

## 1.0 Regulations (International students only)

- 1.1. This policy and procedures are implemented to meet the compliance requirements of The National Code of Conduct 2007 Part D Standards 1, 4 and 7 and the RTO 2015 standards.
- 1.2. This policy is implemented in compliance with the requirements of the RTO 2015 standards and the National Code of Practice 2007 Part D Standards 1, 4 and 7.

## 2.0 Policy

- 2.1 St Peter Institute (SPI) is restricted from enrolling transferring students prior to a student completing 6 months of their principal course of study. This means SPI is unable to knowingly enroll a student transferring to SPI, who has not completed at least 6 months of their initial principal course without meeting specified criteria outlined in The National Code 2007 Part D Standard 7.
- 2.2 This policy details the procedures for assessing applications to transfer within this period. The procedures outlined below will ensure that SPI does not enroll any transferring international student prior to the 6 months of their principal course being completed unless that student has a valid letter of release agreeing to such a transfer and the below procedures will be implemented.
- 2.3 SPI ensures its marketing and advertising of its training programs to prospective clients is ethical and accurate.
- 2.4 SPI ensures that marketing and recruitment staff as well as its education agents are made aware of the limitations on transfer before completion of six months of a principal course and that they should advise overseas or international students of these limitations.
- 2.5 All SPI staff who is involved in the assessment of applications to grant or refuse the issuance of Letter of Release from SPIs international students as well as receiving applications from students who wish to transfer to SPI from another institution must comply with this policy and procedures and shall undertake their responsibilities in an ethical manner.
- 2.6 SPI ensures that this policy and procedures and their implementation uphold the intent of the Standard by considering students' requests fairly and applying its best efforts.
- 2.7 This policy and procedures are made available to SPI staff during the staff induction and in the college website as well as in the Student Information Handbook.
- 2.8 Students who have studied longer than the period of 6 months in their principle course can apply as normal and no letters of release need to be sighted.
- 2.9 Terminologies
  - '*Principal Course*' is usually the highest qualification and is usually the last course enrolled in a course package.
  - '*Six months of Principal Course*' means completion of six calendar months of the principal course. The calculation of this period starts from the date the student commenced the course.

2.10 The following procedures have been separated into 'Incoming students' and 'Outgoing students.'

### 3.0 Procedure

Any requests that are received in relation to a student wishing to transfer education providers shall be the responsibility of the **Admin Manager**. The **Admin Manager** shall assess the applications to transfer between education providers and conclude an outcome based on the following procedure.

#### Incoming students

- 3.1 The following procedure is relevant to any student who applies for a course within SPI and is currently studying on-shore with another registered provider.
- 3.2 For this procedure to be completed the student must complete the enrolment process as outlined in the Enrolment Policy and Procedures and submit all required documents. In addition, the student must provide a copy of their Student Visa or Visa Grant. Once all required documents are obtained the following steps are taken:
  - i. **Administration Officer** accesses the student information via PRISMS. They are to ascertain if the length of studies completed in their current Principal course of study is greater than 6 months. They also use the copy of the student visa in the passport to ascertain what the principal course is and when they arrived in Australia.
  - ii. If they have completed more than 6 months of their principal course of study, the application process proceeds as for all off-shore students.
  - iii. Where a student has **NOT** completed 6 months of their principal course of study, SPI may accept their enrolment application if the following conditions are met:
    - The original registered provider has provided a written letter of release.
    - They are asked to provide an appropriate letter of release in support of their application. To support the application, they can be provided with a 'Conditional Letter of Offer' (Appendix A) which clearly states that an offer of a place is contingent on their obtaining a letter of release.
    - 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.

- Where the original institution or course has ceased to be registered, or sanctions have been imposed on the original institution by the Australian government which do not allow the student to continue with the principal course, no letter of release is required. Evidence of this occurrence would need to be placed in the student file.
- iv. If such a letter of release is received, the application proceeds as for all off-shore applicants.
- v. If no satisfactory letter of release is obtained from such students, the application process is halted and the student informed that they are unable to transfer at this time. They are welcome to re-activate their application when the 6-month period has passed.

### 3.3 Outgoing students

The following procedure is relevant to those students wishing to transfer to another education provider prior to completing six (6) months of their principal course of study.

