



## Transfer between Registered Providers Policy

### SCOPE

This policy applies to all students enrolled at UIC who hold a student visa to study in Australia.

### PURPOSE

To ensure that the UIC fully complies with the Education Services for Overseas Students Act 2000 and the requirements of Standard 7 of the National Code of Practice 2007 for administering requests from international students holding a student visa seeking a transfer between registered providers.

### POLICY

As per Standard Seven of the National Code 2007, an international student is restricted from transferring providers prior to completion of six months in their principal course of study unless that Student has a valid letter of release agreeing to such a transfer or section 3 of this policy applies. This restriction applies to any course(s) packaged with their principal course of study. The receiving registered provider must not knowingly enrol the student wishing to transfer from another registered provider's course prior to six months unless that Student has a valid letter of release agreeing to such a transfer or section 3 of this policy applies.

Unique International College (UIC) assesses requests from students for a transfer between registered providers prior to the student completing six months of the principal course of study in accordance with this documented policy and procedures.

### 1. Student seeking to transfer TO Unique International College (UIC)

Students wishing to transfer to UIC from another provider before completing six months of their principal course, must provide UIC with a 'Letter of Release' from their original Provider before UIC will issue CoEs (confirmation of enrolments). However prior to receiving the letter of release UIC will issue a conditional Offer Letter and student acceptance agreement which clearly states that an offer of a place is contingent on their obtaining a letter of release or PRISM not asking for a release letter. Release letter may not be required if section 3 of this policy applies.

### 2. Student seeking to transfer FROM Unique International College (UIC)

#### **(A) After commencement of studies**

The National Code 2007 requires that within the first six months of their principal program, students need to submit a request for transfer from their provider. This request should be submitted to the CEO. Unique International College (UIC) believes in supporting the interests of its international students and endeavours to ensure that any request to transfer to another provider allows them to exercise choice, whilst acknowledging that there may also be international students that require support in their transition to study in Australia. UIC's assessment of such requests will take into consideration the individual circumstances of each student.



# Unique International College

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## **I. Circumstances under which a transfer/letter of release WILL BE granted:**

UIC will grant a transfer and provide a letter of release, where one of the following circumstances can be clearly demonstrated, in addition to the student having no outstanding fees owing to Unique International College:

- 1 If the student wishes to change course in order to get access to greater support (perhaps through the services offered by another provider which UIC are not able to provide). In this case, the student must provide evidence of the support being provided by the alternate provider;
- 2 If the student demonstrates that they are experiencing a threat to their physical or mental health or safety by remaining at UIC and demonstrates clearly how this will be alleviated through a transfer;
- 3 The student is not coping in the program, despite having undertaken an individually tailored intervention strategy (refer to UIC Course Progress Policy) at UIC with no sign of improvement in their academic performance;
- 4 The program of study is not consistent with the documented program requested on the student's acceptance agreement and offer letter;
- 5 The student can provide evidence that he or she was misled by the provider (UIC) or an education or migration agent regarding UIC or its program, which constitutes a breach of the ESOS Act.
- 6 Compassionate/compelling circumstances (documented in writing and with any applicable supporting evidence supplied) which necessitate transfer to another provider. Compassionate or Compelling circumstances are generally those beyond the control of the student and which have an impact upon the student's course progress or wellbeing. An authorised staff member of UIC will make this determination of assessment at its discretion and grounds (supported by appropriate evidence)
- 7 Other circumstances explained in section 3 of this policy.

**In order to be considered by UIC, requests for transfer to another provider must adhere to the following conditions:**

1. International student requests for transfer must be in writing and provide detailed reasons for their transfer request (The onus is on the student to prove that it will be detrimental to them in some way to remain in the program);
2. A valid offer letter from the receiving provider must be attached to the request.
3. All fees must be paid as per written student acceptance agreement and refund policy. 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 of the Institute
4. Applications must be made in writing (including documented evidence) to the CEO.

## **II. Circumstances under which a transfer/letter of release WILL NOT BE granted:**

- 1 Student does not provide a valid offer letter from the prospective CRICOS provider.
- 2 The student has simply changed their mind about what program he/she wishes to study and has not discussed this with UIC's Student Support Services Team prior to lodging the release letter request.
- 3 When UIC does not agree that the transfer is in the best interests of the student's academic progress or future study plans.



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- 4 If the student has not accessed UIC's support services for assistance with study or personal issues such as living a long distance away from campus, travel difficulties, difficulties adjusting to student life and the academic demands of work at UIC.
- 5 Where UIC believes that the student has made decisions post-enrolment regarding accommodation, employment or travel that are not aligned with the requirements of their course.
- 6 When UIC believes that a transfer at this time could be considered detrimental to the student.
- 7 The transfer may jeopardize the student's progression through a package of courses.
- 8 Student has a change of mind.
- 9  Student expresses difficulty with course contents or material or course progress but has not sought assistance from UIC.
- 10 UIC forms the view that the student is trying to avoid being reported to DIAC for failure to meet the provider's academic progress and attendance requirements.
- 11 Student has been issued with one or more attendance warning or course progress warning letters in the current reporting period (Term or semester).
- 12 The student does not have a valid letter of offer from a CRICOS registered provider.
- 13 The course for which the student is intending to enrol in with the other provider, is similar to or the same as the course in which the student is currently enrolled at UIC
- 14 Student is experiencing homestay or other accommodation problems and student can not prove with documentary evidence how these problems will be rectified with the transfer.
- 15 Student is experiencing course schedule conflict with personal, work, or other non study commitments.

