

International Student Transfer Policy

1. Purpose

King's Own Institute (KOI) is committed to ensuring that decisions relating to the transfer of overseas students are made fairly, consistently, transparently and in the best educational interests of students while maintaining the integrity of Australia's international education system.

The purpose of this Policy is to establish the principles, governance arrangements and decision-making framework for assessing requests by overseas students to transfer:

- to KOI from another registered provider;
- from KOI to another registered provider; and
- between courses where the transfer may affect a student's Confirmation of Enrolment (CoE), visa status or compliance obligations.

This Policy supports institutional self-assurance by ensuring transfer decisions are evidence-based, appropriately documented and subject to effective governance oversight.

2. Scope

This Policy applies to:

- all international students enrolled in CRICOS registered courses at KOI;
- prospective overseas students seeking admission to KOI from another registered provider;
- Admissions staff;
- the Registrar;
- Student Services;
- Academic staff involved in transfer decisions;
- the Director, Governance, Risk and Compliance;
- the Vice President (Operations);
- education agents acting on behalf of KOI.

This Policy should be read together with:

- Admissions and Enrolment Policy
- Education Agent Policy
- Student Complaints and Appeals Policy
- Privacy Policy
- Records Management Policy
- Risk Management Policy
- Academic Progress Policy

3. Legislative Framework

This Policy has been developed having regard to:

- Education Services for Overseas Students Act 2000 (ESOS Act)
- Education Services for Overseas Students Regulations
- National Code of Practice for Providers of Education and Training to Overseas Students
- Tertiary Education Quality and Standards Agency Act 2011
- Higher Education Standards Framework (Threshold Standards) 2021
- Migration Act 1958 (where applicable)
- Privacy Act 1988 (Cth)
- Australian Privacy Principles
- Commonwealth and State legislation relating to higher education

KOI will comply with all legislative obligations governing international student transfers and will monitor changes to legislation and regulatory guidance to ensure this Policy remains current.

4. Policy Principles

KOI recognises that decisions relating to student transfers may significantly affect a student's educational progression, visa status and overall wellbeing.

Accordingly, KOI adopts the following principles.

4.1 Student-centred decision making

Transfer decisions will be made having regard to the individual circumstances of each student.

Each request will be assessed on its own merits.

No request will be automatically approved or refused.

4.2 Educational interests

KOI will consider whether the proposed transfer supports the student's educational objectives, academic success and future career aspirations.

4.3 Fairness

Transfer decisions will be:

- procedurally fair;
- evidence-based;
- consistent;

- appropriately documented;
- capable of independent review.

4.4 Regulatory integrity

KOI will not knowingly participate in arrangements that:

- undermine the ESOS framework;
- facilitate inappropriate provider transfers;
- circumvent legislative requirements;
- compromise Australia's international education reputation.

4.5 Institutional self-assurance

KOI will monitor transfer activity through its governance, compliance and quality assurance framework to identify:

- emerging risks;
- unusual transfer patterns;
- education agent risks;
- systemic issues requiring corrective action.

5. Definitions

For the purposes of this Policy:

Term	Definition
Academic Progress	A student's progression through their course in accordance with KOI's Academic Progress Policy and applicable course requirements.
Appeal	A request by a student for a review of a decision made under this Policy in accordance with the Student Complaints and Appeals Policy.
Compassionate or Compelling Circumstances	Circumstances generally beyond the student's control that have a significant impact upon the student's ability to study or continue their course. Examples may include serious illness, bereavement, natural disasters, significant family circumstances or other exceptional situations supported by appropriate documentary evidence.
Confirmation of Enrolment (CoE)	The electronic confirmation issued through the Provider Registration and International Student Management System (PRISMS) confirming an overseas student's enrolment in a CRICOS registered course.
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students established under the ESOS Act.

