1 PURPOSE

Martin College is a trading division of Study Group Australia Pty Limited (RTO 5806).

As a registered provider, Study Group Australia Pty Limited (SGA) must not knowingly enrol a student visa holder wishing to transfer from another provider prior to the student completing six months of his/her principal course. SGA is required to assess all such requests in accordance with Standard 7 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (The National Code) and SGA’s documented policy and procedures.

A Fact Sheet provided by Australian Education International, encapsulating the steps recommended in a transfer between registered providers is found at: https://aei.gov.au/regulatory-information/education-services-for-overseas-students-esos-legislative-framework/esosquickinformation/esosfactsheets/pages/esosfactsheets.aspx. It is recommended that students review this Fact Sheet before deciding to transfer.

2 SCOPE

This policy applies to students enrolled within all vocational education and training programmes offered by Study Group Australia Pty Limited (SGA), trading as Martin College (the College). It does not apply to students wishing to transfer between SGA Study Centres within the same state, but does if the transfer is permanently interstate.

3 TERMS AND DEFINITIONS

PRINCIPAL COURSE

The principal course of study is the main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study, i.e. a ‘package’ of courses. The principal course would normally be the final course of study and that which leads to the highest qualification in the ‘package’. Where a study visa has been issued for only one course that course is the student’s principal course of study.

LETTER OF RELEASE

A letter provided by a current provider indicating agreement to release a student a) who is on a student visa and b) has not completed the first 6 months of his/her principal course, to transfer to study at another institution. It also provides information about whether or not the student:

a. demonstrated a commitment to the student’s studies during the course; and
b. had a good attendance record for the course; and
c. paid all fees for the course.

4 POLICY

4.1 TRANSFERS TO SGA FROM ANOTHER REGISTERED PROVIDER

4.1.1 Course incomplete

In accordance with the National Code 2007, SGA will not enrol any international student visa holders who seek to transfer from another registered provider prior to their having completed six months of their principal course at that provider, except where:

a. the original registered provider or course has ceased to be registered or a sanction has been imposed that prevents the original provider from continuing to deliver the principal course;

b. the original registered provider has provided a written letter of release, agreeing to such a transfer and stating that the student has demonstrated a commitment to previous studies, has maintained good attendance, and has paid all tuition fees due;
c. a government sponsor of the student considers the change to be in the student’s best interest and has provided written support for that change.

Students who have studied longer than six months within their principal course can apply as normal, and no letters of release need to be sighted or produced.

4.1.2 Relevant course previously completed

SGA will not issue a valid enrolment offer to a student who has previously completed a relevant CRICOS registered course unless it is satisfied that the student demonstrated a commitment to his/her previous studies, maintained a good attendance record, and paid all tuition fees due.

4.2 TRANSFERS FROM SGA TO ANOTHER PROVIDER

The National Code 2007 requires SGA to assess requests from students for a transfer to another registered provider if the students have not completed six months of their principal course of study. SGA will consider all such requests for transfer fairly and take into consideration the individual circumstances of each student in order to ascertain whether the transfer would be to the detriment of the student, in which case the application would be refused. Examples of factors that may be considered to the student's detriment include:

a. the transfer may jeopardise the student’s progression through a package of courses;
b. 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 (the student will be advised that the College will revisit the issued within a timeframe negotiated with the student); and

c. SGA forms the view that the student is trying to avoid being reported to DIAC for failure to make satisfactory academic progress or to meet attendance requirements.

Requests for transfer within the restricted period will be refused unless:

a. the student has a valid letter of offer of enrolment from another registered provider; and
b. a student under 18 has written evidence that the student’s parent or legal guardian supports the transfer and, if appropriate, written confirmation that the new provider will accept responsibility for approving the student’s accommodation, support and general welfare arrangements (as per Standard 5 of The National Code).

The student will be provided with written notification of the outcome of their application for transfer within 10 working days of the College’s receipt of the application.

Students enrolled in a package should note that changing their preliminary courses(s) may exclude them from admission to their principal course as a preliminary course can be a prerequisite for the principal course.

The approval of transfer of a student to another institution does not remove the requirement for the student to pay any outstanding fees nor does it indicate the agreement to provide any refund. Refunds are governed by the Cancellation and Refund policy, independent of this policy.

After six months within the principal course, no restriction for transferring to another provider applies.

4.3 TRANSFER OF AN UNDER-18 STUDENT TO ANOTHER PROVIDER

If the student is under 18 years of age, there must be written evidence that the student’s parent or legal guardian supports the transfer AND, if relevant, written confirmation that the new provider will accept responsibility for approving the student’s accommodation, support and general welfare arrangements (as per Standard 5 of The National Code) before the application can be considered. The welfare period nominated by the new provider must be at least the length of the student’s Confirmation of Enrolment (CoE) plus 7 days at the end of the CoE, or until the student turns 18.

Provision of these essential documents does not preclude SGA from refusing to release the student if the College believes the transfer would be to the detriment of the student.
5 PROCEDURE

For a request for transfer to be considered, it must be submitted in writing to the campus Director of Studies, include detailed reasons and supporting evidence for the transfer request. Students will be provided with written advice of the outcome of their request within 10 working days of the College’s receipt of the application.

The student will be given the opportunity to discuss the reasons for the request with the Director of Studies who will make the decision as to whether a Letter of Release will be provided to the student, ensuring the reasons are adequately supported by the evidence gathered and documented. The evidence will be retained on the student’s file.

Where the transfer request is agreed, a Letter of Release will be granted at no cost to the student and he/she will be advised of the need to contact the Department of Immigration and Citizenship (DIAC) to ascertain whether a new visa is required.

If the request for transfer is refused, SGA will provide the student with written notification of the reasons for refusing the request and advise that he/she is welcome to re-activate the application in accordance with an agreed timeframe. Included will be a reminder of his/her right to appeal against the refusal decision through the Complaints and Appeals Process and that he/she has 20 working days from the nominated date in which to do so. All subsequent processes will be in accordance with that process.