**Factors that may be considered to the student's detriment**, but which should be considered for the student's individual circumstances and a broader range of factors include, but are not limited to:

- If the transfer may jeopardise the student's progression through a package of courses
- 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; and
- If the student has recently had an intervention strategy put in place and there has been insufficient time to assess whether or not this will be an effective solution for the student.
- Student has recently moved to Australia and finding it hard to adjust culturally, It is expected that the student will take some time to adjust in Australia. It is also expected that the student makes use of UIC's student support services to get assistance in settling down and it is unlikely that the change of provider will resolve this issue.

## **(B) Before commencement of studies**

- Students who apply to transfer after accepting their enrolment offer, but before starting classes, will be approved in extreme circumstances such as:
  1.  Inability to secure an Australian visa;
  2. Compassionate and compelling circumstances, there are other circumstances where a transfer will be granted which are mentioned in section 3 of this policy.
- In most cases it is envisaged that it will be in the student's best interest to at least attempt the course that they have originally chosen to pursue.
- Students who have not yet commenced their studies or have not completed six months of study in their principal course may still request a transfer. However these students should familiarise themselves with the Refund Policy in regard to Fee penalties, located under 'College Policies' at <http://www.uniquecollege.com.au>



### **3. Student transferring from or to UIC will be allowed to transfer, either prior to or after commencement of studies if:**

1. The original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered
2. 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, or
3. Any Government sponsor of the student considers the change to be in the student's best interest and has provided written support for the change.

### **4. PROCEDURE FOR TRANSFER FROM OTHER PROVIDER TO UIC**

1. The Admin Officer receives an application from an overseas student who is on-shore and who has indicated that they are currently studying at another institution and may or may not have completed six months in their principal course.
2. The Admin Officer collects the application and other documents required for enrolment (copy of passport, IELTS, Academic certificates etc) and issues a conditional offer letter and student acceptance agreement which clearly states that an offer of a place is contingent on their obtaining a letter of release or PRISM not asking for a release letter.
3. Student signs the acceptance agreement to show indication to accept conditional offer letter and Admin officer collects a copy.
4. Student pays the required deposit.
5. Admin Officer uses PRISMS to decide if the Student has completed 6 months of their principal course. They also use the copy of the Student visa in the passport to ascertain what the principal course is and when they arrived in Australia.
6. If the PRISMS DO NOT ask for a release letter, the application process proceeds as for all off-shore Students and CoE is issued.
7. If PRISMS ask for a release letter, student is asked to provide an appropriate letter of release in support of their application within the required time frame (case by case).
8. If such a letter of release is received, it is verified by contacting the relevant institution, if satisfactory, the application proceeds as for all off-shore applicants.
9. 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. Student will be refunded all course fees paid minus application fee.
10. 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.



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## **5. PROCEDURE FOR TRANSFER FROM UIC TO OTHER PROVIDER**

- 1 Student must complete an application to withdraw from studies form and an application for a letter of release form.
- 2 Student must attach a written statement providing details and reasons for their request. Statement can be hand written or typed.
- 3 Evidence (such as medical or death certificates etc) must be attached with the application.
- 4 Students must provide a valid Letter of Offer from the receiving provider attached to the Application for Letter of Release form.
- 5 Student must pay all outstanding fees as per UIC's Student Acceptance agreement and Fees & Refund Policy.
- 6 All applications will be considered within 14 working days via the CEO.
- 7 The Applicant shall be notified of the outcome in writing.
- 8 If approved a letter of release will be issued to the student at no cost and student will be advised to contact DIAC to find out what action, if any, they need to take in regard to their student visa.
- 9 Until the Letter of Release has been granted and notification has been provided in writing, students must continue to attend scheduled classes as attendance and course progress monitoring is still in effect. Please refer to UIC's Attendance Monitoring and course progress Policy.
- 10 Students who are unsuccessful in their request to transfer prior to completing 6 months of their principal course at UIC may appeal that decision. For further advice students should refer to UIC's Complaints and Appeals Policy under 'Policies & Procedures' at <http://www.uniquecollege.com.au>. Please note during the time appeal is considered students must make every effort to maintain enrolment as attendance and course progress monitoring will still be in effect.
- 11 This policy, and the availability of complaints and appeals processes, does not remove student's right to take action under Australia's consumer protection laws.
- 12 UIC's dispute resolution processes do not circumscribe the student's right to pursue other legal remedies.

### **Letter of Release**

If a letter of release is granted by UIC, it will have the name of the proposed provider and proposed course as per offer letter provided by the student. This is to maintain integrity and to avoid misuse of the policy. For example: A student is enrolled in hairdressing packaged courses at UIC. Student decides to apply for a release letter. Student claims that he/she will study Accounting at John Smith International College Brisbane and provides evidence in support of his/her application giving his/her reasons for transfer request. After reviewing student's request, UIC in line with this policy may grant a letter of release hoping that the student will study Accounting at John Smith International College Brisbane. UIC does not expect that after getting a letter of release from UIC on the basis of an offer letter from John Smith International College Brisbane student commences further studies in Hairdressing at Mary Smith International College Sydney.



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## 6. Administrative procedures

- This policy and related documentation is accessible through the UIC website at: <http://www.uniquecollege.com.au>
- Academic notes via RTO Manager and PRISMS to be updated with any changes made to a student's enrolment.
- Completed forms, copies of any correspondence with the student and a print out of RTO Manager AND Prisms to be placed on student's file (hard and soft copies) once all actions have been completed.
- Copies of 'Release Letter' will be maintained on a Central file (hard and soft) and on the Student file (hard and soft).
- 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 of the Institute.

## 7. Related Forms

- SMD 175: Application to withdraw/defer studies