Education Agent	A person or organisation engaged by KOI to recruit or assist prospective overseas students in accordance with the ESOS Act, National Code and KOI's Education Agent Policy.
Evidence-Based Decision	A decision supported by documented information, objective assessment and consideration of all relevant circumstances.
Genuine Student	A prospective or enrolled student who satisfies the applicable legislative and regulatory requirements demonstrating that their primary purpose in undertaking study in Australia is education.
National Code	The National Code of Practice for Providers of Education and Training to Overseas Students made under the ESOS Act, as amended from time to time.
Overseas Student	A person who holds a student visa and is enrolled in a CRICOS registered course at KOI.
PRISMS	The Provider Registration and International Student Management System administered by the Australian Government.
Principal Course	The principal course of study for which a student visa has been granted.
Registered Provider	A provider registered under the ESOS Act to deliver education to overseas students.
Release	Written approval enabling an overseas student to transfer to another registered provider before completing the applicable restricted transfer period under the ESOS legislative framework.
Student Best Interests	Consideration of the student's educational progression, welfare, wellbeing, academic success and future educational objectives when assessing a transfer request.
Transfer	A change by an overseas student from one registered provider to another, or another arrangement requiring assessment under this Policy and the ESOS legislative framework.
Transfer Request	A formal request by an overseas student seeking approval to transfer to or from KOI.
Vice President (Operations)	The senior officer responsible for operational oversight of admissions, student administration and implementation of this Policy.

6. Responsibilities

6.1 Council

Council is responsible for:

- approving this Policy;
- receiving assurance that KOI complies with the ESOS framework;
- overseeing institutional compliance through appropriate governance reporting.

6.2 Academic Board

Academic Board is responsible for:

- recommending this Policy to Council;
- monitoring academic implications arising from transfer activity;
- receiving reports on systemic academic risks where appropriate.

6.3 Vice President (Operations)

The Vice President (Operations) is responsible for:

- ownership of this Policy;
- ensuring consistent implementation;
- approving operational procedures;
- ensuring staff are appropriately trained;
- monitoring institutional compliance.

6.4 Registrar

The Registrar is responsible for:

- administering transfer applications;
- maintaining student records;
- ensuring PRISMS reporting requirements are met;
- communicating transfer decisions;
- maintaining appropriate documentary evidence.

6.5 Admissions

Admissions staff are responsible for:

- assessing eligibility;
- verifying documentation;
- conducting Genuine Student assessments where applicable;
- ensuring admissions comply with legislative requirements;
- escalating high-risk applications.

6.6 Director, Governance, Risk and Compliance

The Director, Governance, Risk and Compliance is responsible for:

- monitoring compliance with this Policy;
- conducting compliance reviews and assurance activities;
- identifying emerging regulatory risks;
- reviewing legislative changes;

- recommending policy improvements through KOI's continuous improvement framework.

6.7 Staff

All staff involved in transfer decisions must:

- comply with this Policy;
- act fairly and consistently;
- maintain appropriate records;
- report compliance concerns promptly;
- participate in required training.

7. Transfer to King's Own Institute (KOI)

7.1 General Principles

KOI will assess applications from overseas students seeking to transfer from another registered provider in accordance with the ESOS Act, the National Code, the Higher Education Standards Framework (Threshold Standards) 2021 and this Policy.

The Institute will ensure that admission decisions are made fairly, consistently and on the basis of sufficient evidence to demonstrate that the applicant is academically suitable and that enrolment is appropriate.

Nothing in this Policy creates an automatic entitlement for an applicant to be admitted to KOI.

7.2 Assessment

Prior to making an offer of admission, KOI may verify information including, but not limited to:

- previous academic records;
- English language proficiency;
- Confirmation of Enrolment (CoE);
- PRISMS information;
- Genuine Student information;
- visa status (where appropriate);
- previous provider documentation;
- education agent information;
- credit transfer documentation;
- any additional information reasonably required to assess the application.

KOI may request further documentation where information provided is incomplete, inconsistent or cannot be independently verified.

7.3 Academic Suitability

An applicant must satisfy KOI's published admission requirements.

In assessing academic suitability KOI may consider:

- previous academic achievement;
- progression history;
- attendance history where relevant;
- credit transfer outcomes;
- English language capability;
- academic preparedness;
- any other information relevant to successful course completion.

7.4 Genuine Student Assessment

Where required by legislation or institutional policy, KOI will undertake a Genuine Student assessment.

