International Student Transfer Policy and Procedure

Relevant Standards
SRTO 2015: 1.7, 5.2 (c)
The National Code: Standard 1.3, 7
Student Visa Conditions

Linked Documents
Student Handbook
Student Complaints and Appeals Policy and Procedure
Student Agreement
Request for a Letter of Release Form

1. Purpose

The ESOS Act 2000 and National Code 2007 impose obligations on registered providers of education services to overseas students studying in Australia on a student visa (international students). Under Standard 7 of the National Code 2007, registered providers are restricted from enrolling a student on to a course of study, where that student is transferring from another provider and has not yet studied six months of their principal course of study.

The purpose of this policy is to ensure the college meets the requirements of the Education Services for Overseas Students (ESOS) Act 2000 and Standard 7 of the National Code of Practice 2007 (The National Code) in respect of managing requests from international students who seek to transfer between CRICOS registered providers of education and training services (registered providers).

2. Scope

This policy applies to all current, prospective and future students of ALTEC.

3. Definitions

Student: Student means any person enrolled as a candidate for a degree, diploma, or certificate or for any course of study offered by the college including non-award students

International student: Refers to an overseas student who is studying onshore in Australia on a student visa

eCOE: Refers to an electronic Confirmation of Enrolment. Defined in the National Code 2007 as a document, provided electronically to students, which is issued by ALTEC to international students who intend to study onshore

CRICOS: The Commonwealth Register of Institutions and Courses for Overseas Students. Education providers who wish to provide education services to international students must be formally registered on CRICOS

ESOS Act: The Education Services for Overseas Students Act 2000

Letter of Release: A statement issued from a registered provider which confirms approval of a student’s request to be released from that provider to study with another provider

Principal Course of Study: Is defined in the National Code 2007 as the “main course of study” that is, or is due to be undertaken by an international student. This is generally the final program or highest qualification in a package of courses

Registered Provider: An organisation that is registered as a provider of education and training services to international students on CRICOS

Transfer between Registered Providers: A request from a student to transfer from or to another CRICOS registered provider
4. Legislative Context

- National Vocational Education and Training Regulator Act 2011 (Cth)
- The ESOS Act 2000
- The National Code 2007
- ESOS Regulations 2001
- Privacy Act 1988 (Cth)
- Equal Opportunity Act 1995 (Vic)

5. Policy

5.1 Student Request to Transfer from ALTEC to another Registered Provider

5.1.1 An international student requesting a transfer from ALTEC to another registered provider prior to completing six (6) calendar months of their principal course of study, must obtain approval from the college in the form of a letter of release. A letter of release will not be required where:

- An international student has completed six months or more of their principal course of study. Where this is the case the college will approve the request to study with another registered provider without restriction
- The course for which the student has received an eCOE will not be offered by the college, and/or has been ceased to be registered on CRICOS

5.1.2 In accordance with Standard 7 of the National Code 2007, and recognising student’s right to exercise freedom of choice as consumers, as a principle, the college will grant a student’s request to transfer to another provider, where it will not be of detriment to the student.

The college considers the following factors as detrimental to the student, and therefore, as reasonable grounds for refusing a transfer request:

- The request is considered detrimental to the student’s wellbeing
- The student has not started studying, or has studied with the college (attending and participating in the classes) for less than four (4) weeks and has not had an opportunity to experience the program of study, and/or the range of support services available at the college. In this situation the college will re-visit the issue within a timeframe negotiated with the student
- The student has requested a transfer to a course with another registered provider that is considered by the college to be unsuited to student’s academic capabilities, study plans or career aspirations. This includes where a student wishes to transfer from a higher level qualification to a lower level qualification (e.g. Diploma to Cert IV)
- The transfer may jeopardise the student’s progression through a package of courses
- The intended course will not provide adequate preparation for further study, and/or is not recognised by higher education or VET providers as meeting their entry requirements
- The college forms the view that the student is trying to avoid being reported to the Department of Immigration and Citizenship (DIBP (Formally DIAC)) for failure to meet the academic progress requirements
- The student is indebted to the college and/or has outstanding disciplinary issues

The college may agree to approve a request for a release if the student can demonstrate that the transfer would be in their best interests. If issued, there will be no cost to the student in obtaining the letter.

5.1.3 Where appropriate the college will counsel students, to consider their personal or academic reasons for transferring. Outcomes of counselling may include the identification of alternative academic programs within the college, and/or the recommendation of appropriate student support or study skills support as an alternative to the transfer. Where the student is eligible for a release, this will not affect their right to transfer.
5.1.4 As required by standard 7.2 of the National Code 2007, the college will only grant a letter of release where the student has provided a letter from another registered provider confirming that a valid enrolment offer has been made (i.e. a letter of offer). In addition to this the college requires the student to outline in writing their reasons for requesting a transfer to another registered provider.

5.1.5 Where the college grants a letter of release, this will be issued at no cost to the student, pursuant to standard 7.4 of the National Code 2007.

5.1.6 Where the college does not grant a student’s request for a letter of release, the college will provide written reasons for refusing the request. In accordance with Standard 8 of the National Code, the student will be informed of their rights of appeal against the decision. All appeals will be carried out in line with the college’s Complaints and Appeals Policy and Procedure.

