



### Policy

Under Standard 7.1, of the National Code 2018, ICV must not knowingly enrol a student from another registered provider prior to the student completing six (6) months of their principal course (ie the highest study level that the student visa covers). This policy is made available to staff and overseas students and sets out the provision for assessing overseas student transfer requests, prior to the overseas student completing six months of their principal course.

### Procedures

#### Students requesting transfer to ICV from other providers

ICV will only accept students in the first six months of their principal course in the following circumstances:

- the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered
- the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course at that registered provider
- the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
- any government sponsor of the overseas student considers the change to be in the overseas student's best interests and has provided written support for the change.

All applications for incoming transfers along with the supporting documentation will be assessed and responded to within 7 working days. The Business Development Manager/administration officer will notify the intending overseas student in writing of their acceptance or rejection.

#### Students requesting transfer from ICV to other providers

Overseas students are restricted from transferring from their principal course of study for a period of six months. This restriction also applies to any course(s) packaged with their principal course of study.

An overseas student may request a release letter from ICV by completing an application for a letter of release (available from the reception desk/website) and submitting it to the RTO/Training Manager. The application for a release letter must be accompanied by a valid enrolment offer letter from another registered provider.

A student who wishes to request a transfer to another provider will be required to meet with the RTO/Training Manager to discuss the application. Documentation of the discussions will be maintained.

#### Granting a letter of release

ICV will grant the transfer request because the transfer is in the overseas student's best interests, including but not limited to where ICV has assessed that;

- the overseas student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with ICV's intervention strategy to assist the overseas student in accordance with Standard 8 (Overseas student visa requirements)
- there is evidence of compassionate or compelling circumstances
  - Serious illness or injury, where a medical certificate states that the student was unable to attend classes



- Bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
- Major political upheaval or natural disaster in the home country requiring their emergency travel and this has impacted on their studies
- A traumatic experience which could include but is not limited to:
  - o involvement in or witnessing of an accident
  - o a crime committed against the student
  - o the student has been a witness to a crime
  - o and this has impacted on the student (these cases should be supported by police or psychologist's reports).
- ICV fails to deliver the course as outlined in the written agreement
- there is evidence that the overseas student's reasonable expectations about their current course are not being met
- the overseas student can provide evidence that he or she was misled by ICV or an education or agent regarding ICV or its course and the course is therefore unsuitable to their needs and/or study objectives
- an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.
- Other circumstances accepted by the CEO

### Refusing a letter of release

Grounds on where a request for release may be refused include but not limited to;

- ICV is of the view that the student is trying to avoid being reported to the Department of Home Affairs for failure to meet ICV's attendance or academic progress requirements;
- the evidence provided does not support grounds of compassionate or compelling circumstances
- ICV is of the view that the student's application to transfer is influenced by another party;
- the student has fees owing to the College
- the proposed transfer may jeopardise the student's progression through a packaged set of courses
- the proposed transfer may be considered detrimental to the student's welfare
- the student has not fully utilised ICV's intervention strategies
- the student is deliberately not participating in the College's intervention strategy
- other circumstances as directed by the CEO

### Outcome

Where a letter of release is **granted**, ICV will advise the overseas student to contact Immigration to seek advice on whether a new student visa is required. Students will be notified of the outcome of their request within 10 working days of receipt of the application. The release will be recorded on PRISMS. Approval of release of an international student does not automatically indicate that ICV agrees to provide any refund. All refunds must be in line with ICV's Refund Policy. The approval of a release will be granted at no cost to the international student.



Where ICV **refuses** to grant a letter of release, students will be informed in writing of the reasons for the refusal and provide the overseas student's right to access ICV's complaints and appeals process, within 20 working days (from a date specified in the letter which provides sufficient time to allow 20 working days after the letter has been delivered).

Where a student lodges an appeal ICV will not finalise the student's refusal status in PRISMS until the appeal finds in favour of ICV, or the overseas student has chosen not to access the complaints and appeals processes within the 20-working day period, or the overseas student withdraws from the process.

### Filing documents

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