The assessment may consider:

- previous study history;
- reasons for transferring;
- educational objectives;
- immigration history where relevant;
- financial capacity where applicable;
- consistency of information supplied;
- any identified compliance risks.

KOI reserves the right to seek additional information where necessary to determine whether an applicant satisfies legislative or institutional requirements.

7.5 Verification of Information

KOI may verify information directly with:

- previous education providers;
- education agents;
- government agencies where authorised by law;
- issuing authorities;
- English language testing organisations;
- other relevant organisations.

Applications containing false, misleading or fraudulent information may be refused.

Where appropriate, the matter may be referred to relevant authorities.

8. Transfer from KOI

8.1 General Principles

Requests by overseas students to transfer from KOI to another registered provider will be assessed individually.

KOI recognises that transfer decisions may significantly affect a student's academic progression, visa status and future educational opportunities.

Each application will therefore be assessed having regard to:

- legislative requirements;
- the student's educational interests;
- student welfare;
- procedural fairness;
- supporting evidence.

8.2 Matters Considered

In determining whether to approve a transfer request, KOI may consider:

- whether the student has completed the applicable restricted transfer period;
- compassionate or compelling circumstances;
- academic progress;
- academic engagement;
- wellbeing considerations;
- safety concerns;
- the suitability of the proposed receiving provider;
- the educational benefit of transferring;
- visa implications;
- evidence supporting the request;
- any other relevant circumstances.

No single factor will necessarily determine the outcome.

8.3 Circumstances Supporting Approval

Approval may be granted where KOI is satisfied that one or more of the following applies:

- compassionate or compelling circumstances exist;
- the student's reasonable educational objectives cannot be met through continued enrolment at KOI;
- KOI is unable to deliver the course as required;
- the proposed transfer is clearly in the student's educational interests;
- significant wellbeing concerns exist;

- there are documented safety concerns;
- another circumstance exists which KOI considers justifies release.

Each application will be assessed on its individual merits.

8.4 Circumstances Supporting Refusal

KOI may refuse a request where:

- legislative requirements are not satisfied;
- insufficient evidence has been provided;
- the request appears inconsistent with the objectives of the ESOS framework;
- false or misleading information has been provided;
- fraudulent documentation has been submitted;
- the student has failed to engage with reasonable academic support;
- the request appears primarily motivated by avoiding academic requirements or regulatory obligations;
- the proposed transfer is not considered to be in the student's educational interests.

A refusal decision will be supported by documented reasons.

9. Education Agent Integrity

KOI expects all education agents to act ethically, honestly and in accordance with the ESOS Act, the National Code and KOI's Education Agent Agreement.

KOI will not knowingly:

- encourage unnecessary transfers between providers;
- facilitate arrangements intended to circumvent the ESOS framework;
- engage in recruitment practices inconsistent with legislative requirements;
- offer or receive benefits that may compromise the integrity of transfer decisions.

Transfer activity involving education agents will be subject to monitoring through KOI's governance, compliance and quality assurance framework.

Where concerns are identified, KOI may investigate the conduct of an education agent and take appropriate action, including suspension or termination of the agency relationship in accordance with the Education Agent Policy and Agreement.

10. Decision-Making Framework

10.1 Principles

All transfer decisions must:

- comply with applicable legislation;
- be based upon sufficient and reliable evidence;
- be consistent with this Policy;
- be proportionate to the circumstances;
- be documented;
- be capable of internal review;
- promote fairness and consistency;
- support the integrity of Australia's international education system.

10.2 Matters that may be considered

In assessing a transfer request KOI may consider:

- academic progression;
- attendance and engagement;
- course suitability;
- compassionate or compelling circumstances;
- wellbeing;
- safety concerns;
- Genuine Student information;
- visa implications;
- previous provider information;
- financial considerations where relevant;
- any identified regulatory risks;
- any other information reasonably considered relevant.

10.3 Evidence

KOI may request additional documentation including:

- medical certificates;
- psychologist reports;
- police reports;
- statutory declarations;
- academic transcripts;
- correspondence from another provider;
- visa documentation;
- other independent evidence.

Failure to provide requested information may result in the application being determined on the information available.

