

# INTERNATIONAL STUDENT RELEASE AND TRANSFER

## Policy and Procedures

Version 1.7

VERSION CONTROL & DOCUMENT HISTORY		
Date	Summary of Modifications	Version
Apr 2010	Created	V1.1
May 2015	Incorporated 'Transfer between providers and release' policy based on the National Code	V1.2
Jul 2016	Amendment on the grant of release letter with reference to Standard 7.2 and guidelines on what circumstances are to the detriment of the student	V1.3
Jul 2019	Changes as per National Code 2018	V1.4
Dec 2020	Add Student Information in associated documentation	V1.5
Feb 2021	Update on reasons for refusal and approvals	V1.6
Feb 2022	Re-formatted to the new system and made as formal policy	V1.7
Next Review Due: February 2023		
Staff Responsible: Student Services / Managing Director		

RELATED DOCUMENTS
<a href="#">Standard 7 of the National Code 2018</a>
<a href="#">Student Complaints, Grievances and Appeals Policy</a>
<a href="#">Monitoring Course Progress Policy</a>
<a href="#">Monitoring Student Attendance Policy</a>
APSI Application for Course Cancellation, Deferment or Suspension Form UReport
APSI Application for Release Form UReport
Letter of Release UReport
Conditional Letter of Offer UReport

## Purpose of this Policy

This policy is intended to apply only to international students on a Student Visa. This policy provides information to those students who wish to be released and transfer to another provider or from another provider to APSI prior to completing six months of their principal course to continue their education, in accordance with 'Standard 7 – Overseas Student Transfers' of the National Code 2018 in Related Documents or, wish to transfer after completing six months of their principal course. Please note, students who undertake any course or courses prior to commencing their principal course, will be held by the same release restriction until they have completed six months of their principal course. Students who wish to transfer to another provider or from another provider to APSI after completing six months of their principal course can apply for a transfer without requiring a release from their current provider.

This policy ensures APSI complies with Standard 7 of the National Code 2018 in Related Documents, which requires Registered Training Organisations (RTO) to:

- Have and implement a policy and procedure for assessing student release and transfer requests prior to completing six months of a student's principal course and outlining the circumstances where transfers will be granted or refused;
- Record all transfer requests in the the Provider Registration International Student Management System (PRISMS);
- Not finalise a refusal to release and transfer until the student has had an opportunity to appeal as per APSI's Student Complaints, Grievances and Appeals Policy in Related Documents;
- Not knowingly enrol a student who wishes to transfer from another RTO prior to completing six months of their principal course except in certain circumstances. Please see the Transfers to APSI from another RTO section for more detail on those circumstances.

APSI strongly encourages all international students who wish to be released and transferred to another provider read the entire contents of this policy to ascertain whether or not they are eligible prior to applying for release from APSI.

### *IMPORTANT TO NOTE!*

The [Department of Home Affairs](#) requests all international students considering making any changes to their enrolment to contact them prior as it may affect their ability to comply with the conditions of their Student Visa or result in the cancellation of their Student Visa.

## Eligibility and Applying

All students must meet the following criteria and conditions to be eligible to apply for release and transfer to another provide:

- Completion of at least 6 months study of their principal course since the course commencement date at the time of their application;
- Written approval of the application by the student's parent or legal guardian and a Conditional Letter of Offer from the other provider containing an acceptance of responsibility for the student's accommodation, support and welfare arrangements, if the student is under 18 years of age;
- Written approval of the application by the sponsoring Government if the student is Government sponsored;

All students who wish to apply for a release and transfer to another provider must submit an APSI Application for Release Form, which can be obtained from Student Services, with the Conditional Letter of Offer from the other provider and any additional supporting documentation to Student Services. Please note, there are no additional fees to apply for a release and transfer or a transfer to another RTO.

**IMPORTANT TO NOTE!**

If a student is an Edith Cowan University (ECU)-packaged student their principal provider will be ECU and therefore they must apply for release and transfer to ECU directly not APSI.

