



Policy / Procedure Number: 013

Transfer of Students between Providers

1. Policy

This policy/procedure supports 'Standard 7 – Transfer between registered providers' of the 'National Code of Practice for Registration Authorities & Providers of Education & Training to Overseas Students 2007'.

From July 2007, providers are restricted from enrolling transferring students prior to the student completing 6 months of their principal course. This policy details the procedures for assessing applications to transfer within this period. Students who have studied longer than this period can apply as normal and no letters of release need to be sighted or produced.

The policy Moorabbin Aviation Services is to ensure that it does not enrol any transferring international student prior to the 6 months of their principal course being completed unless that student has a valid letter of release agreeing to such a transfer and the below procedures will be implemented.

The following procedures have been separated into 'Incoming students' and 'Outgoing students'

2. Procedure

Incoming students

The following procedure is relevant to any student who applies for a course within Moorabbin Aviation Services and is currently studying on-shore with another registered provider.

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- i. For this procedure to be completed the applicant must provide a copy of their current Confirmation of Enrolment (CoE) to the Admissions Officer to ascertain if the length of studies completed in their current principal course of study is greater than 6 months. The Admissions Officer may also request a copy of the student's visa to ascertain what the principal course is and when the student arrived in Australia.
- ii. If they have completed more than 6 months of their principal course of study, the application process proceeds as for all off-shore students.
- iii. Where a student has **NOT** completed 6 months of their principal course of study, they are asked to provide an appropriate letter of release in support of their application to the Admissions Officer. Any government sponsor of the student must also provide a letter confirming that the sponsor supports the proposed transfer.
- iv. To support the application students can be provided with a 'Conditional' Letter of Offer (Appendix A) which clearly states that an offer of a place is contingent on their obtaining a letter of release.
- v. If such a letter of release is received and there are no outstanding matters of concern, the application proceeds as for all off-shore applicants.
- vi. 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 6 month period has passed.



- vii. 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 placed in the student file.

Outgoing students

The following procedure is relevant to those students wishing to transfer to another education provider prior to completing six (6) months of their principal course of study.

- i. The only reason a “release letter” shall be issued is where the student can show exceptional circumstances, assessed on a case by case basis by the provider. Such circumstances may include the student experiencing personal difficulties or educational problems that cannot be addressed by the provider’s resources. These circumstances would also include where the provider has ceased to offer a particular program. Grounds for refusing a transfer request include circumstances where the transfer may jeopardise the student’s progression through the course or courses for which the student is enrolled, or where a student is attempting to avoid being reported to DIAC for breach of visa conditions
- ii. Any student wishing to transfer should forward their request in writing to the Deputy Chief Flying Instructor, together with documentary evidence to support their request, and a valid letter of offer from the new provider. In circumstances where the provider has ceased to offer a particular program, the affected students do not need to make a specific transfer request, but will instead receive a letter outlining the transfer arrangements. The new provider will then issue the students with a letter of offer
- iii. In assessing the application to transfer, the Deputy Chief Flying Instructor will check the following points:
 - Ensure any outstanding fees are paid
 - Ensure the student is fully aware of all issues relating the transferring of providers.
 - Check student records to ensure the student is not trying to avoid being reported to DEEWR due to lack of course progress or poor attendance records.
- iv. Once the above points have been addressed by the Deputy Chief Flying Instructor, a ‘Letter of Release’ (Appendix B) will be granted at no charge to the student. The student will also be advised of the need to contact DIAC for advice on the transfer’s impact on visa arrangements.
- v. The Deputy Chief Flying Instructor must report the student’s termination of studies via PRISMS

NOTES

- The above process should not take more than 3 working days once the student has provided the necessary documentation.
- All requests, considerations, decisions and copies of letters of release should be placed on student’s file
- The approval of transfer of a student to another institution does not indicate the agreement to provide any refund. Refunds are governed by the refund policy independent of this policy.



APPENDIX A

'Conditional' Letter of Offer to Transfer

To *(Insert Student name)*,

I am writing to acknowledge your application to enrol in course *(insert Course name & Code)*.

As you **have not** completed the first six (6) months of your principal course of study at your current education provider, 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 principal course of study.

Please Note: If you are a student under the age of 18 you will be required to provide evidence of your Guardianship agreements to Moorabbin Aviation Services policies and procedures for 'Younger Students' which ensure the provision of adequate support and welfare services.

This 'conditional' offer is valid for a period of 10 working days from the date of this letter and your 'Letter of release' must be presented before any further action will be taken in respect to this application.

Please do not hesitate to contact Deputy Chief Flying Instructor if you have any questions.

Regards

Deputy Chief Flying Instructor



APPENDIX B

Letter of Release of student within first six (6) months of study

To whom it may concern,

This letter is to confirm that *Moorabbin Aviation Services* is releasing the following student although they have not completed the first six (6) months of study in their principal course of study:

Student Name: (Insert Details)
Student Visa number: (Insert Details)
Student Address: (Insert Details)

The above mentioned student has been enrolled in the qualification (insert qualification title and code) and has requested a transfer to another education provider. The education provider that the release is being granted for has been evidenced with a 'conditional' letter of offer from the following provider:

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

The Moorabbin Aviation Services acknowledges that it has informed the student that from the date of this 'Release letter' it no longer is the provider of the principal course of study for the student as identified within the Student Visa.

The Moorabbin Aviation Services will be notifying the Department of Education, Employment and Workplace Relations (DEEWR) / the Department of Immigration and Citizenship (DIAC) of this change by terminating the student's CoE via PRISMS.

Regards,

Deputy Chief Flying Instructor



APPENDIX B

Letter confirming refusal of transfer request

To

This letter is to confirm that *Moorabbin Aviation Services*) will not release the following student who has not completed the first six (6) months of study in their principal course of study:

Student Name: (Insert Details)
Student Visa number: (Insert Details)
Student Address: (Insert Details)

The above named student submitted a transfer request on the grounds of.....
.....
.....

However the request has been refused because (Insert Moorabbin Aviation Services name) considers that
..... (insert reasons for refusal)

The above named student has the right to appeal this decision within 20 working days from the date of this letter. A copy of the College's Complaints and Appeals Policy together with a complaint/appeal application form is attached

Regards,

Deputy Chief Flying Instructor