

Melbourne Metropolitan College

&

Langford English College

Change of Provider Policy

Table of Contents:

1. <u>POLICY</u>	3
2. <u>PURPOSE</u>	3
3. <u>SCOPE</u>	3
4. <u>DEFINITIONS</u>	3
5. <u>REQUIREMENT AND PROCESS</u>	4
6. <u>PROCEDURE</u>	6
7. <u>RECORDS</u>	8
8. <u>RESPONSIBILITY</u>	8
9. <u>RELATED DOCUMENTS</u>	8

1. POLICY

Active Transition Training Pty Ltd, Melbourne Metropolitan College and Langford English College will comply to the requirement under Standard 7 of The National Code 2018 which states that registered providers are restricted from enrolling a student in a course of study, where that student is transferring from another provider and has not yet studied six months of their principal course of study.

2. PURPOSE

The purpose of this policy is to ensure Melbourne Metropolitan College and Langford English College meet the requirements of the Education Services for Overseas Students (ESOS) Act 2000 and Standard 7 of the National Code of Practice 2018 (The National Code) in respect of managing requests from international students who seek to transfer between CRICOS registered providers of education and training services (registered providers).

The policy describes the requirements for transferring from one provider to another and vice-versa for International Students. This policy details the procedures for assessing applications to transfer.

3. SCOPE

This policy applies to all the current international students of Melbourne Metropolitan College and Langford English College studying on-shore, holding a student visa.

4. DEFINITIONS

International student: Refers to an overseas student who is studying onshore in Australia on a student visa.

ECOE: Refers to an electronic Confirmation of Enrolment. Defined in The National Code 2018 as a document, provided electronically to students, which is issued by Melbourne Metropolitan College and Langford English College to international students who intend

to study onshore.

CRICOS: The Commonwealth Register of Institutions and Courses for Overseas Students. Education providers who wish to provide education services to international students must be formally registered on CRICOS.

ESOS Act: The Education Services for Overseas Students Act 2000.

Principal Course of Study: Is defined in The National Code 2018 as the “main course of study” that is or is due to be undertaken by an international student. This is generally the final program or highest qualification in a package of courses.

Registered Provider: An organisation that is registered as a provider of education and training services to international students on CRICOS.

Transfer between Registered Providers: A request from a student to transfer from or to another CRICOS registered provider.

5. REQUIREMENTS AND PROCESS

5.1 Student Request to Transfer from Melbourne Metropolitan College / Langford English College to another Registered Provider

5.1.1. An overseas students cannot transfer between registered providers before completing

six calendar months of their principal course.

5.1.2 The principal course is the main course of study to be undertaken by an overseas student where the student visa has been issued for multiple courses and is usually the final course of study. The first six months is calculated as six calendar months from when an overseas student commences their principal course. This means the transfer restriction applies to a student during all courses they undertake before the principal course.

5.1.3 For an overseas student to transfer before completing six months of their principal course, the overseas student must either obtain a release on PRISMS from

their registered provider or meet one of the following conditions:

- the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered;
- the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing their course with that registered provider;
- Any government sponsor of the overseas student considers the change to be in the overseas student's best interests and has provided written support for the change. This usually applies where the overseas student's study in Australia is sponsored by the government of another country.

5.1.4 After completing six calendar months of the principal course, an overseas student can transfer without needing to meet one of these conditions.

5.1.5 In accordance with Standard 7 of The National Code 2018, and recognizing student's right to exercise freedom of choice as consumers, as a principle, Albright Institute will grant a student's request to transfer to another provider, where it will not be detrimental to the student.

5.1.6 Melbourne Metropolitan College considers the following factors as detrimental to the student, and therefore, as reasonable grounds for refusing a transfer request:

- The request is considered detrimental to the student's wellbeing;
- Transfer may jeopardise the student's progression through a package of courses.
 - Student has recently started studying the course and the full range of support services are yet to be provided or offered to the student.
- Student does not have legitimate compassionate or compelling circumstances.

The outcome of a student's application for course transfer will be provided in writing within 10 working days of receipt of application.

5.17 Melbourne Metropolitan College and Langford English College may agree to approve a request for a release if the student can demonstrate that the transfer would be in their best interests. If approved by the CEO, changes to student enrolment will be updated in PRISMS.

5.18 Where appropriate Melbourne Metropolitan College and Langford English College will counsel students, to consider their personal or academic reasons for transferring. Outcomes of counseling may include the identification of alternative academic programs within Melbourne Metropolitan College and Langford English College, and/or the recommendation of appropriate student support or study skills support as an alternative to the transfer. Where the student is eligible for a release, this will not affect their right to transfer.

5.19 Where Melbourne Metropolitan College and Langford English College do not grant a student's request for a release, Melbourne Metropolitan College and Langford English College will provide written reasons for refusing the request. By Standard 10 of the National Code, the student will be informed of their rights to appeal against the decision. All appeals will be carried out in line with Melbourne Metropolitan College's and Langford English College's Complaints and Appeals Policy and Procedure.

