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www.vibecollege.edu.au

Overseas Student Transfer Between Registered Provider Requests Policy and Procedure

VIBE
COLLEGE

BRISBANE

Level 2, 30 Herschel Street

Brisbane, QLD 4000 Australia

+61 7 3088 6644

info@vibecollege.edu.au

Version Control

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Nov 2015	V1.0	Reviewed and implemented	Administrative Officer
July 2016	V2.0	Updated policy and procedures in line with CRICOS	Administrative Officer
May 2017	V2.1	Updates to address and contact details	Administrative Officer
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V I B E
C O L L E G E

1. Scope

The purpose of this Policy and Procedure is to outline the circumstances in which Vibe College will allow both the enrolment of transferring students and the release of students from the College to another provider. The restriction applies to any prerequisite courses in a package of courses as well as the first six months of the principal course.

2. Policy

This policy is created pursuant to the ESOS Act 2000 and Standard 7 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

3. Requests for Overseas Students to Transfer from Vibe College to Another Provider

3.1 Approval to Release Student and Issue a Release Letter

A letter of release, if granted, must be issued at no cost to the student and must advise the student of the need to contact the Department of Home Affairs (DHA) to seek advice on whether a new student visa is required.

Circumstances where Vibe College will issue a release letter to an overseas student requesting a transfer to another provider, prior to the student completing six months of their principle course, include (but may not be limited to):

- The overseas student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with Vibe College's intervention strategy to assist the overseas student to meet their progress obligations, or
- There is evidence of compassionate or compelling circumstances together with supporting evidence which Vibe College has considered, and believes, that it would be in the best interest of the student to transfer to another provider; or
- Vibe College has failed to deliver the course as outlined in the student's written agreement; or
- There is evidence that the overseas student's reasonable expectations about their current course are not being met; or
- There is evidence that the overseas student was misled by Vibe College or one of its education agents, regarding its course offering and the course is therefore not suitable to the needs of the student and/or their study objectives; or
- An appeal (internal or external) on another matter has resulted in a decision or recommendation to release the overseas student; or
- The transfer is considered beneficial to the student's academic progression, including circumstances such as:
 - the transfer allows the student to complete a higher-level tertiary qualification
 - the student is transferring to a qualification not offered at Vibe College, due to the inability to cope academically and upon being able to clearly demonstrate or prove that they made a genuine attempt at their studies
 - Vibe College is no longer able to provide the program or support in which the student is due to commence or has enrolled.

3.2 Refusal to Issue a Release Letter

Whilst each individual application for a letter of release will be given due consideration in relation to the specific reasons/circumstances offered by an overseas student, circumstances where Vibe College will not approve the release of an overseas student or issue a release letter include:

- The student has changed their mind about the course, including students enrolled in package courses.

- It is considered that granting the release would be detrimental to the student. Factors which may be considered to the detriment of a student may include:
 - the transfer may jeopardise the student's progression through a package of courses; or
 - the transfer would be detrimental to the Student's future study and/or career objectives;
 - the student is transferring to a lower level qualification or different subject not offered at the College, for reasons other than academic ability; or
 - the student has not started studying, or has not accessed the College's student support or welfare services after having been requested to do so, or if the student has recently started studying the course and the full range of support services are yet to be provided or offered to the student; or
 - When the student has been previously warned for unsatisfactory progress or attendance; and in the view of Vibe College, the student is trying to avoid being reported for failure to meet attendance or course progress requirements;
 - When the student is experiencing timetable schedule conflict with personal, work or other non-study commitments; or
 - When the student wants to or has moved to a different location (unless there are compassionate or compelling reasons); or
 - When the student has unpaid course fees for his or her current study period. The current study period is the study period in which the student applies for a letter of release; or
 - When the student wants to transfer to a provider offering lower fees; or
 - There is no written confirmation from another registered provider that a valid enrolment offer has been made.

Where Vibe College does not grant a letter of release, the student must be provided with written reasons for refusing the request noting the decision, the reasons for the decision and the factors taken into consideration, reflecting the student's individual circumstances. Decision will be conveyed to the student within 20 working days. The student must also be informed of his or her right to appeal the decision within 20 working days in accordance with Vibe College's Complaints and Appeals Policy and Procedure.

Vibe College will maintain records of all requests from students for a letter of release, including evidence of the assessment and decision regarding the request, on the student's file for two years from the date that the student completes their enrolment with Vibe College, or from the date on which any internal or external appeals process is finalised.

Vibe College will not finalise the student's refusal status in PRISMS until the appeal finds in favour of Vibe College decision, or the student has chosen not to access the complaints and appeals processes within the 20-working day period, or the student withdraws from the process. The student must continue to attend scheduled classes until an outcome of the cancellation of course and Release Letter request has been made.

4. Students Transferring from Another Provider and Seeking to Enroll with Vibe College

Vibe College will not knowingly enrol an overseas student wishing to transfer from another registered provider without the releasing registered provider agreeing to the overseas student's release and providing a letter of release, except in the following circumstances where no release letter is required to accept an enrolling overseas student.

4.1 No Release Letter Required

- The Student has completed at least six months' study in his or her Principal Course (last course in his or her CoE package); or
- The releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in prisms; or
- The Student is government sponsored and that government sponsor provides written support for the change as it considers the change to be in the Student's best interests; or
- The original registered provider has ceased to be registered or the course in which the Student is enrolled has ceased to be registered; or
- 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

5. Appeals

If Vibe College's decision is to refuse the release of the student or does not respond during the timeframe set out in this policy, the student may appeal through the College's Complaints and Appeal process and complete the Complaints and Appeals Form. This Policy and Form is available on Vibe College's website: www.vibecollege.edu.au.

6. Refunds

If a student's transfer to another CRICOS registered provider is approved, the student will be subject to the normal conditions of Vibe College's Refund Policy. This Policy is available in the Student Handbook and on Vibe College's website: www.vibecollege.edu.au.

7. Procedure

At each stage of the Transfer between Registered Providers process, the following procedures should be adopted. All requests for transfer to another provider must be submitted in writing on the Enrolment Variation Form

7.1. Transfer Out

Overseas students requesting to transfer from Vibe College to another CRICOS registered provider must provide:

- Completed and approved Enrolment Variation Form
- Unconditional offer letter from the CRICOS registered provider confirming a valid offer of enrolment has been made.
- All requests for release will be assessed by Head of International Student Recruitment and Admissions
- After the assessment has been completed, a decision and recommendation on whether to release will be provided to Head of International Student Recruitment and Admissions, who will then respond in writing to the applicant within 20 working days. The response to the student must clearly detail the decision and outline the reasons for this decision, as made by Vibe College (this applies to both the approval and denial of release).
- If the request for transfer is denied, the student must also be advised of their right to appeal the decision in accordance with Vibe College's Complaints and Appeals Policy.
- An electronic copy of the application, supporting documentation and response are to be kept on the students file on RTOManager.

7.2. Overseas Student Request to Enrol with Vibe College from Another Provider

Overseas students requesting to enrol with Vibe College from another CRICOS registered provider, must provide a letter of release which details the agreement of that provider to release the student from their enrolment (except under the circumstances outlined in 4.1 of this policy).

Once Vibe College receives the release letter, the student will undergo the College enrolment process.