



## TRANSFER OF PROVIDER POLICY

**VERSION NUMBER:** VERSION3.008MAR2019JRAYNESSCHUMACHER

**AUTHORIZED BY:** James Rayne, Principal Executive Officer.

**MODERATED BY:** James Rayne, Principal Executive Officer.

**VALIDATED BY:** Sam Schumacher, Compliance Manager.

**SCOPE:** Global College Australasia (GCA here-in).

**AIM:** The aim of this policy is to ensure that overseas students wishing to transfer between registered training providers are provided with adequate information.

**PURPOSE:** The purpose of this policy is to ensure that overseas students wishing to transfer between registered training providers do so in accordance with The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, known as 'the National Code 2018' Standard 7.

**EFFECTIVE DATE:** 9<sup>th</sup> March 2019

### AUDIENCE:

- A. All GCA active students
- B. All GCA potential students
- C. All GCA inactive students
- D. Where applicable, agents acting on behalf of a student.

### POLICY STATEMENT

- 1.1 If the student has completed more than six months of their principal course of study, the application process proceeds as for all overseas students.
- 1.2 Where a student has NOT completed six months of their principal course of study, they are informed that they need to provide a letter of release to support of their application.
- 1.3 To support the application, they can be provided with a Conditional Letter of Offer which clearly states that an offer of a place is subject to the condition that they acquire a letter of release.
- 1.4 If no satisfactory letter of release is obtained from, the application process is discontinued and the student informed that they are unable to transfer at this time. The student is to be informed that they may reactivate their application when the 6 months period has passed.
- 1.5 In event that the student cannot continue with their course of study due to the original course or institution ceasing to be registered, or because of sanctions placed on the original institution by the regulators, no letter of release is required. Evidence of this occurrence would need to be placed in the student file.



**1.6** Global College Australasia, as the receiving registered provider must not knowingly enrol any 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 releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS,
- B. the original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered,
- C. the original registered provider has provided a written letter of release,
- D. the original registered provider has had a sanction imposed on its registration by the ASQA as the ESOS Agent, that prevents the student from continuing studies, or
- E. 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.

**1.7 Circumstances in which a Transfer of Provider Request will be granted:**

Global College Australasia will consider a Transfer of Provider Request and grant a Letter of Release under the following circumstances:

- A. Compassionate or compelling circumstances *and/or*
- B. The provider and the course better meet the student's academic capabilities and requirements *and/or*
- C. Global College Australasia has ceased to be registered or the course in which the student is enrolled has been cancelled or ceased to be registered, or the course is not delivered as outlined in the written agreement by fault of Global College Australasia as the provider *and/or*
- D. there is evidence that the overseas student's reasonable expectations about their current course are not being met *and/or*
- E. there is evidence that the overseas student was misled by the registered provider or an education or migration agent regarding the registered provider or its course and the course is therefore unsuitable to their needs *and/or* study objectives *and/or*
- F. an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student *and/or*
- G. Global College Australasia 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 *and/or*
- H. 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 *and/or*
- I. Exceptional circumstances (documentation required to support circumstances and a letter of offer from another provider is required.) *and/or*
- J. Special circumstances in which the Global College Australasia may consent to the transfer request because transfer is in a student's best interests, including but not limited to our having assessed that:
  - 1. even after engaging with our intervention strategy to assist the overseas student in accordance with Standard 8 (refer to Overseas Student Intervention Strategy Policy) the student will be reported because they are not able to achieve satisfactory course progress at the level they are studying



2. a reasonable timeframe for assessing and replying to the overseas student's transfer request having regard to the restriction period.

**1.8** In addition to the above, the National Code states, that Global College Australasia must grant a Letter of Release only where the student has:

- A. provided a letter from another registered provider confirming that a valid enrolment offer has been made, *and*
- B. where the student is under 18;
  1. The registered provider has written confirmation that the student's parent or legal guardian supports the transfer, *and*
  2. Where the student is not being cared for in Australia by a parent or suitable nominated relative, the valid enrolment offer also confirms that the registered provider will accept that responsibility for approving the student's accommodation, support and general welfare arrangements as per Standard 5 (Younger students).

**1.9** If a Letter of Release is granted, then this will be issued at NO cost to the student. Students are also advised that it is their duty of care to contact the Australian Department of Home Affairs to seek advice on whether a new Student VISA is required.

**2.0 Circumstances in which a Transfer of Provider Request will NOT be granted:**

Global College Australasia will not grant a Letter of Release under the following circumstances:

- A. The request is within six months of commencement of the principal program with Global College Australasia *and/or*
- B. The student does not have a valid Letter of Offer from the receiving provider *and/or*
- C. The student has Financial difficulties or Outstanding Payments for Global College Australasia services *and/or*
- D. Where Global College Australasia does not agree that the transfer is in the student's best interest or academic capabilities *and/or*
- E. The new course provider is not a CRICOS provider.