

POLICY STATEMENT

It is a regulatory requirement under the National Code 2018 that international students must complete six months of their “principal course of study” before changing or transferring between providers except where any of the following apply:

- 1) the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered
- 2) the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course at that registered provider
- 3) the releasing registered provider has agreed to the overseas student’s release and recorded the date of effect and reason for release in PRISMS
- 4) 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

For the purposes of item 3 above, TAIE has defined the process for assessing overseas student transfer requests prior to the overseas student completing six months of their principal course.

Circumstances in which TAIE will grant the transfer request because the transfer is in the overseas student’s best interests, including but not limited to where TAIE has assessed that:

- 1) 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 TAIE’s intervention strategy to assist the overseas student in accordance with Standard 8 (Overseas student visa requirements)
- 2) there is evidence of compassionate or compelling circumstances as defined by TAIE.
- 3) TAIE fails to deliver the course as outlined in the written agreement
- 4) there is evidence that the overseas student’s reasonable expectations about their current course are not being met
- 5) there is evidence that the overseas student was misled by the registered provider or an education or migration agent regarding the registered provider or its course and the course is therefore unsuitable to their needs and/or study objectives
- 6) an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.

TRANSFER REQUEST

A student may request a Transfer by lodging a written request to the Admissions Department outlining the grounds in which the student requests the release for assessment. For the request to be valid, the student must submit the following:

- Completed a Transfer Request Form
- Valid Offer Letter from another training provider
- Supporting evidence (If applicable)

Admissions Officer in consultation with the PEO will assess and reply to the student's transfer request within 10 working days from the date of receiving completed form and documents from the student.

ENROLMENT

It is TAIE's policy not to enrol a student who has not yet completed six months of their principal course of study with another registered provider, except where:

1. The prospective student has supplied a Letter of Release from the original registered provider.
2. The original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered
3. 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 his or her principal course
4. Any government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change

PURPOSE

The purpose of this procedure is to ensure all Transfer Requests from students are handled as per policy requirements and in a timely manner.

SCOPE

This procedure applies to: **International Student ONLY**

- All students seeking to transfer courses to another registered training provider prior to six months completion of their principal course of study.
- All prospective students seeking to transfer providers to TAIE prior to completion of the first six months of their principal course of study with another registered provider.

RESPONSIBILITIES

The Director of Studies is responsible for authorising all student Transfer Requests and Offer Letters to prospective students. The Principal Executive Officer is responsible for notify DIBP via PRISMS upon release of a student to another registered provider or acceptance of transfer from another registered provider.

The Administration Officer is responsible for:

- Issuing students with Transfer Request Forms
- Issuing Offer Letters to prospective students on authorisation of the Director of Studies
- Issuing Rejection Letters to student Requests for Transfer on authorisation of the Director of Studies
- Issuing Letters of Release to students on authorisation of the Director of Studies

PROCEDURES

STUDENTS REQUESTING TRANSFER FROM THE ACADEMY OF INTERNATIONAL EDUCATION (AUSTRALIA)

1. Students wishing to transfer to another institute must submit a Transfer Request Form to the Administration Officer. The student needs to:
 - Provide a copy of a valid Offer Letter from another institution
 - Attached supporting evidence (If applicable)
 - Meet one of the grounds for release on the completed Transfer Request Form

