Improvement Committee	3	29 May 2015
Course Improvement Committee	4	18 July 2018

