1.0 PURPOSE

The purpose of this policy is to ensure that international students wishing to transfer between registered training providers do so in accordance with the guidelines of the National Code 2007.

In accordance with the National Code 2007, registered providers are restricted from enrolling transferring students prior to the student completing six months of his or her principal course of study except for the circumstances outlined below. Registered providers from whom the student is seeking to transfer are responsible for assessing the student request to transfer within this restricted period. It is expected that the student request will be granted where the transfer will not be to the detriment of the student.

2.0 DEFINITIONS & KEY WORDS

2.1 “The Institute” refers to Menzies Institute of Technology.


2.3 “DEEWR” refers to the Department of Education, Employment and Workplace Relations

2.4 “DIAC” refers to the Department of Immigration and Multicultural Affairs
3.0 PROCEDURE

Menzies Institute of Technology is committed to abide by and implement a transfer policy in accordance with the National Code 2007. The National Code restricts the movement of students to an alternative provider up to and including the first six months of the student’s principal course, except in exceptional circumstances as listed below:

- the original registered provider has ceased to be registered
- the original registered provider has provided a written letter of release
- 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 his or her principal course
- any government sponsor of the student considers the change to be in the student’s best interest and has provided written support of that change

The student’s principal course is defined as the main course of study undertaken by an overseas student where a student visa has been issued for multiple courses of study (i.e. ‘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 student visa has been issued for only one course, that course is the student’s principal course of study.

3.1 Requests for Transfers

All current students of the Institute requesting a transfer to another registered provider prior to the completion of the first 6 calendar months of their principal course must seek approval to transfer and obtain a Release Letter.

Students wishing to transfer to another provider:

- Must have a valid enrolment offer from another provider
- Must submit a request in writing to the Institute via the Student Request Form (MFS08 - Student Request Form)
- Submit additional documents providing evidence on the reasons as stated on the transfer request

The Institute will consider each request and make a decision based on the documents provided. If further information is required, the student will be requested to attend an interview with the Student Services Coordinator. The Interview Sheet form (MFA10) is to be used for documenting the details of the interview and filed with transfer request.
The Student Services Coordinator will provide a written response to the student outlining the reasons for granting or declining the transfer request. If the request is refused, the student has 20 days to appeal via the Institute's Complaints and Appeals process – MITP07.

3.2 Grounds for declining requests for transfers

Requests for transfers may be refused for the following reasons:

- Basis of application is not deemed to be circumstances (which may include exceptional circumstances) relating to the welfare of the student.
- The transfer may jeopardize the student progression through a package of courses.
- The student has recently started studying and the full range of support services are yet to be provided or offered to the student.
- The student is intending to avoid being reported to DIAC FOR FAILING TO MEET Menzies Institute of Technology attendance or academic progress requirements.
- Valid letter of offer has not been received by the student.
- Transfer perceived as detrimental and not in the best interests to the student.
- The student has outstanding fees at the time of the request for transfer as per the payment installment schedule (Refer to MITP03 - Payment Schedule).

3.3 Grounds for granting requests for transfers

The Institute would issue a release letter (but not limited to the following circumstances):

- Where the student can demonstrate conclusively that the course is academically unsuitable – for example, the course doesn’t meet the student’s educational or developmental expectations or needs
- Where the student can demonstrate conclusively that he/she wishes to transfer in order to gain access to a better support network
- Where the student can demonstrate conclusively that he/she was misled by the Institute or its agent regarding the provider or its course.
- Where an appeal (internal or external) on a matter that may reasonably result in the student wishing to transfer, supports the student

3.4 Students transferring from other registered providers

A letter of offer may be provided to a student who is requesting to transfer to the Institute from another registered provider. In discussion with the student, staff should ascertain if the student has a valid visa and the commencement date of the principal course in order to determine if the student is subject to a no transfer
clause. If applicable, staff must inform student of the requirement to obtain a letter of release from their current provider before a valid enrolment can commence. Exceptions to this requirement are where:

- 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 his or her principal course.
- Any government sponsor of the student considers the change to be in the best interest and has provided written support for the change.

4.0 RESPONSIBILITIES

- It is the responsibility of the Student Services Coordinator to receive and process requests for transfer. Requests for transfer may only be granted with the approval of the PEO.

- It is the responsibility of the Marketing or Admissions Officer to advise students wishing to transfer to the Institute from other registered providers, on the requirements of obtaining a letter of release where necessary.