



STUDENT TRANSFER POLICY

PREAMBLE

This Policy outlines the College's procedures for accepting students transferring from other providers and how/when students can transfer from the College to other providers.

DEFINITIONS AND ACRONYMS

“College” means Australian Pacific College and English Unlimited.

“ESOS Act” means Education Services for Overseas Students Act 2000 (Cth).

“National Code” means the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

“Overseas Student” means a person (whether within or outside Australia) who holds a student visa as defined by the ESOS Act.

“Policy” means this Student Transfer Policy.

“PRISMS” means the Provider Registration and International Student Management System

1. AUTHORITY, RESPONSIBILITY AND ACCOUNTABILITY

- 1.1 The Executive Committee is the authority for setting the rules and procedures (subject to any legislation in place) in relation to student transfer into or out of the College.
- 1.2 The Registrar is responsible for determining the eligibility of students and approving a student transfer to another provider or a student transfer into the College in accordance with the rules/procedures set out in this Policy by the Executive Committee.
- 1.3 The Student Administration and Student Admission team are accountable for processing any student transfers into or out of the College.

2. STUDENTS REQUESTING TRANSFER TO THE COLLEGE FROM OTHER PROVIDERS

- 2.1 In accordance with the National Code, the College must not knowingly enrol an Overseas Student from another registered provider prior to the student completing six (6) months of their principal course, except in circumstances listed in clause 2.2 below.

- 2.2 The College will only accept students that have not completed the first six months of their principal course in the following circumstances:
- a) the original provider has ceased to be registered or the course in which the student has enrolled has ceased to be registered; or
 - b) the original provider has provided a release in PRISMS; or
 - c) the original provider has had a sanction imposed on its registration by the ESOS agency that prevents the student from continuing his or her course at that provider; or
 - d) any Government sponsor of the student considers the change to be in the student's best interests and has provided written support for that change.

3. STUDENTS REQUESTING TRANSFER FROM THE COLLEGE TO OTHER PROVIDERS

- 3.1 Overseas Students are restricted from transferring from their principal course of study for a period of six months. This restriction also applies to any course(s) packaged with their principal course of study.
- 3.2 Students can apply for a release to enable them to transfer to another education provider.
- 3.3 The College will only release a student that has not yet completed the first six months of their principal course in the following circumstances:
- a) the student has lodged a written request to transfer including providing a valid letter of offer from another registered provider, and
 - b) where the students' fees are up to date; and
 - c) where the student has given the correct course withdrawal or cancellation notice period and has paid the relevant course withdrawal or cancellation fee in accordance with in Table A, and
 - d) where it is in the best interests of the student to release them, for example
 - i) the student will be reported because they are unable to achieve satisfactory course progress at the level they are studying even after engaging in the College's intervention strategy (It is important to note the student's course progress will be reported to PRISMS even if the transfer request is granted); or
 - ii) there is evidence of compelling or compassionate circumstances; or
 - iii) where the College fails to deliver the course as outlined in the written agreement; or
 - iv) there is evidence the student's reasonable expectations about their current course are not being met; or
 - v) there is evidence the student was misled by the College or by their agent regarding the College or the course and the course is unsuited to them or their study objectives; or
 - vi) an appeal (internal or external) results in a recommendation or decision to release the student; or
 - vii) it has been agreed by the College that the student would be better placed in a course that is not available at the College.

