

## EDN-007-I-POL Transfer Between Registered Providers Policy and Procedure

<b>Audience</b>	<b>Internal</b> <input checked="" type="checkbox"/>	<b>External</b> <input checked="" type="checkbox"/>
<b>Policy ID</b>	EDN-007-I- POL – Transfer Between Registered Providers Policy and Procedure	
<b>Responsible officer</b>	Admissions Manager	
<b>Contact officer</b>	Admissions Manager	
<b>Endorsed by</b>	Continuous Improvement Committee	
<b>Endorsement date</b>	14/12/17	
<b>Effective date</b>	31/01/18	
<b>Version</b>	14	
<b>Review date</b>	31/01/19	

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## 1. Introduction

### 1.1 Modification History

Version	Comments
Version 1.1	Amendment due to updated Policy Template.
2	Amendment due to internal procedural clarification.
3	Clarification of policy scope to include all MEGT Education entities.
5	Updated DIAC - Department of Immigration and Citizenship to DIBP - Department of Immigration and Border Protection
6	Updated DIBP Acronym to Department of Immigration and Border Protection
7	Removed reference to MEGT Education Group
8	Extra step added into Policy Statement 5.1
9	Updated footer to include updated CRICOS code
10	Changed wording in 5.2 point 7 to 'has not completed'
11	Formatting updated
12	Deferred review date until second half of 2016
13	Updated policy template
14 (International version 1.0)	Revision of Policy to align with National Code of Practice for Providers of Education and Training to Overseas Students 2018 Updated to new Management structure Department of Immigration and Border Protection updated to Department of Home Affairs Updated to new format Existing policy updated for international students only

### 1.2 Purpose

The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (The National Code) restricts providers from enrolling transferring students prior to the student completing six (6) months of their principal course of study (or for the duration of the course if the course is less than six months), except for some circumstances outlined in this Policy and Procedure.

### 2. Scope

This policy applies to:

- MEGT Education (NSW and VIC).

- International students seeking to transfer to MEGT Education within six months of their principal course.
- International students enrolled with MEGT Education seeking to transfer prior to completing six months of their principal course.
- MEGT Education Marketing, Admissions and Student Services staff.

### 3. Legislative Context

This policy satisfies the requirements of Standard 7 of the National Code 2018

### 4. Definitions

**MEGT Education:** MEGT (Australia) Ltd, trading as MEGT Institute. ABILITY Education Pty Ltd, trading as ABILITY English

**ESOS Act** – Education Services for Overseas Students Act

**International students:** Overseas students holding a student visa issued by the Australian Government Department of Immigration and Border Protection.

**Principal course of study:** The main course of study leading to the highest qualification on the students' current visa. If the student is on packaged courses, the principal course is the course leading to the highest qualification and the restriction will apply to the first six months of that course and any packaged courses before it.

**PRISMS** – Provider Registration and International Students Management System. Australian Government Database used to manage international students' Confirmation of Enrolment (CoE).

### 5. Policy Statement

MEGT Education will not knowingly enrol a student wanting to transfer from another provider prior to the student having completed six months of their principal course of study unless:

- The registration of that provider has been cancelled or a sanction has been imposed on its registration.
- A Letter of Release has been issued to the student and details recorded on PRISMS.
- Any government sponsor of the student has provided their written support in considering the change to be in the best interest of the student.

A Letter of Release is not required in the above circumstances or when an international student has completed six months of their principal course of study.

#### 5.1 Circumstances where MEGT Education will allow a student to obtain a Letter of Release include:

For international students who wish to withdraw from studies at MEGT Education prior to completing six months of their principal course and begin studies at another institution:

1. The student must lodge a written request including a valid enrolment offer from another registered provider.
2. The student can demonstrate compassionate or compelling circumstances which necessitate transfer to another provider.
3. The student is experiencing academic or personal difficulties which have not been resolved after the student accessed MEGT Education's support services or an individually tailored intervention strategy was put in place.

4. To enable the student 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).
5. The student's claims or provides evidence that his or her reasonable expectations about the current course are not being met, subject to appropriate Intervention Strategies having already been activated with the student.
6. The student provides evidence that he/she was misled by MEGT Education or an education or migration agent representing the Institute or its courses, which constitutes a breach of the ESOS Act.
7. An appeal supports the student (internal or external) on a matter that may reasonably result in the student wishing to seek a transfer.
8. Applications based on reasons that the principal MEGT course does not meet the students' educational, work/career or personal aspirations will be considered. However, unless compelling reasons are provided to support these claims, MEGT will not accept these as valid reasons and will require students to complete 6 months of their principal course.

