

S7-POL-001 Transfer and Release between Registered Providers Policy

Policy

This policy and associated procedures relates to learners enrolled at the Australian Business Academy who wish to transfer to another provider.

Under Standard 7 of the revised National code of Practice for Registration Authorities and providers for Education and Training to Overseas (the National code), registered providers are only able to transfer learners prior to completing six months of the principle course in limited circumstances.

This policy and procedure is to be made available to all ABA staff and students on the ABA website.

Transfer Request and Release Policy

This policy requires that ABA must grant a letter of release only where the student has provided a letter from another registered provider confirming that a valid enrolment offer has been made. ABA will only accept applications for transfer and release using the **S7-FOR-001 Application Request for Transfer and Release Form** (Application Request). The completed form is to be submitted to the ABA Campus Manager and accompanied by the '**Offer Letter**' from alternate provider.

ABA will:

- provide written acknowledgement on receipt for the Application Request;
- consider and approve/reject the Application Request; and
- prepare release letter.

Learners who have completed 6 months of their principal course.

Learners who have completed six months of their principal course are eligible to apply for a release letter without restriction or reference to meeting any special requirements.

Learners who have not completed 6 months of their principal course.

Learners who have not completed six months of their principal course are able to apply for a release letter. ABA may grant released base on the following factors:

- the ability of ABA as the Principal Provider to deliver a course; and
- the circumstances of the request (academic, social, residential, cultural or other personal matter) as described by the Learner that impact on their ability to attend or achieve the required academic performance which would be improved through the delivery by an alternative Provider.

Issuing release letters to Learners under 18 years of age*

If the Learner is under 18 years of age and not living with a parent or nominated relative:

- The offer letter must indicate that the new provider has accepted responsibility for the Learner's accommodation, support and general welfare.
- The new provider will need to consult with ABA about the exact date on which the new provider will take over responsibility for the care of the Learner. This date must be indicated clearly on the offer letter. If no date is indicated ABA will not issue a release letter.
- ABA must have written confirmation that the Learner's parents/guardians support the transfer.

*** Note: ABA does not accept enrolments by International Students under 18 years of age.**

General Policy Statement

ABA will consider all requests with serious consideration to the well-being of the Learner and the best educational opportunities and outcomes, as the Learner's situation may indicate. However, ABA will not be involved in short term measures associated with non-compliant responses to attendance or any academic short-coming by the Learner.

The Campus Manager will make a thorough effort to ensure the best outcome for the Learner requesting a transfer or release letter, and finalise the outcome as quickly as possible in consultation with the ABA CEO.

ABA will consider and respond in writing, within 10 working days, to an Application Request. The reply will provide the Learner with all details of the ABA's decision and factors taken into consideration including:

- For rejection of an Application Request, a detailed, written notification (**S7-DOC-001 Application Release Request Response**) on the factors considered and the assessments made. The response will aim to fully inform the Learner and assist in the decision to proceed to an appeal via the ABA Appeal process. The Learner has 20 working days from the Application Release Request Response to notify ABA of the intention to appeal the decision.
- For approved transfers into another provider, any refunds of course fees paid to ABA will be in accordance with the ABA's Refund Policy.

Considerations for circumstances in which a transfer will be granted or refused

This policy recognises the international students as consumers and supports them to exercise choice, while acknowledging that they may be a group that requires support to transition to study in Australia. This policy enables individual circumstances of the student and a broader range of factors to be considered in order to determine if the transfer will be in benefit or detriment to the student. Factors for consideration may 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 further work, education or personal aspirations;
- If the student wishes to change course in order to get access to greater support (may be through the services offered by another provider, commercial or non-for-profit services or through access to family, friends or a cultural support network);and
- 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 DIAC for failure to meet the provider's attendance or academic progress requirements.
- A letter of release should be provided for a student where:
 - a student can provide evidence that he or she was misled by ABA or an education or migration agent regarding ABA or its course, which constitutes a breach of the ESOS Act, or
 - an appeal (internal or external) on a matter that may reasonably result in the student wishing to seek a transfer supports the student.
- When ABA makes judgments about a student's best interests or the receiving course or provider, ABA will ensure the reasons are adequately supported.

