



TRANSFER AND RELEASE POLICY

Policy

This policy and related procedure relate to students wishing to transfer to and from American College.

Under the revised National Code of Practice for Registration Authorities and Providers for Education and Training to Overseas (the National Code), registered providers are only able to enrol transferring students in the first six months from the commencement of the student's principal course of study in limited circumstances.

Standard 7

This standard restricts providers from enrolling transferring students prior to the student completing six months of his or her principal course of study, except for the circumstances outlined in the standard. 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.

A provider's policy on transfer between providers should support the intent of Standard 7 which recognises overseas students as consumers and supports them to exercise choice, while acknowledging that they may also be a group that requires support to transition to study in Australia. As such, the impact on a student of refusing a request should be one factor taken into consideration. For example if the semester begins in February and ends in June, a student who cannot transfer until the end of July may miss enrolment cut offs for other institutions. An institution may adopt a policy that allows all transfers after the end of a semester.

{ **Source:** <https://internationaleducation.gov.au/regulatory-information/education-services-for-overseas-students-esos-legislative-framework/national-code/nationalcodepartd/Pages/ExplanatoryguideD7.aspx> }

A: Transfer Request and Release Policy

All applications for Release must be made on the Withdrawal and Refund Form and submitted to the Administration Officer.

The submission of this Withdrawal and Refund Form must also include an accompanying Offer Letter from another Provider.

The submission of the Release Letter request will be acknowledged with a written receipt by American College.

The consideration and approval, or non-approval, of a Letter of Release will be done at no cost to the student.

Students who have not completed 6 months of their principal course

Students who have not completed 6 months of their principal course are able to apply for a release letter and this may be granted, based on factors related to

- i. the ability of the Principal Provider to deliver a course
- ii. the altered academic, social, residential, cultural or other personal circumstances as described by the student, that impact on his/her ability to sustain attendance and academic performance, and which would be more readily delivered at an alternative Provider.
- iii. Any government sponsor of the student considers that the change maybe in the best interest of the student and provided with written support for the change.

Issuing release letters to students under 18 years of age*

If the student is under 18 years of age and not living with his/her parent or nominated relative,

- i. The offer letter must indicate that the new provider has accepted responsibility for the student's accommodation and general welfare. The new provider will need to consult with American College about the exact date on which the new provider will take over responsibility for the care of the student. This date must be indicated clearly on the offer letter. If no date is indicated, American College will not issue a release letter.
- ii. American College must have written confirmation that the student's parents/guardians support the transfer.

* Note: American College does not accept enrolments by students under 18 years of age.

General Policy Statement

American College (thereafter known as AC) will consider all requests with due reference to the well-being of the student and the best educational opportunities and outcomes, as the student's situation may indicate. Notably though, AC will not be involved in short term measures associated with non-compliant responses to attendance or academic short-comings by the student.

Student Support Officers will make a diligent effort to ensure the best outcome for the student requesting a transfer or release letter, and finalise the outcome as quickly as possible.

American College will consider the Request for Release application and reply to the student in writing giving all details of the AC's deliberations and factors taken into consideration, within 10 working days of the receipt of the application.

If the request is refused, the student will be provided with a detailed, written response as to the factors considered and the assessments made of each of these factors. The report will be clear and detailed so as fully inform the student and assist in the decision to proceed to an appeal via the ACs process. The student has 14 working days from the Release Request notification to notify AC of the intention to appeal the decision.

If a student transfers into another provider, any refunds of course fees paid to AC will be in accordance with the AC's Refund Policy.

Release Letter

The Release Letter will include information on the need to contact DIBP to see whether a new visa is required.

Filing Release Letter Applications

A student's request for a release letter and associated documentation including Offer Letter, and the AC's response, will be kept in the student's file. The originals will be kept on file at the College and copies provided to student.

B: Enrolling Transferring Students

General Policy Statement

American College will not enrol any international student already studying in Australia, who has not yet completed at least 6 months with their original provider's principal course or does not have a written Release Letter except where:

- i. The original registered provider has ceased to be registered or the course in which the student has enrolled has ceased to be registered
- ii. 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
- iii. Any government sponsor of the student considers the change to be in the student's best interest and has provided written support for the change.

Enrollment procedure

A student seeking to transfer to American College from another Provider is required to complete an Application for Enrolment and Acceptance form.

After assessment of the Application, if appropriate, an Offer Letter will be provided to the student.

The student will then, with the provision of a Release Letter from the Principal Provider, complete the Formal Acceptance and Agreement document.

The student will then be issued with a Confirmation of Enrolment (CoE) for American College.

Document Management

A copy of Release Letter provided by the student's initial Provider must be kept in the student's file along with other enrolment documents, Agreements and Confirmation of Offer Letters

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