

Student Release and Transfer Policy

Purpose

This policy relates to Standard 7 of the National Code and the following key points contained within that code:

1. ELC must not **enrol** transferring students before the student has completed **six months** of the student's principal course of study, except for the circumstances outlined in this standard, see below.
2. The restriction applies to any prerequisite courses in a package of courses, as well as the first six months of the principal course.
3. When a student wants to transfer before completing six months of his or her principal course, ELC will assess the student's request
4. Requests can be refused, but the reasons must be consistent with the intent of the standard, ELC's documented transfer policy and provided to the student in writing.

National Code of Practice Standard 7

ELC complies with Standard 7 National Code of Practice 2018 as follows:

1. ELC will assess requests from students for a transfer between registered providers, prior to the student completing six months of the principal course of study in accordance with ELC documented procedures
2. ELC will not knowingly enrol the 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 granted a 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.
3. ELC implements its documented student transfer request assessment policy and procedure, which is available to staff and students. ELC specifies:
 - a. the circumstances in which a transfer will be granted
 - b. the circumstances ELC considers as providing reasonable grounds for refusing requests to transfer, including where it may be detrimental to the student
 - c. the timeframe to assess and respond to the student's request with regard to the restricted period
4. ELC will grant a release only where a student has:
 - a. provided a letter from another registered provider, confirming that a valid enrolment offer has been made
 - b. ELC does not enrol students under 18 in vocational qualifications and as such the requirements for under 18 as per Standard 7 are not applicable.
5. ELC will grant a release at no additional cost to the student and the student advised of the need to contact DHA to seek advice on whether a new student visa is required. All cancellation fees, must be paid before granting for a release.

6. Where ELC has not granted a letter, the student will be provided with written reasons for refusing the request and will be informed of their right to appeal ELC's decision in accordance with Complaints and Appeals, Standard 10 of the National Code of Practice 2018.
7. ELC retains records of all requests from students for a release including the assessment and final decision which is maintained in the student file and recorded on student database.

Students seeking to transfer to ELC from another registered provider:

ELC will not recruit or knowingly enrol 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 granted a 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;
- a government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change
- International students seeking to transfer to ELC, must comply with ELC Policy for Student Admission, and meet the course entry requirements.

Procedure

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

1. ELC receives an application from a student who is on-shore and is currently undertaking study at another registered provider
2. Provide evidence they need to move more than 1.5 hours travel distance away from the study campus
3. Utilising information from the student's passport, including their study visa and the date the student arrived in Australia, current CoE, ELC will determine if the student has completed 6 months of their principal course of study with the other registered provider.
4. If the student has completed 6 months study, in their principal course of study, the application process proceeds as for all other on-shore international student applications.
5. If the student has not completed 6 months study, in their principal course of study they are required to be released from the registered provider they are currently studying with. ELC will provide the student with a "conditional" letter of offer which clearly states that an offer of a place is contingent on their obtaining a release from the registered provider that they are currently studying with.
6. If the student is a government sponsored student, they are required to provide written support from their sponsor agreeing to the change, which will stand in lieu of a release
7. Once the student has been released, the application proceeds as for all other on-shore international student applications.
8. If the student has not been released, the application process will be put on hold and the student informed that they are unable to transfer at this time. The student will be invited to re-activate their application when they have completed 6 months in their principal course of study.

9. In the circumstances where the original registered provider or course has ceased to be registered, or sanctions have been placed on the original registered provider by the Australian government which do not allow the student to continue with the course, a release is not required.

Students seeking to transfer from ELC to another registered provider:

ELC will generally agree to a request from an international student to transfer to another registered provider prior to completing 6 months of their principal course with ELC; however in assessing such a request the following factors will be taken into account:

- the student requesting a transfer does not have a clear understanding of what the transfer represents to their study options;
- the student has not made an attempt to discuss the reasons for seeking a transfer with the RTO Manager;
- the student has outstanding course fees owing to ELC;
- it is suspected that the student is seeking to transfer to another registered provider only to avoid being reported to DHA for failure to meet academic progress requirements. In which case last day of attendance, academic progress and attendance average is reported on PRISMS.

Where it is assessed that one of the above factors applies, the student's request for a release may be refused.

In the circumstance that ELC does not grant a release, the student will be provided with the reasons for refusing the request in writing and will be informed of their right to appeal the decision through ELC's grievance handling procedures.

Where a release is granted, it will be no additional cost to the student and will advise the student of the need to contact DHA to seek advice on whether a new student visa is required.

Students will be advised of the outcome of the assessment of their request within 10 working days of the request being submitted.

ELC will maintain records of all requests from students for a release and the assessment of and decision regarding the request on the student's file.

Procedure

The following procedure applies to international students wishing to transfer from ELC to another registered provider within 6 months of commencement of their principal course of study:

1. The international student will meet with the Administration Manager and provide a written request that they wish to transfer from ELC to another registered provider. The Administration Manager, will arrange an exit interview where the student will provide an original copy of a valid letter of offer from the registered provider to which the student wishes to transfer.
2. The Administration Manager, will check the financial status of the student to determine if there are fees owing or if the student is entitled to a refund under ELC's refund policy. The Administration Manager will refer the student to the ELC accounts department who 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 Administration Manager will also check to see if there are any other items on loan to the student and make arrangements for their return

3. During the exit interview the Administration Manager will:
 - discuss the reasons for the student wishing to transfer to another registered provider;
 - sight the original letter of offer from the registered provider that the student wishes to transfer to;
 - make a copy of the letter of offer
4. Following the exit interview the Administration Manager will make an assessment of the student's request for a transfer to another registered provider taking into account the factors mentioned above and come to a decision on whether to grant the student a release
5. If the Administration Manager agrees to the student's request for a transfer to another registered provider, they will advise the student in writing within 10 working days that a release will be granted at no charge and will advise the student of the need to contact DHA to seek advice on whether a new visa is required.
6. The student must, if applicable, pay any outstanding fees or return any equipment before granting a release.
7. If the Administration Manager denies the student's request for a transfer to another registered provider, the student will be provided with reasons for refusing the request in writing within 10 working days and will be informed of their right to appeal the decision through ELC's grievance handling procedures.
8. The request for transfer to another registered provider, a copy of the letter of offer from the other registered provider, a copy of the written advice to the student of the decision and, if granted, a copy of the written advice will be placed on the student's file.
9. The Administration Manager will advise DHA through PRISMS that the student has transferred to another registered provider.
10. The Administration Manager will ensure that the following tasks are undertaken:
 - Statement of Attainment and Transcript of Results are prepared for the transferring student, if applicable;
 - e-mail the relevant personnel, advising them that the student has withdrawn from the course so that records can be updated, the student's computer access and e-mail account are deactivated
 - notes are placed in the notes on student database
 - Report change to another provider on PRISMS
11. A release will always be provided when, or if:
 - ELC's registration has been revoked;
 - Sanctions imposed on ELC by the government prevent the student from continuing in the course;
 - A government sponsor deems that the transfer is in the best interest of the student