

## TRANSFER BETWEEN REGISTERED PROVIDERS POLICY & PROCEDURE

The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students, 2018 restricts education providers of courses to international students from transferring students prior to the student completing 6 months of their course of study.

In addition, registered providers must not knowingly enrol 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.

This policy is designed to ensure that Scots English College does not enrol any transferring international student unless he/ she has completed 6 months of their previous course, unless that student has a valid Letter of Release agreeing to a transfer, or if other specific conditions are met.

When considering a request from an overseas student seeking to transfer, registered providers are required to

- Have and implement a documented policy and process for assessing overseas student transfer requests during the restriction period;
- Outline in their policy the circumstances where transfers will be granted or refused;
- Record all transfer request outcomes in the Provider Registration International Student Management System (PRISMS),
- Not finalise a refusal to release the overseas student until the student has had an opportunity to access the complaints and appeals process; and
- Ensure where the request concerns an overseas student under the age of 18, the overseas student's parent or legal guardian has provided support for the transfer in writing.

This policy is designed to ensure that Scots English College does not enrol any transferring international student unless he/ she has completed 6 months of their previous course, unless that student has a valid Letter of Release agreeing to a transfer, or if other specific conditions are met.

This policy also details the procedures for assessing applications to transfer from Scots English College to another registered provider within the initial 6 months of a student's course.

### POLICY

Scots English College will not knowingly enrol or recruit a student wishing to transfer from another registered provider prior to the student completing 6 months of their principal course of study except in the following circumstances:

- The original registered provider has provided a written Letter of Release;
- The original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered;
- The original registered provider has had a sanction imposed on its registration by the Government that prevents the student from continuing their principal course of study;

International students who wish to transfer to Scots must comply with Scots' enrolment procedures and complete a placement test upon arrival.

### PROCEDURE

*Students wishing to transfer to Scots from another provider*

Where an international student requests to transfer from another provider before they have completed 6 months of their principal course of study, the following procedure will apply:

- Scots receives an application from an on-shore international student directly or through his/ her representative and is currently studying at another registered provider
- The Admissions Officer will determine if the student has completed 6 months of their principal course of study with another registered provider using the student's passport and student visa details
- If the student has completed 6 months study in their principal course of study, the normal application process for ELICOS students will commence
- If the student has not completed 6 months study in their principal course of study, they must present a Letter of Release from the provider with whom they are currently studying
- The Letter of Offer generated for the student will be conditional on the student presenting the Letter of Release.
- If the student does not provide a Letter of Release, the application process will be postponed, and the student will be informed that they are unable to transfer to Scots. The student may activate their application when they have completed 6 months in their principal course of study.
- If the other provider is no longer registered, or sanctions have been placed on the other registered provider by the Australian government which does not allow the student to continue with the course, no Letter of Release is required.

#### *Students wishing to transfer from Scots to another provider*

- Scots will generally NOT agree to a request from an International ELICOS student to transfer to another registered provider prior to completing 6 months of study.
- While assessing a transfer request, the following factors will be considered:
  - ✓ The student has not attempted to discuss his/her reasons for requesting a transfer with the Director of Studies;
  - The student has outstanding course fees owing to Scots;
  - ✓ The student is seeking to transfer to another provider only to avoid being reported to DIBP for failure to meet academic or attendance progress requirements.
  - ✓ The course is academically unsuitable for the student;
  - ✓ The course is inappropriate for the student (i.e. student is better suited to a different academic environment or course does not meet his/her educational or developmental needs);
  - Compassionate or compelling reasons for the transfer exist
- Transfer requests will not be approved for students who are in breach of their course progress and/ or attendance obligations or who have unpaid fees owing to Scots.
- If Scots does not grant a Letter of Release, the student will be given a letter detailing the reasons why the request was refused and informing the student of his/her right to appeal the decision through the Scots' Complaints & Appeals procedures.
- Scots will not finalise a refusal to release an overseas student until the student has had an opportunity to access the complaints and appeals process and this process has been finalised.
- Where a Letter of Release is granted, the student will be advised of the need to contact DIBP to seek advice on any implications to their student visa.
- There will be no cost to the student for the issuing of a Letter of Release.
- Students will be advised of the outcome of the assessment of their request within 10 working days of the request being submitted.
- Scots 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.

## PROCEDURE

The following procedure applies to International Students who wish to transfer from Scots to another registered provider within 6 months of commencement of their principal course of study:

- The Student will meet with the Director of Studies and provide a written request using a Transfer Request Form stating that they wish to transfer from the Scots to another registered provider.
- The student must provide an original copy of a valid Letter of Offer from the registered provider to which the student wishes to transfer.
- The Director of Studies will check with the Accounts Manager to determine if there are fees owing or if the student is entitled to a refund under the School's refund policy.
- The Director of Studies will advise the student if there are any fees owing and discuss how payment will be settled or, if a refund is due, how much will be refunded and when.

- The Director of Studies will:
  - ✓ Discuss the reasons for the student wishing to transfer to another registered provider;
  - ✓ Sight the original Letter of Offer from the new registered provider;
  - ✓ Photocopy of the Letter of Offer.
- Following the interview, the Director of Studies will assess the student's request for a transfer to another provider and make a decision on whether to provide the student with a Letter of Release.
- If the Director of Studies agrees to the student's request for a transfer to another registered provider, they will provide the student with a Letter of Release within 10 working days.
- The Letter of Release will be provided to the student at no charge and will advise the student of the need to contact DIBP to seek advice on whether a new student visa is required.
- The student must, pay any outstanding fees or before receiving the Letter of Release.
- If the Director of Studies refuses the student's request for a transfer to another provider, the student will be provided with a letter detailing the decision for refusal within 10 working days and will be informed of their right to appeal the decision using Scots' Complaints & Appeals Process.
- A refusal to release the student will not occur until the student has had an opportunity to access the Complaints and Appeals Process.
  - ✓ Copies of all documentation will be placed in the student's file.
  - ✓ The Enrolments Officer will advise DIBP through PRISMS that the student has transferred to another registered provider.

## SUPPORTING DOCUMENTATION

1. Refund Policy & Procedure
2. Complaints & Appeals Policy & Procedure
3. Sample Letter of Release
4. Sample Refusal of Letter of Release