Grounds for release

- a. TAIE fails to deliver the course as outlined in the written agreement (Letter of offer) or
 - b. Unable to meet academic requirements for entry into the program (documentation required); or
 - c. There is evidence that the student's reasonable expectations about their current course are not being met; or
 - d. There is evidence that the overseas student was misled by TAIE or an education or migration agent regarding TAIE or its course and the course is therefore unsuitable to their needs and/or study objectives
 - e. An appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.
 - f. Exceptional circumstances, where there is evidence of compassionate and compelling circumstances (documentation required); or
 - g. Government sponsor considers the change to be in the best interest of the student (documentation required)
 - h. 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 TAIE's intervention strategy to assist the overseas student in accordance with Standard 8
2. The following grounds are not deemed acceptable for student release:
 - Personal reasons that are not deemed exceptional circumstances (moving to a provider closer to their home, transferring to be closer to their friends, etc.); or
 - TAIE forms a view that the student is trying to avoid being reported to DIBP for failure to meet TAIE attendance or academic progress requirements; or
 - The transfer may jeopardise the students progression through a package of courses; or
 - The transfer would be detrimental to the students future study, welfare and/or career objectives; or
 - The student has not accessed TAIE's student support of welfare services after being requested to do so; or
 - The documents provided by the student do not, in TAIE's view, adequately support grounds upon which the transfer is requested.
 3. If the student does not meet one of the grounds for release, the Administration Officer will prepare and forward a letter to the student at their nominated address within 10 working days advising that a Letter of Release will not be granted and details the grounds of rejection, and that they have 20 working days commencing 3 dates after the date of the notification letter to appeal this decision in writing in accordance with National Code 2018, Standard 10.

4. If the student meets one of the grounds for release, the Administration Officer will forward the Transfer Request Form and Offer Letter to the Director of Studies for authorisation.
5. Upon authorisation by the Director of Studies, the Administration Officer will prepare a Letter of Release for the student (at no cost to the student) and forward it to them at their nominated address within 10 working days of receipt of the completed Transfer Request Form and valid Offer Letter, advising them that they need to contact DIBP for advice on whether they will require a new student visa.
6. The Principal Executive Officer will notify DIBP of the transfer by reporting it on PRISMS as soon as the Letter of Release has been supplied to the student requesting transfer within 10 working days.
7. The Administration Officer will file all documentation relating to the transfer request in the Student's Administration file.

STUDENTS REQUESTING TRANSFER TO THE ACADEMY OF INTERNATIONAL EDUCATION (AUSTRALIA) PRIOR TO SIX MONTHS COMPLETION OF THEIR PRINCIPAL COURSE OF STUDY

1. Upon request of a prospective student to transfer from another registered provider within six months of their principal course of study into one of TAIE's courses, the Administration Officer will request the prospective student to complete an Application for Enrolment and provide reasons why they are seeking to transfer providers.

Per the requirements of Standard 7 of the National Code 2018, TAIE must not knowingly enrol a student wishing to transfer from another registered provider's course prior to the student completing six months of his or her principal course of study except where:

- a. the original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered
 - b. the original registered provider has provided a written letter of release.
 - c. 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 his or her principal course; or
 - d. any government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change.
2. The Administration Officer will advise the prospective student of TAIE's policy in relation to accepting students who have not completed six months of their principal course of study, and advise them if they are required to obtain a Letter of Release from their existing registered provider, within 10 working days.
 3. Upon receipt of a completed Application for Enrolment and Letter of Release (if required), the Administration Officer will forward it to the Director of Studies for approval.

4. If approved, the Administration Officer will prepare an Offer Letter for the prospective student.
5. Upon receipt of payment of fees as per the Offer Letter and Invoice, the Principal Executive Officer will issue the student with an eCoE by entering the required information on the PRISMS database.
6. The Administration Officer will file all documentation relating to the transfer request in the student's administration file.

SUPPORTING DOCUMENTATION

TAIE documentation which supports the implementation of this Policy includes:

- Transfer Request Form
- Transfer Request Register
- Letter of Release Sample Letter
- Transfer Request Rejection Letter

REVISION HISTORY

| Revision | Date | Description of modifications |
|----------|--------------|---|
| 3.1 | May 2012 | |
| 3.2 | April 2013 | Updated 28 days to appeal to 20 working days commencing 3 days after the date of the outcome letter to appeal. Updated role Administration Coordinator to Administration Officer. Removed reference to Standard 5 |
| 3.3 | October 2018 | Updated to National Code 2018 and added Document Details |

Document Details

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