## Transfers to APSI from another RTO

APSI will not enrol any student currently studying at another RTO onshore prior to completing six months of their principal course except if:

- The student's current provider has issued a letter of release and completed a release in PRISMS;
- The RTO or the student's chosen course has ceased to be registered;
- The RTO has had a sanction imposed on its registration by a ESOS Agency (Australian Skills Quality Authority (ASQA), Tertiary Education Quality and Standards Agency (TEQSA) or Department of Education, Skills and Employment (DESE)) that prevents the student from continuing their course with their current provider or;
- If a Government Sponsor of the student, such as the Government of the student's home country, considers the change of provider to be in the best interests of the student and has provided written support.

Please note, if the current provider has not issued a release in PRISMS then APSI cannot issue a CoE to study at APSI.

If a student wishes to transfer to APSI from another RTO they are currently studying with onshore then the following procedure will apply:

1. Admissions Staff will ascertain the student's principal course (Visa Sub-Class) and when they arrived in Australia through a copy of the student's Student Visa provided by the student and whether the student has completed six months of their principal course through the [Visa Entitlement Verification System \(VEVO\)](#). If the student has completed a minimum of six months of their principal course then their application can proceed. If the student has not yet completed six months of their principal course then proceed to Step 2.
2. Admissions Staff must request the student to provide a letter of release from their current provider and the student must provide the letter of release, ensure they owe no outstanding fees to their current provider or have any outstanding matters of concern in order for the application to be able to proceed. APSI may provide a Conditional Letter of Offer, in Related Documents, to the student to support their request for a letter of release from their current provider. The exception to requiring a letter of release is if the RTO or the student's chosen course has ceased to be registered or the RTO has had a sanction imposed upon them preventing the student continuing with their studies. If any of these exceptions apply, evidence must be provided and recorded in the student's file. Alternatively, students in receipt of a Government scholarship can provide a letter of support from their Government Sponsor in lieu of a letter of release from their current provider. Please note, if a student is required and unable to receive a letter of release from their current provider they will be informed by APSI that their application cannot proceed until they have completed a minimum of six months of their principal course at which point they can re-apply to transfer to APSI. If

the student provides a letter of release, owes no outstanding fees or has any outstanding matters of concern then proceed to Step 3.

3. The student must submit a copy of their Student Visa, the letter of release, information on all current CoE's with their APSI Application for Release Form, in Related Documents and can be obtained from Student Services.

### **Packaged CoE with University Provider**

For students studying a course at another RTO packaged with a University degree, their principal course will be their University degree. Therefore, students who wish to be released and transfer to APSI must apply directly to the University not their current provider until they have completed six months of their University degree.

### **Transfers to another RTO from APSI**

If a student of APSI wishes to transfer to another RTO prior to completing six months of their principal course and it is deemed to be in the best interests of the student then APSI will grant the transfer. The circumstances where APSI will grant a transfer may include but may not be limited to:

- Where the student is unable to achieve satisfactory course progress despite engaging in Intervention Strategies as per APSI's Monitoring Course Progress Policy in Related Documents;
- Where the student demonstrates compassionate or compelling circumstances, including circumstances not anticipated at the pre-enrolment stage, as outlined in APSI's Monitoring Student Attendance Policy in Related Documents;
- Where APSI is no longer able to deliver the course outlined in the student's Enrolment Form;
- Where the student's reasonable expectations about their chosen course are not being met by APSI, supported by evidence;
- Where the student was misled by APSI, or its Agent, about APSI or their chosen course, which does not meet their needs or study objectives or;
- Where the transfer would better meet the study capabilities or long-term work, education or personal aspirations of the student.

#### ***IMPORTANT TO NOTE!***

Any grant by APSI for a release and transfer or transfer to another RTO does not indicate an agreement to provide any refund of fees. All refunds are governed by APSI's Refund Policy, which is independent of this policy.

If a student wishes to be released and transfer to another RTO from APSI where they are currently studying onshore prior to completing six months of their principal course then the following procedure will apply:

1. Students must complete and submit a Conditional Letter of Offer from the other provider with the APSI Application for Course Cancellation, Deferment or Suspension Form and APSI Application for Release Form, in Related Documents and available from Student Services, to Student Services.
2. The Student Services Manager will assess all applications for release and transfer with consideration to:
  - a. Whether the student owes any outstanding fees to APSI;
  - b. Ensuring the student is aware of all the issues that may arise from transferring to another RTO including impacts it may have on their Student Visa;
  - c. Ensuring the student is aware of APSI's Refund Policy;

- d. Whether the student is at risk of being reported to the [Department of Home Affairs](#) for non-compliance with their chosen course or Student Visa due to unsatisfactory course progress or attendance as per APSI's Monitoring Course Progress and Monitoring Student Attendance policies in Related Documents;

The Student Services Manager will also contact the student's Agent, if applicable, to inform them of the student's intentions to transfer to another RTO and ascertain the authenticity of their reasons for the transfer.