5.2 Student Request to ALTEC from another Registered Provider

As outlined under Standard 1.3 and Standard 7 of the National Code, the college will not actively recruit or enrol a student wishing to transfer from another registered provider’s course prior to the student completing six (6) months of their principal course of study, except in limited circumstances. These are as follows;

- The original registered provider has provided a written letter of release, or
- The course in which the student is enrolled has ceased to be registered by another registered provider on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS), or
- The original registered provider has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing their principal course.

5.3 Education Agents

In accordance with Standard 4.3.a of the National Code 2007, the college will not accept students from, or enter into an agreement with an education agent, where it knows or suspects that the education agent has attempted to recruit a student where this conflicts with the obligations under Standard 7.

5.4 Fee Refunds

Where a student is granted a letter of release, their entitlement to a refund of course fees will be assessed in accordance with the college’s Fee Refund Policy.

6. Procedure

6.1 Procedure for assessing students wishing to Transfer IN to the College

- The student Administrative Officer receives an application from a student who is on-shore and who has indicated that they are currently studying at another institution.
- The student Administrative Officer uses PRISMS to decide if the student has completed 6 months of their principal course. They also use the copy of the student visa in the passport to ascertain when they arrived in Australia.
- If they have, the application process proceeds as for all off-shore students.
- If they have not, they are asked to provide an appropriate letter of release in support of their application. They can be provided with a “conditional” offer which clearly states that an offer of a place is contingent on their obtaining a letter of release. Note, if they are in receipt of a Government scholarship, they should provide written support from this government agreeing to the change which will stand in lieu of any letter of release.
5.1 Procedure for assessing transfer applications from students wishing to transfer OUT of the college

- Students make a written request (e-mail is satisfactory) using Request for a Letter of Release Form to the student Administrative Officer (SAO) to transfer to another provider.
- The student is asked to provide a valid offer of enrolment from the new institution.
- With these documents sighted, the student Administrative Officer will assess the transfer request considering the following criteria:
  - The student requesting a transfer has an inaccurate understanding of what the transfer represents to their study options
  - The student still owes the college course fees or other fees
  - It is suspected that the student is seeking transfer only to avoid being reported to DE (Formally DEEWR) for failure to meet academic progress requirements (SAO checks the relevant notes on student records).
  - The College considers this transfer to be detrimental to the student’s interests
  - The reasons stated for the request to transfer have not been adequate
  - The transfer does not appear to be for the purpose of an educational or career oriented benefit
  - The course you have requested transfer to is the same as your currently enrolled principal course
  - The primary reason for a transfer request is for a different class schedule which is more suited to the student’s current or anticipated work commitments
  - It appears the primary reason for a transfer request is to achieve or avoid a migration outcome

- If the answers to all of the above statements is “No” and are satisfactory and in accordance with this policy, the letter of release will be granted at no charge to the student. The student will also be advised of the need to contact DIBP (Formally DIAC) and obtain a new visa if the course they transfer to is not a Higher Education/VET course.
- The student Records Officer reports students termination of studies through PRISMS

- If any of the answers to the criteria statements is “Yes”, the release is not granted according to this policy and the SAO sends the student a Release Letter Denied, the template for which is contained in the college document management system
- If any of the answers to the criteria statements are unclear, they should be referred to the Operations & Campus Director by phone or email so the Operations & Campus Director can interview the student and gain a fuller understanding of the circumstances.
- The Operations & Campus Director will make a recommendation to the College CEO if they believe the request should be refused or alternatively grant the letter of release. The Executive Director will inform the student in writing of a negative outcome with reasons and indicate that the student may access the student appeal process as per college’s Student Complaints and Appeals Policy.
7. Records

- The above assessment procedure should not take more than 48 hours once the student has provided the necessary documentation.
- All requests, considerations, decisions and copies of letters of release should be placed on student’s file, and
- The approval of transfer of a student to another institution does not indicate the agreement to provide any refund. Refunds are governed by the refund policy of the college.
- The college will maintain records of all requests from students for a letter of release and the assessment of, and decision regarding, the request on the student’s file.

8. Responsibility

Admissions & Admin Manager is responsible for verifying and maintaining a student’s enrolment status on PRISMS.

The Operations and Campus Director is responsible for effective implementation and management of this policy as well as provision of information on ways to resolve complaints of breaches of this policy.

The CEO has overall responsibility for the implementation and review of this policy.

Any complaints or breaches in relation to this policy should be reported to the Chief Executive Officer in person or by email to: ceo@altec.vic.edu.au
International Student Transfer Procedure

Transfer Request

Transferring In

Verify Student Status and Previous Study

Sight and Copy a Letter of Release as Needed

Ensure Course Entry Requirements are met

Approved

Yes

Follow Selection and Enrolment Procedure

No

Reject and Inform

Transferring Out

Arrange a Meeting with the Students

Sight and Copy an Offer Letter from another RTO

Determine Outstanding Issues and Fees

Approved

Yes

Issue a Letter of Release

Issue Transcripts and Testamurs as Eligible

Request a Student Satisfaction Survey

Cancel Enrolment and Maintain Records

No

No

No