Introduction


Australian education providers are restricted from enrolling transferring students prior to the student completing six calendar months of their principal course of study. The principal course is defined as the final course of the student’s studies. If a student is in Australia to study one single course then this is the principal course. If a student is in Australia to study in more than one course, then the final course of the package is the principal course.

The HIC Student Transfer Policy and Procedure is divided into two sections. Section A addresses students wanting to transfer from another Australian education provider to Hays International College, and Section B deals with students wanting to transfer to another Australian education provider.

Section A

This section of the policy is to ensure that HIC does not knowingly enrol any transferring international student prior to completing six months of his/her principal course, unless that student has a valid letter of release agreeing to such a transfer; and that the procedures of this document are implemented.

Hays International College Pty Ltd is willing to accept an application from students wanting to transfer to another Australian education provider after six months of study in their principal course. The student applies as normal and no letters of release need to be sighted or produced.
HIC is committed to the welfare of its students and to ensure that appropriate support is available to all students and to ease the transition into life and study in Australia. Where students encounter hindrances or difficulties in achieving their learning goals HIC aims to provide the support the students require to overcome any problems they are experiencing.

A1. Procedure for students applying to Hays International College Pty Ltd who are currently studying on-shore with another Australian education provider

i. Any requests that are received in relation to a student wanting to transfer education providers shall be the responsibility of the HIC Director of Studies.
ii. The Director of Studies will assess the applications to transfer education providers and conclude an outcome based on the following procedure.
iii. The applicant must provide a copy of their current Confirmation of Enrolment (CoE) to Hays International College Pty Ltd (HIC).
iv. HIC Student Administration will ascertain if the applicant’s length of studies completed in their current principle course of study is greater than six months.
v. HIC will request a copy of the applicant’s visa to confirm what the principal course is, and when the applicant arrived in Australia.
vi. If the applicant has completed more than six months of their principle course of study, the application process proceeds as for all off-shore applicants.

vii. Where an applicant has not completed six months of their principle course of study, the application process includes assessing the application. Note: If the applicant is in receipt of a government scholarship, they should provide written support from this government agreeing to the change which will stand in lieu of any letter of release.
viii. To support the application, the applicant can be provided with a ‘conditional’ Letter of Offer (Appendix A) from the HIC Director of Studies which clearly states that an offer of a place is contingent on their obtaining a letter of release.
ix. If the letter of release is received and the applicant 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.
x. The letter of release is placed in the student file. A copy is held in the Letter of Release file in administration.
xii. If no satisfactory letter of 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 six month period has passed.

xii. Note that 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. Evidence of this occurrence would need to be place in the student file.
Section B

This section of the policy is relevant to students wanting to transfer to another Australian education provider prior to completing six months of their principal course of study.

Hays International College Pty Ltd encourages all students to read the policy carefully if considering making an application to Transfer to another Australian educational provider. If a student does want to apply prior to completing the first six months of the principal course then they are required to apply in writing to the Director of Studies and Education on the **Student Letter of Release Application**: see Appendix B.

Applying for a release letter (student transfer)

Release letters are provided at no cost to the student. HIC is entitled to determine the circumstances in which it will provide or refuse to provide a Release Letter. Where a student requests a transfer within the period of six months of commencement of their principal course, HIC will assess the request for transfer against this policy.

Students are asked to co-operate with the HIC Staff and attend any interviews or other appointments scheduled for them including in respect of support services provided by HIC.

B. Procedure for changing providers within the first six months

A student wanting to Transfer is to make a signed and dated written request, using the **Student Letter of Release Application** that is available from the HIC Director of Studies and from HIC Student Administration and from the HIC website, to the HIC Director of Studies to transfer to another Australian education provider, explaining why he/she wants to transfer.

i. The HIC Director of Studies arranges an interview with the student to discuss the Transfer request and to ensure the student is fully aware of all issues relating to Transfer between providers. In particular, the student is advised of the need to contact the Department of Immigration and Citizenship (DIAC) for advice on the transfer’s impact on visa arrangements.

ii. The HIC Director of Studies will also interview the student to determine:
   a. The circumstances surrounding the release
   b. How the student may benefit from a transfer to another education provider
   c. Whether the transfer would be detrimental for the student or his or her future studies; and to
   d. Consider the options available to the student to achieve his or her learning goals, including any support services offered by HIC to assist students to adjust to study and life in Australia; and
   e. Where it is in the student's interests, refer the student to appropriate support services for:
      - Academic skill support
Additional English support
Additional tutoring & study group support
Increased monitoring
A mentor program
Referral to personal counselling
Discussing the suitability of the course
Consideration of reduction in course load
Implementation of an intervention strategy for the student in compliance with HIC’s documented Intervention Strategy Policies and Procedures

iii. If the student has not already completed the application, the student is given the Student Letter of Release Application.