### **5.2 Reasons for not issuing a Letter of Release may include but not be limited to:**

1. The transfer may jeopardise the student's progression through a package of courses.
2. 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.
3. MEGT Education will implement an Intervention Strategy to support the student and review the issue within a timeframe negotiated with the student.
4. If the student is trying to avoid being reported to the Department of Home Affairs for failure to meet MEGT Education's academic progress requirements.
5. The student has outstanding fees.
6. The student claims they are returning to their country and fails to provide sufficient evidence in this regard.
7. The student has not completed more than six months of their principal course.
8. The student is experiencing course schedule conflict with personal, work, or non-study commitments.
9. The student's claims cannot be supported by sufficient, authentic and compelling evidence.

## **6. Procedures**

### **6.1 Procedures for MEGT Education students transferring to another registered provider:**

1. Students who wish to transfer to another registered provider must complete an Amendment of Enrolment Form, available from Student Services. Supporting documentation must accompany the application.
2. The Manager International Education or nominated delegate has authority to make a determination on the application.
3. While their application is being considered, students must continue to attend all scheduled classes of their course until they have been notified of the outcome of their application.
4. If the student requires a Letter of Release, they must (at a minimum) attach a Letter of Offer from the provider they are transferring to, to their application for a Letter of Release.
5. MEGT Education will respond to the application within 10 working days of receipt of the completed Amendment of Enrolment Form.

6. While MEGT Education is under no obligation to release a student prior to completion of six months of study in their principal course, MEGT Education will generally agree to a request from an international student unless the reasons listed in 5.2 apply.
7. A Letter of Release is issued at no cost to the student. If a Letter of Release is not granted, the student will be notified in writing of the reasons for the decision. The student is advised that he/she is able to lodge an appeal against MEGT Education's decision within 20 working days of the date of the decision and in accordance with MEGT Education's Complaints and Appeals Policy and Procedure (EDN-008-I-POL).
8. When a student transfers to another registered provider, MEGT Education is required to inform the Department of Home Affairs via the PRISMS system on the date the release is approved unless otherwise requested in the application. The student is advised to contact the Department of Home Affairs to determine whether a new student visa is required.
9. MEGT ABILITY Admissions will not finalise refusal status in PRISMS until any appeal lodged by student under the MEGT Complaints and Appeals Policy is finalized and found in favour of MEGT's decision to refuse.
10. Any refunds of course fees paid to MEGT Education will be assessed in accordance with the Institute's refund policy.

## **6.2 Students applying to transfer to MEGT Education from other education providers:**

1. MEGT Education will not knowingly enrol a student wishing to transfer from another registered provider's course prior to the student completing six months of the principal course of study except where:
  - The original registered provider has provided a written Letter of Release.
  - The original provider has recorded the date of effect and reason for release in PRISMS
  - The original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered
  - 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
  - Any government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change.
2. When the Conditional Letter of Offer is issued to a student that has been with their previous registered provider for a period of less than six months of their principal course, MEGT ABILITY Admissions will advise the applicant that they will need to provide the appropriate documentation (ie a Letter of Release from their previous registered provider; evidence that their original provider has ceased to operate or has a sanction imposed on it; or written support from a government sponsor) before a CoE can be issued.
3. MEGT ABILITY Admissions will not create a new CoE via PRISMS and will advise applicant that a CoE not be issued until the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
4. If the applicant has been with their previous registered provider for more than six months of their principal course then a Letter of Release is not required by MEGT Education.

### **6.3 Retention of Requests**

MEGT Education will ensure that records of all requests from overseas students for a release, the assessment of, and the decision regarding, the request for two years after the overseas student ceases to be an accepted student.

## **7. Related Policies & Procedures**

EDN-008-I-POL - Complaints and Appeals Policy and Procedure

EDN-010-I-POL – Monitoring Course Progress Policy and Procedure

EDN-016-I-POL – Compassionate and Compelling Circumstances Policy

EDN-018-I-POL - MEGT/ABILITY Fees, Charges and Refund Policy

EDN-026-I-POL – Student Records Archiving, Retention and Retrieval Policy and Procedure

## **8. Implementation**

EDN-007-I-POL - Transfer Between Registered Providers Policy and Procedure is made available via MEGT Education's websites externally and on the MEGT Intranet internally. Detailed procedures that are recommended in order to carry out the intent of the policy.

## **9. Responsibilities**

The relevant Admissions Manager will review this policy annually, or in case of legislative changes requiring amendments.

## **10. Attachments**

[EDN-007-FORM A MEGT Ability Amendment of Enrolment Form](#)

[EDN-007-FORMB Letter of Release](#)

[EDN-007-FORMC Letter of Refusal](#)

## **11. Process Map**

N/A