- 3.4 The College will NOT release a student without having completed the first six months of their principal course in the following circumstances:
- a) The student's progress is likely to be academically disadvantaged or would not be better placed in another institution (for example the student may be better off transferring to a lower level of study/course at the College); or
 - b) The College is concerned that the student's application to transfer is a consequence of the adverse influence of another party; or
 - c) The student has fees owing to the College; or
 - d) The student is deliberately not participating in the College's intervention strategy in order to receive a release letter.
- 3.5 If the student requesting the transfer is under 18 years of age they also MUST provide to the College:
- a) written confirmation that the student's parent(s) or legal guardian supports the transfer; and
 - b) written confirmation that the new provider will accept responsibility for approving the student's accommodation, support, and general welfare arrangements in accordance with the National Code where the student is not being cared for in Australia by a parent(s)/legal guardian or a suitable nominated relative.
- 3.6 All applications for release will be considered within 10 working days of receipt of the application and the student notified of the decision.
- 3.7 Students are advised that their decision to transfer to a different education provider may have visa implications and they should contact the nearest Department of Home Affairs to seek advice if a new student visa is required.
- 3.8 Where granted, a release will be issued at no cost to the student and the release will be recorded on PRISMS.
- 3.9 Where a release is not granted, the student will be provided with written reasons for the refusal and will be informed of his or her right to appeal the decision within 20 working days in accordance with the College's Student Complaints and Appeals Policy.
- 3.10 The College will not finalise the refusal of release in PRISMS until:
- a) the appeal is found in favour of the College (if the student lodges an appeal); or
 - b) the student has chosen not to appeal within 20 working days of the notice of refusal; or
 - c) the student withdraws from the appeal process (once commenced).

- 3.11 Records of release requests, their assessment and the decision made will be maintained in the student's file for 2 years after they cease to become an accepted student.