- a. Students submit a completed Application to Defer, Suspend or Cancel Enrolment form to the **Student Support Officer** to transfer to another provider. The student is provided with a receipt of his/her application. The application will be processed within 14 business days from the date the application was received.
- b. The circumstances for granting a 'Release Letter' are if:
  1. SPI has cancelled/ceased to offer the students program (letter from RTO supplied)
  2. government sponsor considers the change to be in the student's best interest, if they are a sponsored student (written confirmation from sponsor required)
  3. Exceptional circumstances (documentation required to support circumstances and a letter of offer from another provider is required.)

The other individual circumstances of the student that SPI takes into account are:

- a. the transfer better meets the study capabilities of the student
- b. better meets the long term goals of the student, whether these relate to future work, education or personal aspirations
- c. The student wishes to change course in order to get access to greater support (may be through the services offered by another provider, commercial or non-for-profit services or through access to family, friends or a cultural support network).
- d. If the student claims or can provide evidence that his or her reasonable expectations about the current course are not being met.
- e. a student can provide evidence that he or she was misled by the provider or an education agent regarding the provider or its course, which constitutes a breach of the ESOS Act, or
- f. An appeal (internal or external) on a matter that may reasonably result in the student wishing to seek a transfer supports the student.
- g. In relation to subclause 4.3 ii above, the student is asked to provide the following:

- i. A valid 'Offer of Enrolment' from the new provider authenticating the transfer
  - ii. A letter from the student indicating the benefits of transferring from their current course of study.
- h. In assessing the application to transfer, the **Admin Manager** will check the following points:
- i. Ensure any outstanding fees are paid
  - ii. Ensure the student is fully aware of all issues relating the transferring of providers including their obligation to meet their student visa conditions.
  - iii. Check student records to ensure the student is not trying to avoid being reported to the appropriate government agency(s) due to lack of course progress or poor attendance records.
- i. In making judgements about a student's best interests, the **Admin Manager** should ensure the reasons are adequately supported.
- j. While the application of the student is being processed and assessed, the students remains enrolled with SPI and must perform his/her responsibilities as a student and continue to meet his/her academic/course requirements in accordance to the relevant policies and procedures.

### 3.4 Granting a Letter of Release

- a. If a 'Letter of Release' is granted, there is no charge to the student.
- b. The student will be advised of the need to contact DIBP and obtain a new visa if the course he/she transfers to is not a Higher Education/VET course.
- c. The **Student Support Officer** must report the student's termination of studies to the appropriate government agency(s) via PRISMS.
- d. The Letter of Release will be provided (see Appendix B)

### 3.5 Refusal to Grant a Letter of Release

- a. Where the transfer is not in the best interest of the student, the request to transfer to another RTO will be refused. Reasons for refusal may include but are not limited to:
- b. New course outcome is not suitable to student situation
- c. New course location is not suitable
- d. Provider is not a CRICOS registered provider
- e. The welfare of the student may be compromised
- f. If the student has recently started studying the course and the full range of support services are yet to be provided or offered to the student (it is good practice to revisit the issue within a timeframe negotiated with the student); and
- g. If the student is trying to avoid being reported to DIBP for failure to meet the provider's attendance or academic progress requirements.

- h. This decision of the appropriateness of the transfer will be made by the **Student Support Officer** and shall be given to the student in writing. (Appendix C)
- i. The above process is completed within 14 business days provided the student has provided the necessary documentation.
- j. All requests, considerations, decisions and copies of letters of release should be placed on student's file.
- k. 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 independent of this policy.

### 3.6 Appeals

- a. If a student feels there are reasonable grounds for his/her transfer and wish to appeal SPI's decision to refuse the grant of a Letter of Release, the student will be advised to inform SPI in writing within 20 days outlining his/her circumstances. This process is outlined in the attached 'Complaints & Appeals Policy and Procedure' and further information on this process / decision can be gained from the Student Support Officer.
- b. If the student does not respond within 20 working days to SPI in writing, SPI will close the application and the student is required to continue with his/her studies in line with the original enrolment conditions.

### 3.7 Escalations: The **CEO** will be informed of any issues.