



Policy Title	Transfer between Registered Providers Policy and Procedure				
Policy Number	PP-06	Version Number	V2 Jan 2022	Status	APPROVED
Owner	Admission Department	Approved By		CEO	

## Table of Contents:

1. POLICY	3
2. PURPOSE	3
3. SCOPE	3
4. DEFINITIONS	3
5. REQUIREMENT AND PROCESS	4
6. PROCEDURE	6
7. RECORDS	8
8. RESPONSIBILITY	8
9. RELATED DOCUMENTS	8

Once printed this is an uncontrolled document

## 1. POLICY

ANIT Australia Pty Ltd T/A Albright Institute of Business and Language will comply to the requirement under Standard 7 of The National Code 2018 which states that registered providers are restricted from enrolling a student on to a course of study, where that student is transferring from another provider and has not yet studied six months of their principal course of study.

## 2. PURPOSE

The purpose of this policy is to ensure Albright Institute meets the requirements of the Education Services for Overseas Students (ESOS) Act 2000 and Standard 7 of the National Code of Practice 2018 (The National Code) in respect of managing requests from international students who seek to transfer between CRICOS registered providers of education and training services (registered providers).

The policy describes the requirements for transferring from one provider to another and vice-versa for International Students. This policy details the procedures for assessing applications to transfer.

## 3. SCOPE

This policy applies to all the current international students of Albright Institute studying on-shore, holding a student visa.

## 4. DEFINITIONS

**International student:** Refers to an overseas student who is studying onshore in Australia on a student visa.

**ECOE:** Refers to an electronic Confirmation of Enrolment. Defined in The National Code 2018 as a document, provided electronically to students, which is issued by Albright Institute to international students who intend to study onshore.

**CRICOS:** The Commonwealth Register of Institutions and Courses for Overseas Students. Education providers who wish to provide education services to international students must be formally registered on CRICOS.

**ESOS Act:** The Education Services for Overseas Students Act 2000.

**Principal Course of Study:** Is defined in The National Code 2018 as the “main course of study” that is or is due to be undertaken by an international student. This is generally the final program or highest qualification in a package of courses.

**Registered Provider:** An organisation that is registered as a provider of education and training services to international students on CRICOS.

**Transfer between Registered Providers:** A request from a student to transfer from or to another CRICOS registered provider.

## 5. REQUIREMENTS AND PROCESS

### 5.1 Student Request to Transfer from Albright Institute to another Registered Provider

5.1.1. An overseas students cannot transfer between registered providers prior to completing **six calendar months of their principal course.**

5.1.2 The principal course is the main course of study to be undertaken by an overseas student where the student visa has been issued for multiple courses, and is usually the final course of study. The first six months is calculated as six calendar months from the date an overseas student commences their principal course. This means the transfer restriction applies to a student during all courses they undertake prior to the principal course.

5.1.3 For an overseas student to transfer before completing six months of their principal course, the overseas student must either obtain a release on PRISMS from their registered provider, or meet one of the following conditions:

- the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered;
- the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing their course with that registered provider;
- 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. This usually applies where the overseas student's study in Australia is sponsored by the government of another country.

5.1.4 After completing six calendar months of the principal course, an overseas student can transfer without needing to meet one of these conditions.

5.1.5 In accordance with Standard 7 of The National Code 2018, and recognising student's right to exercise freedom of choice as consumers, as a principle, Albright Institute will grant a student's request to transfer to another provider, where it will not be detrimental for the student.

5.1.6 Albright Institute considers the following factors as detrimental to the student, and therefore, as reasonable grounds for refusing a transfer request:

- The request is considered detrimental to the student's wellbeing;
- The student has not started studying or has studied with Albright Institute (attending and participating in the classes) for less than four (4) weeks and has not had an opportunity to experience the program of study, and/or the range of support services available at Albright Institute. In this situation Albright Institute will re-visit the issue within a timeframe negotiated with the student;
- The student has requested a transfer to a course with another registered provider that is considered by Albright Institute to be unsuited to student's academic capabilities, study plans or career aspirations. This includes where a student wishes to transfer from a higher-level qualification to a lower level qualification (e.g. Diploma to Cert IV);

- The transfer may jeopardise the student's progression through a package of courses;
- The intended course will not provide adequate preparation for further study, and/or is not recognised by higher education or VET providers as meeting their entry requirements;
- Albright Institute forms the view that the student is trying to avoid being reported to the Department of Home Affairs (DHA) for failure to meet the academic progress requirements;
- The student is indebted to Albright Institute and/or has outstanding disciplinary issues.

5.1.7 Albright Institute may agree to approve a request for a release if the student can demonstrate that the transfer would be in their best interests. If approved by CEO, changes to student enrolment will be updated in PRISMS.

5.1.8 Where appropriate Albright Institute will counsel students, to consider their personal or academic reasons for transferring. Outcomes of counselling may include the identification of alternative academic programs within Albright Institute, and/or the recommendation of appropriate student support or study skills support as an alternative to the transfer. Where the student is eligible for a release, this will not affect their right to transfer.

5.1.9 Where Albright Institute does not grant a student's request for a release, Albright Institute will provide written reasons for refusing the request. In accordance with Standard 10 of the National Code, the student will be informed of their rights of appeal against the decision. All appeals will be carried out in line with Albright Institute's Complaints and Appeals Policy and Procedure.