11. Appeals

11.1 Internal Review

A student who is dissatisfied with a transfer decision may lodge an appeal in accordance with the Student Complaints and Appeals Policy.

Appeals must:

- identify the decision being appealed;
- state the grounds of appeal;
- provide supporting evidence.

11.2 Procedural Fairness

Appeals will be considered by an appropriately authorised officer who was not involved in making the original decision.

The review will consider:

- whether the Policy was correctly applied;
- whether procedural fairness was afforded;
- whether relevant evidence was considered;
- whether the decision was reasonable in the circumstances.

11.3 External Review

Nothing in this Policy limits any rights a student may have to seek external review where available under applicable legislation.

11.4 PRISMS

Where required under the ESOS framework, KOI will manage PRISMS reporting during the appeal process in accordance with legislative requirements.

12. Records Management

KOI will maintain complete and accurate records relating to:

- transfer requests;
- supporting documentation;
- assessment notes;
- decisions;
- approvals;
- correspondence;
- appeal outcomes;

- PRISMS reporting.

Records will be maintained in accordance with:

- the Records Management Policy;
- the Privacy Policy;
- applicable legislative requirements.

13. Monitoring, Compliance and Assurance

13.1 Monitoring

KOI will periodically monitor:

- numbers of transfer requests;
- approval rates;
- refusal rates;
- education agent activity;
- transfer trends;
- complaints relating to transfers;
- regulatory developments.

13.2 Compliance Reviews

Transfer activities may be reviewed through:

- compliance reviews;
- internal audits;
- quality assurance activities;
- admissions reviews;
- education agent reviews.

13.3 Institutional Self-Assurance

Information arising from transfer activity may be considered as part of KOI's institutional self-assurance framework.

Where appropriate, trends or significant risks may be reported to:

- Senior Executive Group;
- Academic Board;
- Audit and Risk Committee;
- Council.

13.4 Continuous Improvement

Where monitoring identifies:

- legislative changes;
- emerging risks;
- systemic issues;
- education agent concerns;
- opportunities for improvement,

KOI will implement corrective actions through its Continuous Improvement Framework.

14. Education Agent Oversight

Education agents play an important role in recruiting international students.

KOI expects education agents to:

- comply with the ESOS Act;
- comply with the National Code;
- comply with KOI's Education Agent Agreement;
- provide accurate information;
- avoid misleading representations;
- disclose conflicts of interest;
- comply with all legislative requirements.

14.1 Monitoring

KOI will periodically review:

- transfer patterns by education agent;
- unusual transfer activity;
- complaints;
- regulatory concerns;
- student feedback.

14.2 High-Risk Activity

Where KOI identifies unusual transfer patterns or other indicators suggesting non-compliance, the Institute may:

- investigate the matter;
- undertake additional verification;
- suspend student recruitment activities;
- suspend or terminate the Education Agent Agreement;
- notify relevant authorities where required by law.

15. Privacy

KOI collects, uses, stores and discloses personal information in accordance with:

- Privacy Act 1988 (Cth);
- Australian Privacy Principles;
- Privacy Policy.

Personal information will only be disclosed where authorised by law or reasonably necessary to administer this Policy.

16. Roles and Responsibilities

Position	Responsibility
Council	Approves this Policy and receives assurance regarding compliance with the ESOS framework.
Academic Board	Recommends the Policy to Council and oversees academic matters arising from transfer activity.
Vice President (Operations)	Policy owner, executive oversight and implementation.
Registrar	Administers transfer applications, maintains records and ensures PRISMS compliance.
Admissions	Undertakes application assessment and document verification.
Director, Governance, Risk and Compliance	Monitors compliance, undertakes assurance activities, coordinates policy review and reports systemic risks.
Staff	Comply with this Policy and maintain accurate records.

17. Related Documents

This Policy should be read in conjunction with:

- Admissions and Enrolment Policy
- Education Agent Management Policy
- Student Complaints and Appeals Policy
- Academic Progress Policy
- Credit and Recognition of Prior Learning Policy
- Records Management Policy
- Privacy Policy
- Risk Management Policy
- Code of Conduct

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