



## **Transfer between Registered Providers**

### **Policy**

This policy applies only to international students enrolled at VACTS according to the provisions of a student visa.

Standard 7 of the National Code restricts the movement of students to an alternative provider during the first six months of the student's principal course. Students must, except under exceptional circumstances, complete six months of their principal program of study before changing providers. If a request for a release letter is refused, the student will be advised of the reasons for the refusal and informed of his or her right of appeal in writing.

### **Procedures**

#### **Application for a release letter**

A student who wishes to request a transfer to another provider should first make an appointment to discuss the matter with the CEO. Students can make appointments with the CEO by enquiring at the reception desk.

Students who have completed fewer than six months of their principal course with VACTS may transfer to another provider only if they are provided with a release letter by VACTS. If the principal course is not with VACTS, the student must obtain a release letter from the provider of the principal course.

A student may request a release letter from VACTS by completing an application for a letter of release (available from the reception desk) and submitting it to the Student Services Manager. The application for a release letter must be accompanied by a valid enrolment offer letter from another registered provider.

To obtain a release letter from a provider other than VACTS, the student should contact the other provider. VACTS Learner Services staff is available to assist students with this.

#### **Outcome of application for a release letter**

The outcome of the application for a release letter will be available to the student within ten working days.

#### **Filing applications for release letters**

Applications for release letters are placed in the file of students who apply, along with offers of enrolment for the student from other providers.

#### **Register of requests for a release letter**

For each application for a release letter, an entry is placed in the register of requests for a release letter.



## **Provision of release letters**

A release letter to allow a transfer to another provider will be provided during the first six months of a student's principle course at VACTS only under exceptional circumstances, where it is considered in the best interest of the student, academically and/or personally.

### **1. Release based on exceptional circumstances**

Exceptional circumstances in this context are defined as circumstances in which the student can provide evidence that:

- ) continuation of enrolment at VACTS would be to the detriment of the student's emotional or physical well-being
- ) it is in the best interest academically of the student to transfer to another provider
- ) the course the student wishes to transfer to better meets the study capabilities of the student
- ) the course the student wishes to transfer to better meets the long-term goals of the student, relating to future work, education, or personal aspirations
- ) the student will be provided with access to greater support
- ) the student's expectations about the current course are not being met
- ) the student was misled by VACTS or an education or migration agent regarding VACTS or the course in which the student is enrolled, which constitutes a breach of the ESOS Act
- ) compassionate or compelling circumstances
- ) VACTS is unable to deliver the course as set out in the student agreement
- ) An appeal (internal or external) on another matter results in a decision or recommendation to release the student.

### **2. Release based on academic best interests**

In the case where a student applies for a release letter on the basis that it is in the best interest academically of the student to transfer to another provider, the student must provide evidence to demonstrate this. VACTS would consider a letter from a recognised careers counsellor in support of the student's claim as valid evidence. Should the student require assistance in gaining access to a recognised career counsellor, VACTS will refer the student appropriately. Referral to a careers counsellor is at no cost to the student. VACTS will inform the student of any financial interest in the service to which the student is referred.

### **3. Release based on continuation of enrolment at VACTS would be to the detriment of the student's emotional or physical well-being**

VACTS would consider a valid medical certificate from a recognised specialist medical practitioner stating that it would be detrimental to the student's emotional or physical well-being to remain enrolled at VACTS as valid evidence of the claim.



## **Letter of Offer from alternative provider to be provided**

A letter of offer from another provider must be provided in support of an application for a letter of release.

## **Provision of release letter at no cost to the student**

If a release letter is provided, it will be at no cost to the student.

## **“Assessment of application for letter of release” form**

VACTS will provide the student with a completed copy of the “assessment of application for letter of release” form, which contains details of the assessment of the application and details of the outcome of the application. This will be provided to the student within 10 working days of the receipt of an application for a release letter.

## **Filing documents**

A copy of the release letter and a copy of the “assessment of application for letter of release” will be filed in the student’s file. The Student Services Manager is responsible for ensuring that the documents are filed correctly and in a timely fashion.

## **Register of provision of release letters**

If a release letter is provided, the Student Services Manager is responsible for ensuring that an entry is made in the register of provision of release letters.

## **Advising the student of the need to contact Department of Home Affairs for visa advice**

If a release letter is provided in order for a student to change provider, the student will be advised of the need to contact Department of Home Affairs to seek advice on whether a new student visa is required.

## **Rejection of application for release letter**

A request for a release letter to allow a student to transfer to another provider may be refused for the following reasons:

- ) exceptional circumstances relating to the welfare of the student have not been demonstrated
- ) the proposed transfer may jeopardise the student’s progression through a packaged set of courses
- ) The proposed transfer may be considered detrimental to the student’s welfare or personal safety
- ) the student has not utilised the support services available from VACTS
- ) the student is attempting to avoid being reported to Department of Home Affairs for failing to meet the attendance or academic progress requirements of VACTS
- ) the student is attempting to avoid being reported to Department of Home Affairs for a breach of visa conditions



- ) the student owes course fees to VACTS
- ) the student has provided as a reason for the request for the request for transfer matters related to permanent residency

### **Letter of rejection of application for a release letter**

If a student's application for a release letter is refused, the student will be sent a letter of rejection of application for a release letter and a copy of the completed "assessment of application for letter of release" form, which contains details of the assessment of the application and details of the outcome of the application. The letter of rejection and the completed assessment of application for letter of release provide detailed explanations for the refusal of VACTS to provide a release letter. The letter will be sent within 10 working days of the application for release.

### **Documents to be filed in the case of rejection of an application for a release letter**

A copy of the letter of rejection of request for a release letter and the completed copy of the "assessment of application for letter of release" form will be placed in the student's file.

### **Register of rejection of applications for release letters**

An entry will be placed in the register of rejections of applications for release letters.

### **Appealing the decision to deny an application for a release letter**

A student who is denied an application for a release letter has 20 working days to appeal (from a date specified in the letter which provides sufficient time to allow 20 working days after the letter has been delivered) using the VACTS complaints and appeals procedure.

### **Recording on PRISMS**

VACTS will not finalise the refusal status in PRISMS until the appeal finds in favour of VACTS, or the student has chosen not to access the complaints and appeals process within the 20 working days period, or the student withdraws from the process.

### **Students seeking to transfer from another provider within the first six months of their program**

Students seeking to transfer from another provider within the first six months of their program are able to do so only in the following special circumstances:

- ) The registered provider has ceased to be registered or the course in which the student has enrolled has ceased to be registered.
- ) The original registered provider has provided a written letter of release, agreeing to such a transfer



- ) 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 CEO course, or
- ) 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.

Students of another provider seeking to transfer to VACTS will be required to provide evidence of one or more of the above circumstances with their application to be enrolled at VACTS.