## **5.2 Student Request to enrol at Albright Institute from another registered Provider.**

As outlined under Standard 7 of the National Code, Albright Institute will not actively recruit or enrol a student wishing to transfer from another registered provider's course prior to the student completing six (6) months of their principal course of study, except in limited circumstances. These are as follows;

- The original registered provider has approved the release, or
- The course in which the student is enrolled has ceased to be registered by another registered provider on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS), or
- 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 their principal course.

## **5.3 Education Agents**

In accordance with Standard 4.6 of The National Code 2018, Albright Institute will not accept students from, or enter in to an agreement with an education agent, where it knows or suspects that the education agent has attempted to recruit a student where this conflicts with the obligations under Standard 7.

## 5.4 Fee Refunds

Where a student is granted a release, their entitlement to a refund of course fees will be assessed in accordance with Albright Institute's Fee Refund Policy.

## 5.5 Refusing to provide a release on PRISMS

Albright Institute will not give a release on PRISMS unless the student shows them a valid letter of offer of enrolment from another provider. When a request for release is refused, the student will be provided with written response stating the reason for the refusal in an email. The student will be given advice in writing that it is possible to appeal the decision if the student so chooses.

# 6. PROCEDURE

## 6.1 Procedure for Assessing Students Wishing to Transfer to Albright Institute

- The College receives an application from a student who is "on-shore" and who has indicated that they are currently studying at another institution.
- The College use PRISMS to decide if the student has completed 6 months of their principal course. 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.

If the above 2 points have been met, the application process proceeds as for all off-shore students.

**If they have not** met the above points, the student will be issued with a conditional offer letter which clearly states that an offer of a place is contingent on the student being released from the original provider in support of their application. If they are under 18, Albright Institute will not accept their enrolment.

Only if it is evident in PRISMS that the student is released and the student has no outstanding fees to be paid to the prior institution or other outstanding matters of concern, the application proceeds as for all off-shore applicants and a COE will be issued.

**If no satisfactory 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.

***Note:** In the very rare circumstances where the original institution or course has ceased to be registered, or sanctions have been placed on the original institution by the Australian government which do not allow the student to continue with the course, no letter of release is required.*

## 6.2 Procedure for Assessing Transfer Applications from Students Wishing to Transfer Away from Albright Institute

1. Students make a written request (e-mail is satisfactory) to the CEO, or their delegate to transfer to another provider by providing:

- a. A valid letter of offer of enrolment from another provider,
- b. A filled copy of STD-FORM01 Refund Request Form,
- c. A filled copy of STD-FORM02 Request of Change of Enrolment Status, and
- d. All relevant supporting evidence and documents

Once printed this is an uncontrolled document

2. With the valid offer of enrolment, Albright Institute will assess the transfer request based on P&P-06 Transferring Between Registered Provider Policy

3. A letter of release will be granted at no cost to the student if the student is able to satisfy the grounds stated in this policy as necessary for a release from Albright Institute to be granted and if the required evidence is provided, and if all the payable fees are clear. The student will also be advised of the need to contact Department of Home Affairs to determine if they need to obtain a new.

4. Albright Institute will inform the student of the outcome of the application via an email within 10 days of the date of application.

5. If the application is successful and release is granted, Albright will report student's termination of studies through PRISMS and notify the student of the outcome and to contact the Department of Home Affairs to seek advice on whether a new student visa is required.

6. If the application is unsuccessful, Albright Institute will notify the student of the outcome. In the message, Albright Institute will include the following information:

a. Outcome of the application

b. Reasons for refusal

c. Advise whether the request breaches a VISA condition or a change of VISA would have been required (If applicable)/ and to contact Department of Home Affairs to check whether an action is required.

d. Albright Institute's P&P-05 Complains and Appeals Policy and STD-FORM10 Complaints and Appeals Form information about where to access this information and student's right to appeal the decision within 20 working days.

e. Student's obligation to attend and continue with their studies as normal, until the appeal process is finalised.

In assessing each individual request:

- The CEO, or their delegate will need to interview the student and gain a fuller understanding of the circumstances.
- The CEO, or their delegate will make a recommendation if they believe the request should be refused or alternatively they will grant the release.
- The CEO, or their delegate will inform the student in writing of a negative outcome with reasons and indicate that the student may access the student appeal process as detailed in the P&P-05 Complains and Appeals Policy
- Albright Institute will not finalise the refusal status in PRISMS until:

-any appeal against the refusal lodged by the overseas student is finalised and upholds the registered provider's decision not to release the student; or

-the overseas student did not access the registered provider's complaints and appeals processes within 20 working days of being notified of the refusal; or

-The overseas student withdraws their appeal against the refusal.

## 7. RECORDS

- Albright Institute will keep a record of all transfer requests for two years after the student ceases to an accepted student.
- The above assessment procedure should not take more than 5 working days once the student has provided the necessary documentation.
- All requests, considerations, decisions and copies of letters of release should be placed on student's file
- 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.

Albright Institute will maintain records of all requests from students for withdrawal and release and the assessment of, and decision regarding, the request on the student's file.

## 8. RESPONSIBILITY

The Admissions Department and Chief Operating Officer and CEO are responsible for adherence to the National Standards for Training Organization and ESOS/NCP 2018.

## 9. RELATED DOCUMENTS

### Related Documents

- STD-FORM02 Request of Change of Enrolment Status
- STD-FORM01 Refund Request Form
- PP-05 Complains and Appeals Policy
- STD-FORM10 Complaints and Appeals Form