



THE UNIVERSITY  
*of* ADELAIDE  
COLLEGE

# Transferring to another Education Provider Policy and Procedure

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## 1.0 Purpose

The purpose of this policy is to advise University of Adelaide College staff and students of the policy and procedure if a student wishes to withdraw from the College in order to commence study at another education provider.

## 2.0 Scope and Responsibilities

Relevant University of Adelaide College staff are required to ensure that they have followed the procedure outlined in this policy when dealing with a request from a student to transfer to another education provider. This policy is to be made available to students on request and is available from the [College website](#).

This policy aligns with the policy of the University of Adelaide's policy and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 ([National Code 2018](#)).

### College and University of Adelaide Responsibilities

The College is responsible for processing a release request made by a student:

- during their College program
- at the end of their College program if they have not met University of Adelaide entry requirements.

Release from the College is to be approved by the Student Services Manager who may consult with relevant College and University staff in making decisions to release.

The University of Adelaide is responsible for processing a release request made by a student:

- at the end of their College program if they have met University of Adelaide entry requirements
- who will be Under 18 years old on transition to the University. These students can submit their application for release to College Student Services staff who will forward it on to the University Admissions services.

## 3.0 Background

A Release Letter is required if an international student wishes to accept an offer to transfer to an alternative registered education provider within **six months** of commencement of either their **principal program**, or during **any programs prior to the principal program**. The requirement to issue a Release Letter is stipulated under Standard 7 of the National Code. Detailed information regarding Standard 7 can be found [here](#).

## 4.0 Definitions

**Six months** is defined as six calendar months of the principal program of study from the date that the student commences the principal program. A student's **commencement date** is the start date specified on their CoE.

The **principal program** is the highest qualification (normally the final program) covered by the student's visa. The Release Letter requirement applies to all programs of study prior to the student's principal program.

## 5.0 Eligibility

According to the National Code of Practice for Providers of Education and Training to Overseas Students 2018, "generally, overseas students cannot transfer between registered providers prior to completing six calendar months of their **principal** course".

For an overseas student to transfer before completing six months of their principal course, the overseas student must **either** obtain a release 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.

Release may be granted if there is evidence that:

- there are demonstrated compelling and compassionate grounds deemed beyond the student's control, including but not limited to:
  - serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes
  - bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
  - major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies
  - a traumatic experience, which could include involvement in, or witnessing of a serious accident; or witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be supported by police or psychologists' reports)
  - where the registered provider was unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol
  - inability to begin studying on the course commencement date due to delay in receiving a student visa
- the College or University has discontinued the program into which the student was accepted
- the student received misleading information about their program of study from the College or University or one of its representatives

- the student has packaged CoEs and has not met the entry requirements for their principal program.

Release may be refused if:

- tuition fees or other charges are owed to the College
- the request is based on change of mind or personal preference such as wishing to experience living in another city in Australia, wishing to live and/or study with friends enrolled at another registered provider, or wishing to save time or expense by enrolling in a shorter or lower cost course
- the change will jeopardise the student's progression through a package of programs
- the student has not accessed support or academic services offered by the College or University
- there is evidence to suggest the student can be successful in completing their current course of study
- the student wishes to transfer to a similar program or program of the same AQF level offered by the College or the University
- the request is an attempt to avoid being reported to the Department of Home Affairs (HA) due to a failure to achieve satisfactory attendance or satisfactory course progress as per student visa requirements
- the change of provider is deemed as detrimental to the student's personal and/or academic welfare
- the student has not made a genuine attempt to participate in their program by missing classes and/or not meeting assessment requirements of the program.

To make a valid application for a Release Letter international students must provide College Student Services with the following:

- a completed University of Adelaide College "Application for Release" form
- a valid offer of enrolment from the new registered provider
- a written statement outlining the reasons for the release request with reference to the circumstances for granting release outlined in this policy and any supporting documentation
- students Under the age of 18 must also have written permission from their legal guardian or parent to transfer and evidence that the new provider accepts responsibility for the student's accommodation, support and general welfare requirements (CAAW from other provider).

## 6.0 Procedure

The procedure outlined below is at no cost to the student.

1. The student meets with the relevant Student Services staff for counselling.
2. The relevant Student Services staff acknowledges receipt of the request for release in person or in writing and assesses, according to the conditions outlined above, whether the student is eligible for release. Approval for release is provided by the Student Services Manager.
3. If the student is not eligible, the relevant Student Services staff provides written notification to the student within 10 business days outlining the reasons for the decision. A copy of this notification is stored in the student's electronic file.
4. Providing all conditions have been met, a release letter is issued to the student within 10 business days.

5. All relevant forms and a copy of the student's offer from another provider are to be stored in the student's file.

## 7.0 Advice to student

Within 10 business days of submitting their request for a release letter, students must be provided with either:

- a Release Letter, or
- a written explanation for refusal and their appeal rights.

## Visa Information

It is the student's responsibility to ensure they remain compliant with their student visa conditions at all times, including during a change of education provider. Students may be required to apply for a new student visa if their release is granted. This may involve returning to their home country and voluntary visa cancellation especially where they are downgrading to a lower level program. Students should contact the Department of Home Affairs for further information on visa requirements.

## 8.0 Review of Decision

If a student disagrees with a decision made in relation to their eligibility for release then they may appeal the decision. Further information can be found in the ['Non-Academic Grievance Policy'](#).

Appeals should include:

- evidence showing how the decision did not comply with the College's 'Transferring to Another Education Provider Policy and Procedure'
- additional or new evidence to support the appeal for release request.



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