TABLE A

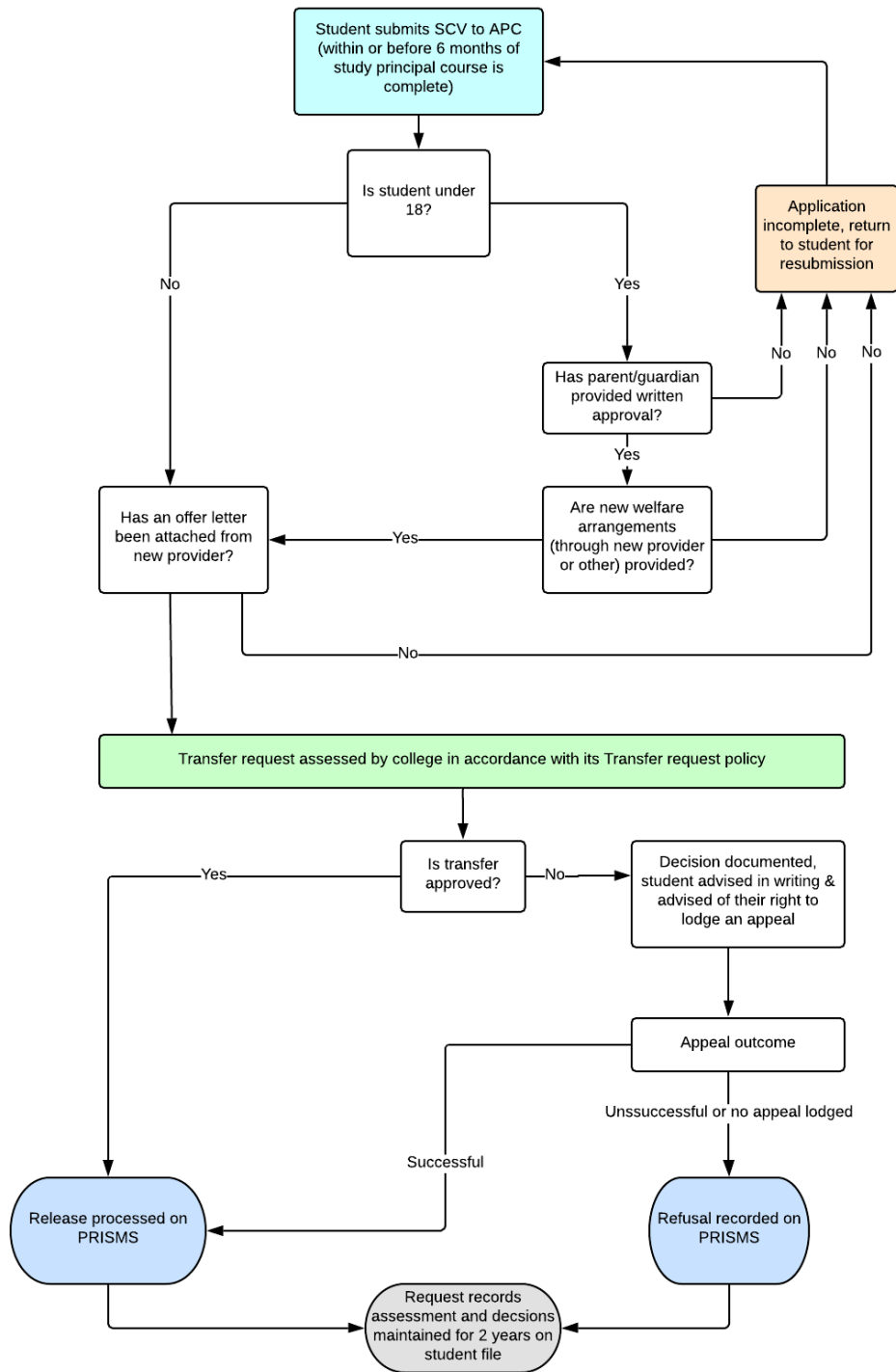
NOTICE PERIODS, WITHDRAWAL/CANCELLATION FEE AND DOCUMENTS REQUIRED

School	Course withdrawal and cancellation notice period	Course withdrawal or cancellation fee	Documents required
ELICOS	If notice is given more than 14 days before the course start date - this is a cancellation If the student cancels their studies after the course start date, this is a withdrawal and the student must give 1 week notice in advance	Cancellation - 20% of the total tuition fee for the course or in a package of courses for each course Withdrawal - \$0.00 (any unused course fees or outstanding course fees (if the student is paying by instalment) are forfeited)	Course variation form Letter of offer from the new school Statement of Purpose explaining reasons for the transfer request Confirmation of parent/guardian approval and acceptance of welfare arrangements by the new provider (if student is under 18 years of age)
VET	If notice is given more than 14 days before the course start date - this is a cancellation If the student cancels their studies after the course start date and before the end of week 7, this is a withdrawal and the student must give notice before the end of week 7 If the student cancels their studies after the course start date and after week 7, this is a withdrawal. <i>(if the student wishes to finish on or before the end of the same term notice must be received before the end of week 7)</i>	Cancellation - \$350.00 Withdrawal (by the end of week 7) - \$0.00 (any unused course fees or outstanding course fees (if the student is paying by instalment) are forfeited) Withdrawal (after week 7) - \$500.00 (any unused course fees or outstanding course fees (if the student is paying by instalment) are forfeited)	

Please note: Notice periods and withdrawal and cancellation fees may be subject to change at any time without notice. Refer to the College's websites for up to date fees.

Student request for release letter flowchart

Transfer policy process
Last updated 19/01/2021



POLICY REVIEW

This policy will be reviewed as part of the College's three year review cycle.

RELEVANT LEGISLATION

This document references the following legislation, regulations, codes and standards:

Relevant Legislation/codes/standards	
Commonwealth	National Code of Practice for Providers of Education and Training to Overseas Students 2018

RELATED POLICIES AND PROCEDURES

Related Policies and Procedures	
Policies	Intervention Policy Student Complaints and Appeals Policy

KEYWORDS

Keywords	release request, transfer, change provider, change course
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POLICY OWNER

Policy Owner	Executive Committee
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POLICY/PROCEDURE HISTORY

Policy History			
Current version	Current version release date	Author	Description of changes
Student Transfer Policy v1.8	23 April 2015	Sharon Luhr	Original Document
Student Transfer Policy v1.10R	December 2017	Sara Gaudry	Full update in accordance with the Policy and Procedure Template, Guidelines for Drafting Policies and Procedures & the National Code 2018.
Student Transfer Policy v1.10R	April 2019	Sara Gaudry	Updated letterhead, inclusion of policy owner. No change to content of policy
Student Transfer Policy v2.0R (APC/EU)	December 2020	Sara Gaudry	General review and update of letterhead.
Student Transfer Policy v2.1R (APC/EU)	March 2025	Sara Gaudry	Addition of clause 1 - ARA