



**New England College** is the trading name of **New England Institute of Technology Pty Ltd**

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## **International Student Transfer Policy and Procedure**

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### Document Control

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V1.0	01.12.2020	Policy defined and created

**Review Process:** This policy shall be reviewed annually in compliance with education industry standards including the Standards for Registered Training Organisations (SRTOs) 2015, the ESOS Act 2000 and the National Code of Practice for Providers of Education to Overseas Students 2018 and the ELICOS Standards 2018.



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## Purpose

The purpose of this policy is to ensure New England College students are managed responsibly and in accordance with the requirements of the ESOS Framework including the ESOS Act 2000 and Standard 7 of the National Code 2018.

This policy specifies the manner in which New England College will handle the transfer of international students internally within New England College and externally to or from another registered provider.

## Scope

The scope of this policy includes all overseas students studying qualifications offered by New England College.

## Internal Transfer

A student may transfer to another course or campus at New England College. If the new course is more expensive, the student will be required to pay the difference in cost between the old and new course. If the new course is less expensive, the student will be entitled to a refund of the difference in cost under the terms of the New England College Refund Policy and Procedure.

Students seeking an internal transfer must apply in writing to New England College using the transfer application form.

New England College may need to discuss with the student the terms of the transfer, including academic and administrative requirements, prior to making a final decision. A final decision on the transfer application will be made within five (5) working days of receipt of the completed transfer application form.

Both the completed application form and a record of the decision will be stored on the student file. Where transfers are approved, New England College are obligated to update the student record in PRISMS including the creation of a new CoE with the updated details.

## Transfer from another Provider

New England College will not enrol a student transferring from another registered provider prior to the student completing six (6) months of their primary course, or prerequisite/enabling course that is packaged with the primary course, without a letter of release from that provider.

Students wishing to transfer from another provider under these circumstances must provide New England College with a letter of release from that provider before the enrolment will be processed.

The only circumstances under which New England College will enrol a student during the first six (6) months of their primary course, or prerequisite/enabling course that is packaged with the primary course, without a letter of release from that provider are when:

- The original registered provider has ceased to be registered, or the course the student is enrolled in has ceased to be registered
- The original registered provider has had sanctions imposed on its registration by the Australian, State or Territory Government that prevents the student from continuing their principal course.
- The student is government sponsored, and that government sponsor considers the transfer to be in the student's best interest and provides documentation supporting the change.



## Transfer to another Provider

### Overview

A student enrolled with New England College who has not completed the first six (6) calendar months of study in their principal course, or is seeking to transfer while completing a prerequisite or enabling course that forms a package with the principal course of study, will be required to complete an International Student Transfer Application Form.

The transfer request must be accompanied by a valid Letter of Offer from the other registered provider and any relevant supporting documentation as specified in this policy and the transfer application form.

New England College will provide an outcome within ten (10) working days of receiving the completed transfer application form and supporting documentation. Students must continue to attend class and submit assessment while awaiting an outcome of the transfer application.

If approved, New England College will provide the student with a Letter of Release, authorising the transfer of the student to the receiving provider.

### Release requirements

A Letter of Release from New England College will not be required in the following circumstances:

- New England College has ceased to be registered as a provider
- The course the student is enrolled in has ceased to be registered
- New England College has had sanctions imposed on its registration by the Australian, State or Territory Government, which prevents the student from continuing enrolment in their principal course
- The student is government sponsored and the government sponsor considers the change to be in the best interest of the student and provides written support of the change.

In these circumstances, the student does not need to obtain a Letter of Release from New England College before transferring to a course provided by another registered provider. Where applicable, the New England College Refund Policy will determine the extent, if any, to which the student is entitled to a refund of tuition fees.

### Applying for a release

If you are required to obtain a Letter of Release from New England College, you must:

1. Consult with the International Liaison Officer to ensure that a transfer is appropriate
2. Complete an International Student Transfer Application Form. The form must be fully completed and any supporting documentation attached.

When applying for a transfer, students must:

- Clearly and fully state on the application form, the reason(s) or ground(s) for seeking a transfer
- Provide New England College with a valid letter of offer from another registered provider
- Provide New England College with all other documentary evidence in support of the application, as required by the application form, this policy or as referred to in the student's application.

Failure to comply with the above may result in delays in processing the application or adversely affect the outcome of the application.



## Grounds for granting release

Circumstances where New England College will grant a release include:

- The student is unable to achieve satisfactory course progress, even after engaging with New England College intervention strategies, and will be reported to DoHA via PRISMS (refer to the New England College Course Progress Policy).
- The student has grounds to seek to change course to gain access to additional resources and support services not offered by New England College
- The student can provide evidence that their reasonable expectations about the course are not being met
- The student can demonstrate experiencing a threat to physical or mental health or safety, that will be alleviated by a transfer
- The student can demonstrate compassionate or compelling circumstances (documented in writing with applicable supporting evidence provided) why a transfer is required.
- There exists medical grounds requiring the student to transfer, as evidenced by supporting documentation from an Australian registered medical practitioner explaining the medical grounds that necessitate a transfer.
- The student can demonstrate that they were misled by New England College, or a partnering education or migration agent, regarding New England College or the course and this misrepresentation makes the course unsuitable for the students' needs and/or study objectives.
- Where a decision not to release has been successfully appealed, or another decision has been appealed and the outcome of that appeal recommends or approves release of the student.
- The student will have completed six (6) months of the principle, or prerequisite packaged course, by the time of commencement in the proposed new course with the receiving provider
- New England College determines that it is in the student's best interests to grant the release.

## Grounds for not granting release

Circumstances where New England College may not grant a release include:

- The student has changed their mind about the course of study
- The student is experiencing a scheduling conflict with personal, work or other non-study commitments
- The student cannot demonstrate evidence of a valid letter of offer from the receiving registered provider
- New England College determines that the course provided by the receiving registered provider is the same, similar or equivalent to the course provided by New England College
- New England College determines that granting a release will result in the student avoiding being reported to a government authority for failure to meet any attendance, academic progress or other requirement of New England College, the National Code of Practice 2018, or any other law or visa requirement.
- The application submitted by the student is not in accordance with the terms set out in this policy, is incomplete or does not provide sufficient supporting documentation as specified by this policy or as required by law, a government authority or the National Code 2018.
- If New England College determines that granting release may adversely impact the student's welfare.



## Outcomes

New England College will provide an outcome within ten (10) working days of receiving the completed transfer application form and supporting documentation. Students must continue to attend class and submit assessment while awaiting an outcome of the transfer application.

If approved, New England College will:

- Advise the student of the outcome in writing
- Send the student a withdrawal form, which must be completed to finalise the transfer process
- Provide the student with a Letter of Release, authorising the transfer of the student to the receiving provider
- Advise the student to contact the Department of Home Affairs (DoHA) to seek advice regarding student visa requirements
- If applicable, advise the student of any refund entitlement in accordance with the New England College Refund Policy.

If not approved, New England College will:

- Advise the student of the outcome in writing, including the reasons for refusal
- Advise the student of the New England College Complaints and Appeals Policy.

## Complaints and Appeals

If a student feels that the decision made by New England College is incorrect or unfair, the student has the right to access the New England College complaints and appeals process.

The student will have twenty (20) days to access the complaint and appeals process, during which time New England College will maintain the student's enrolment.

The review process commences within 10 working days of the formal lodgment of the complaint or appeal and supporting information. All reasonable measures are taken to finalize the process as soon as practicable.

For further information, refer to the New England College Complaints and Appeals Policy. A full copy of the policy is available at [www.nec.edu.au](http://www.nec.edu.au) and in the Written Agreement/Student Contract.