

TRANSFERRING BETWEEN REGISTERED PROVIDERS

POLICY

Date of issue: 02 May 2023



The Green Academy Australia

ABN 95 267 878 511

0493 249 180, 07 3012 9812

Level 3, 115 Queen St, Brisbane City, QLD 4000

CRICOS CODE 04187G

brisbane@the-green.au

GPO Box 2800, Brisbane City, QLD 4000

Purpose

The policy clarifies the requirements, rights, and responsibilities of The Green Academy with respect to International Students transferring from one provider to another as they are set out in the ESOS legislative framework and related regulations.

Scope

This policy applies to all The Green Academy staff involved in student recruitment and enrolment and specifically in the approval of student transfers into and out of The Green Academy courses to those of another provider.

Policy

This policy is to ensure that The Green Academy does not inappropriately enrol or allow the transfer of any international student to or from another institution.

This policy and the associated procedure are specifically and predominantly written to address transfers that occur within the first six months of a student's primary course of study. That is, the policy applies where a student has been granted a student visa based on their enrolment in:

- a single course of study and is yet to complete the first six months of that course; or
- more than one course of study and the student is yet to complete the first six months of the highest level course enrolled in.

This policy and the associated procedure details the steps for assessing and approving applications to transfer into or out of The Green Academy courses and those of another provider. This policy and the associated procedure also detail the time frames in which such applications will be responded to and finalised.

The Green Academy will adhere to the intent of Standard 7 in protecting the rights of international students and the integrity of the Australian visa system by considering individual circumstances on their merit. Under this policy, The Green Academy recognises overseas students as consumers and supports them to exercise choice, while acknowledging that they may also be a group that requires support to transition to study in Australia.

In all cases where it is deemed appropriate for The Green Academy to provide a student with a letter of release, it will provide a said letter at no cost to the student.

The Green Academy will always advise the student of the need to contact DIBP to seek advice on whether a new student visa is required.

The Green Academy will ensure this policy is available to both staff and students by including it in the Staff and Student Handbook.

Enrolling a Transferring Student

Under this policy, The Green Academy will not enroll any transferring international student prior to completion of 6 months of their principal course unless:

- the original provider has ceased to be registered or the course in which the student is enrolled in ceases to be registered.
- that student has a valid letter of release agreeing to such a transfer.
- the original provider has had a sanction imposed on its registration by the Australian and/or State Governments that prevents the student from continuing their principal course.
- any government sponsor of the student considers the change to the student to be in the student's best interest and has provided written support for that change.

Further, The Green Academy will not enrol an overseas student who has already been enrolled in the same course unless:

- a) the student has not completed the relevant course and the registered provider has given a letter of release to the student for the relevant course.

The Green Academy may enrol a student if they have documentation that approximates the letter of release (e.g. the student has evidence their CoE was conditional on meeting certain entry requirements and they did not meet the requirements). The Green Academy will note this in PRISMS and keep the documentation on the student's file.

NOTE: A student wanting a CoE for the purposes of applying for a new visa is not considered to be a circumstance that would constitute an approximation of a letter of release.

The Green Academy will not actively recruit a student where this clearly conflicts with its obligations under Standard 7.

Furthermore, The Green Academy will not accept students from or enter into an agreement with an education agent where it knows or suspects that the education agent has deliberately attempted to recruit a student where this clearly conflicts with the obligations of providers under Standard 7.

Transferring away from The Green Academy

If a student wishes to transfer away from The Green Academy, The Green Academy will provide a letter of release unless:

- The student has failed to provide a letter from another registered provider confirming that a valid enrolment offer has been made or the student has paid all the tuition fees.
- AND, the offer of enrolment is in a course that is not deemed.
- The student is over the age of 18 or has the written consent of a parent or guardian supporting the transfer AND the written confirmation that the new provider will accept responsibility for approving a student's accommodation,

support, and general welfare arrangements as per the requirements of the National Code Part D Standard 5. (Note: currently The Green Academy currently does not accept students under the age of 18).

In situations where students are eligible for a Letter of Release, The Green Academy will provide such a letter within 10 working days of receiving a written request and the letter of offer from the other provider.

Circumstances in determining release

The policy will ensure students' individual circumstances are considered in order to determine if the transfer will be to the detriment of the student.

Circumstances for which transfer may be considered include:

- if the course the student wishes to transfer to:
 - better meets the study capabilities of the student;
 - better meets the long-term goals of the student, whether these relate to future work, education, or personal aspirations.
- if the student wishes to change course in order to get access to greater support (maybe through the services offered by another provider, commercial or not-for-profit services, or through access to family, friends, or a cultural support network);
- if the student claims or can provide evidence that his or her reasonable expectations about the current course are not being met.

Factors that may be considered to the student's detriment, but which should be considered in light of the student's individual circumstances and a broader range of factors, such as those outlined above, include:

- 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 (it is good practice to revisit the issue within a timeframe negotiated with the student); and
- if the student is trying to avoid being reported to DIBP for failure to meet the provider's attendance or academic progress requirements.

Refusing to provide a letter of release

The Green Academy will not give a student a letter of release 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 a written response stating the reason for the refusal.

The student will be given advice in writing that it is possible to appeal the decision if the student so chooses.

Students withdrawing from a course

If a student withdraws from a course, The Green Academy will adhere to the requirements of the ESOS Act by recording this in PRISMS within 14 days. This information is transmitted to the Department of Immigration and Border Protection (DIBP) and has implications for the student's visa.

Refund of Fees

If a student transfers to another provider, any refunds of course fees paid to The Green Academy will be in accordance with The Green Academy refund policy.



Green Academy Pty Ltd.

ABN 95 267 878 511

CRICOS

GPO Box 2800, Brisbane City, QLD 4000

brisbane@the-green.au