

Transfer Between Providers Policy and Procedure

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

Vibe College's Transfer between Providers Policy can be located on our website. Please read the policy prior to considering a request to transfer.

This Policy outlines 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. This Policy has been created in line with the ESOS Act 2000 and Standard 7 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

Note: (Providers must not actively recruit a student before the student has completed six months of his or her principal course (refer to Standard 1.3). These restrictions also apply to any courses undertaken before the principal course. A student must remain with his or her provider for all of his or her courses before the principal course unless Standard 7.1 applies

Definitions

Compassionate or compelling reasons: compassionate and compelling circumstances may include (but are not limited to):

- serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes
- bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
- major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies; or
- a traumatic experience, which could include involvement in, or witnessing of a serious accident; or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be supported by police or psychologists' reports)
- inability to commence course due to non-issue of visa (this applies to only to offshore students)
- where the College was unable to offer a pre-requisite unit

Please Note: circumstances which generally fall outside of compassionate/compelling grounds include:

- Travel & employment opportunities/PR opportunities
- Family or customary obligations such as weddings
- Relationship problems/ Financial difficulties/Cheaper courses

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 principal 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:
 - a. the transfer allows the student to complete a higher-level tertiary qualification
 - Vibe College may ask the student to provide additional documentation in support of their application in order to assess the genuinity of the student's application. Documentation may include (but

not limited to) financial documents of the student's availability of funds to support their higher-level tertiary qualification, as per student visa requirements.

- b. 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
- c. 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:
 - a. the transfer may jeopardise the student's progression through a package of courses; or
 - b. the transfer would be detrimental to the student's future study and/or career objectives.
 - c. the student is transferring to a lower-level qualification or different subject not offered at the College, for reasons other than academic ability; or
 - d. 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
 - e. 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.
 - f. When the student is experiencing timetable schedule conflict with personal, work, or other non-study commitments; or

- g. When the student wants to or has moved to a different location (unless there are compassionate or compelling reasons); or
- h. 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
- i. When the student wants to transfer to a provider offering lower fees; or
- j. There is no written confirmation from another registered provider that a valid enrolment offer has been made.
- k. Vibe College has assessed genuinity of the student and found the student to be not genuine, where they were not meeting student visa requirements.
- l. Student has not utilized the student support system provided by Vibe College for which the student is providing reason for their release request.

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 after receiving a complete release request application (If the student has not provided sufficient documents, the days will count from the day the required documents are submitted). 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 finalized.

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 Enrol 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. Please refer to Vibe College Complaints and Appeals Policy and Procedure. The policy and form can also be accessed from the College 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
- ✦ The reviewing officer may request for additional documents (including current resume, GTE and financial documents) if required
- ✦ 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 10 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 or 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 Dynamics.
- ✦ In any form the student communicates that he/she wants to cancel his/her enrolment with Vibe College, ceased attending college and the student does not submit evidence to support his/her application to Cancellation, then the student support team will follow up with the student for the documentation and even then, if the student doesn't submit required paperwork in support of his/her request, in such a case, when student fails to meet the required academic course in one study period, the Vibe College Course Progress Monitoring Policy will be applied and student will be reported for unsatisfactory course progress.

In all the above cases, Vibe College will be using the date on which a student submits the enrolment variation form as the students Last Day of Study as per one of the definitions of "Students Last Actual Day of Study" on the PRISMS Provider User Guide on page 64. Below is the excerpt of the definition:

"Represents the date on which the Provider considers that their educational teaching responsibilities to the student, on that Confirmation of Enrolment, undertaking that particular course of education, ceased."

College may interview/meet with the student before the college finalises the student's request to transfer between providers.

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.