In addition to these considerations, the Student Services Manager must also be satisfied that granting the release and transfer would fulfil the above circumstances where APSI may grant a request or of factors that would make refusing the release and transfer a detriment to the student. All documentation and communication regarding a request for release and transfer must be recorded in the student's file.

Students and their Agent, if applicable, will be informed in writing of whether their request for release and transfer has been granted or refused within 5 working days of their submission.

3. If the Student Services Manager is satisfied and willing to grant a release and transfer they will issue a Confirmation of Release, in Related Documents, to the student and their Agent, if applicable, within 10 working days. Please note, the student must pay the cancellation fee prior to the release and transfer being processed. Once payment has been received, the Student Services Manager will then report the student's termination of studies and cancel all CoE's whilst ticking the release box through PRISMS. However, if the Student Services Manager is not satisfied and refuses a release and transfer then proceed to Step 4.
4. The Student Services Manager will provide the refusal with reasoning that is in accordance with this policy and Standard 7 of the National Code 2018, in Related Documents, in writing to the student and their Agent, if applicable, within 5 working days.

APSI reserves the right to refuse a request for release and transfer under circumstances which may include but may not be limited to:

- Where a release and transfer would be detrimental to the student;
- Where the student has changed their mind and are wanting a release and transfer on this basis. Please note, students who change their mind are at liberty to transfer to another course offered by APSI;
- Where the student wishes to transfer to a similar course provided by another RTO that has lower fees than APSI;
- Where a release and transfer would jeopardise the student's progression through a course packaged with a University degree;
- Where a release and transfer would cause the student to breach the conditions of their Student Visa as outlined by the [Department of Home Affairs](#);
- Where the student is attempting to avoid being reported to the [Department of Home Affairs](#) for non-compliance with their chosen course or Student Visa due to unsatisfactory course progress or attendance as per APSI's Monitoring Course Progress and Monitoring Student Attendance policies in Related Documents;
- Where the student owes outstanding fees to APSI;
- Where the student has not exhausted all of the support services available to them at APSI;

- Where the student would experience accommodation difficulties such as distance to the provider, transport or their living arrangement being un conducive to studying;
  - Where the student is within the first 6 months of their first course at APSI. APSI acknowledges that it is common for students to experience homesickness during this transition period in a new country and considers a release and transfer is not likely to overcome this. APSI must be satisfied that keeping the student in their current course at APSI is in the best interests of the student as they adjust.
5. If a student is dissatisfied with the outcome they may appeal as per APSI's Student Complaints, Grievances and Appeals Policy in Related Documents.

### **Packaged CoE with University Provider**

For students studying a course at APSI packaged with a University degree, their principal course will be their University degree. Therefore, students who wish to be released and transfer to another RTO must apply directly to the University not APSI until they have completed six months of their University degree.

### **Transfers to or from APSI after Completion of 6 Months of a Principal Course**

Students who have completed 6 months of their principal course, have the right to transfer either to or from APSI without requiring release from their current provider. Students who wish to transfer from APSI to another RTO must complete and submit the APSI Application for Course Cancellation, Deferment or Suspension Form, in Related Documents and available from Student Services, with a copy of a new CoE or Offer Letter from the other RTO to Student Services, which must be all filed in the student's file. Students must pay the cancellation fee and any outstanding fees to APSI prior to the transfer being processed.

### **Application Outcomes**

APSI endeavours to process all applications and notify the student in writing of APSI's decision and reasoning within 5 working days.

If the student's application is not approved they will be informed of their right to appeal as per APSI's Student Complaints, Grievances and Appeals Policy in Related Documents within 10 working days of APSI's decision.

If the student's application is approved they must refer to the refund policy on their Offer Letter. APSI will report the release and cancel all current and future CoEs within 7 working days.