

TRANSFER BETWEEN PROVIDERS POLICY

Introduction

CRICOS providers are restricted from enrolling transferring students prior to the student completing six months of his or her principal course of study, except in certain circumstances. Providers, from whom a student is seeking to transfer, are responsible for assessing the student's request for transfer within the restricted period. It is expected that the student's request will be granted where the transfer will not be to the detriment of the student.

After the first six months of the principal course no restrictions apply.

Key requirements for all sectors

- Registered providers must not enrol a transferring student before the student has completed six months of the student's principal course of study except for the circumstances outlined in Standard 7 of the National Code.
- The restriction applies to any prerequisite courses in a package of courses, as well as the first six months of the principal course.
- When a student wants to transfer before completing six months of his or her principal course, the provider must assess the student's request against its documented transfer policy and procedure.
- Requests can be refused, but the reasons must be consistent with the intent of the standard, the provider's documented transfer policy and given to the student in writing.
- If a provider refuses to release a student or the provider does not respond during the timeframe set out in the policy, the student can appeal through the provider's complaints and appeal process.
- The new provider must have issued a valid enrolment offer for a student's request for a letter of release to be considered.
- A provider must not charge the student for the release letter.
- Under-18 students must have written confirmation from their legal guardian or parent to transfer. If the student is not being cared for in Australia by a parent or suitable nominated relative, the receiving registered provider must accept responsibility for approving the student's accommodation, support and general welfare arrangements as per [Standard 5](#). The letter of offer must note this responsibility.
- Providers must keep records of requests for letters of release and the process used to make a decision in relation to the request.
- A provider must not enrol a transferring student before the student has completed six months of his or her principal course unless the following exceptions in Standard 7.1 are satisfied.
 - 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 provided a written letter of release
 - 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
 - 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.
- Students can apply to transfer before they have completed six months of their principal course.
- The provider must have documented policies and procedures for assessing applications for transfer.
- Providers must accept responsibility for assessing applications to transfer.
- If a student's request for release is refused, the student must be informed in writing of the reasons for the refusal and his or her right to appeal the decision

(Source: <https://www.aei.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/nationalcodepartd/Pages/ExplanatoryguideD7.aspx>)

Legislation

- *The National Code 2007*
 - *Standard 7*

Transfer Policy

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.

A provider 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:

- 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 provided a written letter of release;
- 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
- 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.

SERO INSTITUTE will not seek to enrol a student who has not yet completed Six months of their principal course of study with another registered provider.

Students can apply for a letter of release to enable them to transfer to another education provider. Applications for transfer from a student must:

- Be in writing;
 - Relate to and provide details about the student's individual circumstances;
 - Provide details as to the reasons why the application should be approved.
-
- In order to apply for a letter of release, students must have a letter from the receiving provider that a valid offer of enrolment has been made.
 - Students under 18 years of age MUST also have;
 - Written evidence that the student's parent(s)/legal guardian supports the transfer
 - Written confirmation that the new provider will accept responsibility for approving the student's accommodation, support, and general welfare arrangements where the student is not living with a parent(s)/legal guardian or a suitable nominated relative
 - Evidence that the student is always in DIBP approved welfare and accommodation arrangements
 - All applications for transfer will be considered within 10 working days and the applicant notified of the decision. This period may be extended if the applicant fails to provide all relevant information/ documentation, however in such instances the College will advise the student of the additional information/documentation required to make the decision.

- Applications to transfer to another registered provider may have visa implications. The student is advised to contact the Department of Immigration and Border Protection office as soon as possible to discuss any implications. The address of the nearest Office is:

Street Address	Ground Floor 299 Adelaide Street Brisbane QLD 4000
Phone	131 881
Email	studentvisa@immi.gov.au
Postal Address	GPO Box 9984 Brisbane QLD 4001
Counter hours	9:00am – 4:00pm Monday - Friday

Issue of releases

A letter of release will be issued when SERO Institute is satisfied that:

- A course is academically unsuitable for the student
- The course the student wishes to transfer to better meets the long term goals of the student, whether these relate to future work, education etc.
- Compassionate or compelling reasons for the transfer exist
- The student can provide evidence that he/she was misled by SERO Institute or its appointed representative regarding the course or SERO INSTITUTE.

If the application is successful SERO Institute will:

- provide a letter of release at no cost to the student

The Release letter will include information about whether or not, the student:

- Demonstrated a commitment to studies during the course;
- Had a good attendance record; and
- Paid all fees for the course.

Release not granted

A letter of release will be refused if a student is unable to provide satisfactory evidence that his/her course does not meet their long-term goals or it is academically unsuitable, or that the student cannot demonstrate compassionate or compelling circumstances for the transfer exit.

A release request will **not** be granted if:

- SERO Institute forms the view that the student is trying to avoid being reported to the Department of Immigration and Border Protection (DIBP) for failure to meet the provider's academic progress requirements;
- The transfer may jeopardise the student's progressions through a package of courses;
- The intended course will not provide adequate preparation for further study, nor be recognised by higher education or VET providers as meeting their entry requirements and the transfer would be detrimental to the student's future study plans;
- SERO Institute fees for the course that the student is currently enrolled in have not been paid in full. This includes any balance instalment payments applicable to the course. (Students are advised to read the SERO Institute Refund Policy prior to seeking a release, as any pre-paid fees for future courses within a packaged program will not be refunded after the student has commenced their study at SERO Institute)

Applicants will be informed in writing of the outcome and the reasons for the decision and the factors taken into consideration given the student's individual circumstances. All relevant documents will be retained in the student's file.

Students whose request for transfer has been refused may appeal the decision in accordance with SERO Institute complaints and appeals policy.