iv. The student must complete the Student Letter of Release Application, sign and date it. The student will be requested by HIC Director of Studies to:
   a. Provide a valid Enrolment Offer from another Australian education provider authenticating the proposed transfer. i.e. A copy of the offer letter from the other Institution confirming that a valid enrolment offer has been made at that Institution;
   b. Show that the transfer is in his/her best interest, which can include academic or personal grounds.
   c. Demonstrate exceptional circumstances and supplies evidence supporting the exceptional circumstances. Exceptional circumstances are circumstance beyond the control of the student.
   d. Provide documents if he/she is unable to meet course requirements and have made a concerted effort at attempting and completing all assignments, presentations, tests and exams.

v. On receipt of the Student Letter of Release Application, the HIC Director of Studies will review the letter and the supporting evidence.

vi. The HIC Director of Studies will check the student records to ensure the student is not trying to avoid being reported to DIAC due to lack of course progress or poor attendance records.

vii. HIC Student Administration will ensure any outstanding fees are paid

viii. The HIC Director of Studies approves / refuses the Application for Release

ix. Within five working days of providing all the necessary documentation the student is notified of the decision and a letter of release is granted at no charge to the student.

x. All requests, considerations, decisions and copies of letters of release are placed in the student file.

xi. Student administration must report the student’s termination of studies via PRISMS.

xii. The approval of transfer of a student to another institution does not indicate the agreement to provide any refund. Refunds are governed by HIC’s refund policy independent of this policy.

A release letter will be issued in circumstances where HIC has cancelled/ ceased to offer a particular program.
Non acceptance of release

Where a student has not satisfied the requirements above or has already cancelled their enrolment, HIC will not issue a letter of release.

Circumstances justifying a transfer do not exist where:
1. The student has not completed the first four weeks of the course in which he/she is enrolled; or
2. HIC forms the view that the student is trying to avoid being reported to DIAC for failure to meet HIC’s academic progress requirements; or
3. The transfer may jeopardise the student's progression through a package of courses; or
4. The transfer would be detrimental to the student's future study, welfare, and/or career objectives; or
5. The student applies for a release from a course provided by HIC in order to transfer to a course provided by another Registered Provider and HIC considers the other course to be the same, similar or equivalent; or
6. The student has not accessed HIC’s student support services after having been requested to do so; or
7. The documents provided by the student do not, in HIC’s view, adequately support grounds upon which the transfer is requested; or
8. The student has outstanding debts to HIC.

Acceptance of release

Circumstances justifying a transfer exist where the HIC Director of Studies considers that the transfer would not be detrimental to the student or his or her future studies and has approved that the student’s request for a transfer be granted on the basis of:
1. Compassionate grounds; or
2. The principal course (or a prerequisite or enabling course that forms part of a package with the principal course) is inappropriate for, and does not adequately meet the student’s needs; or
3. Academic grounds; or
4. Written confirmation that the student’s parent or legal guardian supports the transfer; or
5. Being in the best interests of the student; and
6. The student has provided a letter from another registered provider confirming that a valid enrolment offer has been made; and
The student has provided:
7. A signed and dated Student Letter of Release Application and
8. None of the ‘circumstances justifying a transfer do not exist’ apply.
Decisions

Students will be advised in writing of the outcome of the application within five working days of the lodgement of a complete Release Application.

If the HIC Director of Studies decides to grant a Release Letter, administration staff will write to, or verbally inform, the student enclosing:

- The Release Letter (Appendix C)
- A withdrawal form
- Advice that the student’s Electronic Confirmation of Enrolment will be cancelled and he or she must contact DIAC to seek advice on whether a new student visa is required;
- Advice that HIC will cancel the student's Confirmation of Enrolment on PRISMS; and
- Advice that the student may apply for a refund in accordance with HIC’s Refund Policy

If the HIC Director of Studies decides not to grant a Release Letter, office staff will write to the student enclosing:

- The reasons for the decision not to grant a Release Letter (Appendix D)
- Advice that he or she may freely transfer after completion of six months of his or her principal course; and
- Information on the student’s right to appeal the decision in accordance with HIC’s appeals processes.

Appeals

If the student is not satisfied with the decision as to whether or not to grant a Release Letter, the student has the right to appeal the decision in accordance with HIC’s Student Complaints & Appeals Process. In this event HIC will maintain the student's enrolment in the course or courses in which he or she is enrolled to study until the appeals process is completed. Objection must be sent in writing within 20 working days from receipt of refusal letter.