52 Student Request to enroll at Melbourne Metropolitan College from another registered Provider.

As outlined under Standard 7 of the National Code, Melbourne Metropolitan College and Langford English College will not actively recruit or enroll a student wishing to transfer from another registered provider's course prior to the student completing six (6) months of their principal course of study, except in limited circumstances. These are as follows;

- The original registered provider has approved the release, or
- The course in which the student is enrolled has ceased to be registered by another registered provider on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS), 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 their principal course.

53 Education Agents

In accordance with Standard 4.6 of The National Code 2018, Melbourne Metropolitan College and Langford English College will not accept students from, or enter in to an agreement with an education agent, where it knows or suspects that the education agent has attempted to recruit a student where this conflicts with the obligations under Standard 7.

54 Fee Refunds

Where a student is granted a release, their entitlement to a refund of course fees will be assessed in accordance with Melbourne Metropolitan College's and Langford English College's Fee Refund Policy.

55 Refusing to provide a release on PRISMS

Melbourne Metropolitan College and Langford English College will not give a release on PRISMS unless the student shows them a valid letter of offer of enrolment from another provider. When a request for release is refused, the student will be provided with written response stating the reason for the refusal in an email. The student will be given advice in writing that it is possible to appeal the decision if the student so chooses.

6. PROCEDURE

6.1 Procedure for Assessing Students Wishing to Transfer to Melbourne Metropolitan College and Langford English College

- The College receives an application from a student who is "on-shore" and who has indicated that they are currently studying at another institution.
- The College 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.

If the above 2 points have been met, the application process proceeds for all off-shore students.

If they have not met the above points, the student will be issued with a conditional offer letter which clearly states that an offer of a place is contingent on the student being released from the original provider in support of their application. If they are under 18, Melbourne Metropolitan College and Langford English College will not accept their enrolment.

Only if it is evident in PRISMS that the student is released and the student has no outstanding fees to be paid to the prior institution or other outstanding matters of concern, the application proceed as for all off-shore applicants, and a CoE will be issued.

If no satisfactory release is obtained from such students, the application process is halted and the student is 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.

Note: **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.**

6.2 Procedure for Assessing Transfer Applications from Students Wishing to Transfer Away from Melbourne Metropolitan College and Langford English College

1. Students make a written request (e-mail is satisfactory) to the college, or their delegate to transfer to another provider by providing:
 - a. A valid letter of offer of enrolment from another provider,
 - b. A filled copy of Refund Request Form,
 - c. A filled copy of Request of Change of Enrolment Form, and
 - d. All relevant supporting evidence and document

2. With the valid offer of enrolment, Melbourne Metropolitan College and Langford English College will assess the transfer request based on Transferring Between Registered Provider Policy

3. A letter of release will be granted at no cost to the student if the student can satisfy the grounds stated in this policy as necessary for a release from Melbourne Metropolitan College to be granted if the required evidence is provided and if all the payable fees are clear. The student will also be advised of the need to contact the Department of Home Affairs to determine if they need to obtain a new one.

4. Melbourne Metropolitan College and Langford English College will inform the student of the outcome of the application via email within 15 days of the date of application.

5. If the application is successful and release is granted, Melbourne Metropolitan College and Langford English College will report the student's termination of studies through PRISMS notify the student of the outcome and to contact the Department of Home Affairs to seek advice on whether a new student visa is required.

6. If the application is unsuccessful, Melbourne Metropolitan College and Langford English College will notify the student of the outcome. In the message, Melbourne Metropolitan College will include the following information:

a. Outcome of the application

b. Reasons for refusal

c. Advise whether the request breaches a VISA condition or a change of VISA would have been required (If applicable)/ and to contact the Department of Home Affairs to check whether an action is required.

d. Melbourne Metropolitan College's and Langford English College's Complains and Appeals Policy and Complaints and Appeals Form information about where to access this information and the student's right to appeal the decision within 20 working days.

e. Student's obligated to attend and continue with their studies as normal, until the

9

appeal process is finalized.

In assessing each individual request:

- The CEO, or their delegate will make a recommendation if they believe the request should be refused or alternatively, they will grant the release.
- The CEO, or their delegate will inform the student in writing of a negative outcome with reasons and indicate that the student may access the student appeal process as detailed in the Complains and Appeals Policy
- Melbourne Metropolitan College and Langford English College will not finalise the refusal status in PRISMS until:

-any appeal against the refusal lodged by the overseas student is finalised and upholds the registered provider's decision not to release the student; or

-the overseas student did not access the registered provider's complaints and appeals processes within 20 working days of being notified of the refusal; or

-The overseas student withdraws their appeal against the refusal.

7. RECORDS

- Melbourne Metropolitan College and Langford English College will keep a record of all transfer requests for two years after the student ceases to an accepted student.
- 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.

Melbourne Metropolitan College and Langford English College will maintain records of all requests from students for withdrawal and release and the assessment of, and decision regarding, the request on the student's file.

8. RESPONSIBILITY

The Admissions Department and CEO are responsible for adherence to the National Standards for Training Organization and ESOS/NCP 2018.

9. RELATED DOCUMENTS

Related Documents

Request of Change of Enrolment Status
Refund Request Form
Complains and Appeals Policy
Complaints and Appeals Form