Release Letter

The Release Letter (**S7-DOC-002 Application Release Request Response**) if granted, will be issued at no cost to the student and will include information on the need to contact DIAC to see whether a new visa is required.

A new visa may be required if the new course is in a different sector to the original course or if there is an extension required to the student's visa. To find out more about visa requirements, go to <http://www.immi.gov.au> or call 131 881.

Filing Release Letter Applications

A Learner's request for a release letter and associated documentation including Offer Letter, and the ABA's response, will be kept in the Learner's file. The originals will be kept on file at ABA and copies are provided to Learner.

Attachments

- S7-FOR-001 Application Request for Transfer and Release Form
- S7-DOC-002 Application Release Request Response
- S7-FOR-002 Application Release Appeal Form

Additional reference material

http://www.aei.gov.au/AEI/ESOS/NationalCodeExplanatoryGuide/PartD/Standard_7.htm

Enrolling Transferring Learners

General Policy Statement

ABA will not enrol any international Learner already studying in Australia, who has not yet completed at least 6 months with their original Provider's Principal course or does not have a written Release Letter from that Provider.

Enrolment procedure

A Learner seeking to transfer to ABA from another Provider is required to complete an ABA International Enrolment form available on the web site:

http://www.aba.edu.au/about/International/International_Apply_Now/International_How_to_Apply/.

The Learner will then, with the provision of a Release Letter from the Principal Provider, complete the Formal Acceptance and Agreement http://www.aba.edu.au/about/International_How_to_Accept_Your_Offer/.

ABA will confirm the enrolment with the Learner.

Document Management

All documentation associated with the application to transfer and release will be stored within the ABA network, the Learner File, ABA Learner records management and in accordance with the archival requirements of the National Code, the Australian Quality Framework and the Archive Act.

S7-FOR-001 Application Request for Transfer and Release Form

Purpose

This Application Request for Transfer and Release Form provides international learners with the mechanism should they wish to withdraw from the course in which they are currently enrolled and to transfer to another provider; and have not completed six months of the principal course at ABA for which their current visa was granted

Information:

Release letters will be provided in accordance with this policy **S7-POL-001 Transfer and Release between Registered Providers Policy**. Documents that applicants must attach to this request before the application for release will be considered by ABA are:

- Letter of offer from the Institute to which the appliance wishes to transfer confirming that a valid enrolment offer has been made; and,
- Evidence of compassionate or compelling circumstances in support of the Application Request.

PERSONAL DETAILS			
Given Name:		Family Name:	
Gender:		Learner ID:	
Course:		Date of Birth:	
Address:			
Email:			

Please contact ABA should you change your address during the period of deferment to ensure we have your address details for future correspondence.

COMMENTS/REQUEST

LEARNER'S DECLARATION

I understand that:

- This is an application for a release and the application will be considered in accordance with the ABA policies and procedures.
- If the release is approved, my current Enrolment arrangements with ABA will be cancelled and the Department of Immigration and Citizenship (DIAC) will be informed of my transfer.
- If I choose to return to ABA, I will have to reapply for admission.
- If applicable, my entitlements to a refund will be assessed in accordance with the ABA Refund Policy.

Learner Signature		Date	
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ABA ACTIONS/RESPONSE

Outcome	<input type="checkbox"/> Approved <input type="checkbox"/> Rejected <input type="checkbox"/> No release letter required			
Reason for Rejection	<table border="1" style="width: 100%; height: 60px;"> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> </table>			
Actions	<input type="checkbox"/> PRISMS eCoE Cancelled <input type="checkbox"/> Refund Process (if applicable) <input type="checkbox"/> Learning Facilitator Advised <input type="checkbox"/> ABA Learner Records Updated <input type="checkbox"/> Prepare Application Release Request Response			

S7-FOR-002 Application Release Appeal Form

PERSONAL DETAILS			
Given Name:		Family Name:	
Semester:		Learner ID:	
Mobile:		Date of Birth:	
Course:			
Email:			
Address:			
Suburb:		Post Code:	
Home Phone:			

DESCRIPTION/APEAL REASON			
Learner Signature		Date	

ABA ACKNOWLEDGEMENT			
I certify that I have received the Appeals Form regarding the above and the following actions will be undertaken by ABA:			
<ul style="list-style-type: none"> • • • • 			
CEO Name			
CEO Signature		Date	