Record Keeping

A log of all letters of release will be kept in Student Administration. Copies of the letters of release issued to students will be kept in the Students file.
## RELATED DOCUMENTS

<table>
<thead>
<tr>
<th>ESOS</th>
<th>Standard 6</th>
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<tbody>
<tr>
<td>SNR</td>
<td>16.3</td>
</tr>
<tr>
<td>POLICIES</td>
<td>Orientation</td>
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<tr>
<td>Code of conduct</td>
<td>DEEWR Notification</td>
</tr>
<tr>
<td>Last Updated</td>
<td>July 2011</td>
</tr>
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APPENDIX A - ‘Conditional’ Letter of Offer to Transfer

Director of Studies
Hays International College Pty Ltd
15 Hay Street
Box Hill South 3128

Date:  

To:  

I am writing to acknowledge your application to enrol in course  

As you have not completed the first six months of your principle course of study at your current education provider in your principle course of study, we are only able to offer you a ‘conditional’ offer of enrolment at this stage.

This condition of enrolment is based on you attaining a ‘Letter of Release’ from your current education provider in your principle course of study. This ‘Letter of Release’ must be presented before any further action will be taken in respect to this application.

Please do not hesitate to contact me if you have any questions.

Regards,

Director of Studies
### Appendix B: Letter of Release Application

<table>
<thead>
<tr>
<th>STUDENT ID NUMBER</th>
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<tbody>
<tr>
<td>YOUR NAME &amp; COURSE DETAILS</td>
</tr>
<tr>
<td>FAMILY NAME (Block letters)</td>
</tr>
<tr>
<td>FIRST NAME (Block letters)</td>
</tr>
<tr>
<td>Other Names (Block letters)</td>
</tr>
<tr>
<td>ADDRESS</td>
</tr>
<tr>
<td>CONTACT PHONE NO.</td>
</tr>
<tr>
<td>EMAIL ADDRESS</td>
</tr>
<tr>
<td>COURSE CODE</td>
</tr>
<tr>
<td>COURSE COMMENCEMENT DATE</td>
</tr>
<tr>
<td>Course NAME</td>
</tr>
<tr>
<td>REASON FOR TRANSFER</td>
</tr>
<tr>
<td>AGENT’S NAME (Block letters)</td>
</tr>
<tr>
<td>AGENT’S COMPANY NAME (Block letters)</td>
</tr>
<tr>
<td>Student's signature: ______________________________ Date: __________</td>
</tr>
<tr>
<td>Signature of ______________________________ ____________________ Date: __________</td>
</tr>
<tr>
<td>Parent/Guardian: ______________________________ Date: __________</td>
</tr>
</tbody>
</table>

(for students under the age of 18 years)

For Office use only:

Form received by (initials) __________ Date __________ Course Coordinator (initials) __________ Date __________ Director of Studies (initials) __________ Date __________ Conversation with student? YES / NO Date __________

Comments from conversation:

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

Letter of Release issued (initials) __________ Date __________

COE cancelled (initials) __________ Date __________

Database updated by (initials) __________ Date __________
APPENDIX C - Letter of Release of Student within first six months of study

Director of Studies
Hays International College Pty Ltd
15 Hay Street
Box Hill South 3128

Date: (insert date)

To whom it may concern:

This letter is to confirm that Hays International College is releasing the following student although they have not completed the first six (6) months of study in their principle course of study:

Student’s name: (Insert Details)
Student’s date of birth: (Insert Details)

The above mentioned student has been enrolled in the qualification (insert qualification title and code) and is to be transferred to another education provider. A letter of offer has been provided by the following provider:

Provider name: (Insert Details)
Provider CRICOS number: (Insert Details)
Qualification code: (Insert Details)

HIC acknowledges that it has informed the student that from the date of this ‘Release Letter’ it no longer is the provider of the principle course of study for the student as identified within the Student Visa.

HIC will be notifying the Department of Education, Employment and Workplace Relations (DEEWR) and the Department of Immigration and Citizenship (DIAC) of this change by termination the student’s CoE via PRISMS. The student has been advised to contact DIAC for information on possible changes to visa arrangements which may result from this transfer.

Regards,

Director of Studies
APPENDIX D - Letter confirming refusal of transfer request

Director of Studies  
Hays International College Pty Ltd  
15 Hay Street  
Box Hill South 3128

Date: [insert date]

To Whom It May Concern,

This letter is to confirm that Hays International College will not release the following student, who has not completed the first six (6) months of study in their principle course of study:

Student’s name (Block letters): [Insert Details]
Student’s date of birth: [Insert Details]
Current course title and code: [Insert Details]

The above named student submitted a transfer request on the grounds of [Insert Details]...

However, the request has been refused because HIC considers that [Insert reasons for refusal]...

The above named student has the right to appeal this decision if they choose, within 20 working days from the date of this letter. A copy of our Complaints and Appeals Policy is attached, together with a Student Appeal Form.

Regards,

Director of Studies