



SHAFSTON

www.shafston.edu

Student Transfer and Release Policy and Procedure

Policy

Shafston International Pty Ltd will process all requests from students for transfer both to and from other providers in accordance with the following policy and procedure, which complies with Standard 7 of the National Code 2018. This is known as international student visa holders requesting a 'Letter of Release' to transfer to another educational institution.

Scope

This policy applies to Shafston International Pty Ltd students who hold a Student Visa to study in Australia. This policy also applies to student visa holders from other educational institutions who would like to transfer to study at Shafston. Overseas students cannot transfer between registered providers prior to completing six calendar months of their principal course of study without the release approval of the provider.

Release transfer restriction applies to a student during all courses they undertake prior to the principal course. For an overseas student to transfer before completing six months of their principal course, the overseas student must either obtain a release from their registered provider, except where any of the following occur:

- 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 their course with that registered provider;
- 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. This usually applies where the overseas student's study in Australia is sponsored by the government of another country.

After completing six calendar months of the principal course, an overseas student can transfer without needing to meet one of these conditions.

Student requests to transfer to another provider

For an overseas student where the student visa has been issued for multiple courses, the principal course is the highest level course of study to be undertaken and is usually the final course of study. The first six months is calculated as six calendar months from the date an overseas student commences their principal course of study.

Shafston will only consider approving a written request from a student to transfer to other providers without having yet completed at least six months of his/her principal course of study if the student provides a valid enrolment offer letter from another registered provider and can demonstrate exceptional circumstances. Such circumstances may include:

- Compassionate or compelling circumstances (extenuating circumstances that are beyond the control of the student and which affect the student's ability study or wellbeing);
- Compassionate and compelling circumstances must be supported with independent documentation confirming the reason;
- A Vocational Education and Training student has engaged in the intervention strategy to assist in meeting course progress, however has been unable to achieve satisfactory course progress at the course level. It is important to note that if an Intention to Report Notice has been issued, the report on the overseas student's course progress may occur even if the transfer request is granted;
- An appeal (internal or external) on another matter results in a decision or recommendation to release the

overseas student.

Shafston College may refuse to grant a letter of release to a student:

- If the student has not completed six months of their principal course and does not provide evidence of extenuating circumstances;
- If the transfer may jeopardise the student's progression through a package of courses;
- If Shafston believes that the transfer request is from an overseas student who has not been genuinely engaging with an intervention strategy with the intention of failing and being released;
- If the student has outstanding fees.

Shafston College must not issue a letter of release to a student:

- Who does not have a valid letter of offer of enrolment from another provider;
- If the student is under 18, unless the student has written evidence that his or her parent or legal guardian supports the transfer; and
- If the student is under 18, written confirmation that the receiving provider must confirm it accepts responsibility for approving the student's accommodation, support and general welfare arrangements as per Standard 5
- Where the student's government sponsor has not provided written support for the change.

A student must maintain their enrolment with Shafston and attend and participate in classes while their application for a Letter of Release is considered.

Students Under 18 years of age

Under-18 students must have written authorisation from their legal guardian or parent to transfer. For best practice this notification should come via the Agent in the student's home country to assist in verifying the request and parents decision. The parent or legal guardian must send a copy of their passport with the signed written request. If the student is not being cared for in Australia by a parent or suitable nominated relative, the receiving registered provider must accept responsibility for approving the student's accommodation, support and general welfare arrangements as per Standard 5. The letter of offer must note this responsibility.

If Shafston has provided welfare for the student by placing and monitoring them in a Shafston Homestay this welfare arrangement will cease once the transfer is complete or the student leaves Australia. If the Student remains in Australia they must accept the receiving providers accommodation, support and general welfare arrangements on the agreed and confirmed date of the transfer. The date the student leaves Australia or the date they take residence at the new home is the date the coe(s) and welfare arrangement will cease with Shafston.

Procedure:

Applications for Release are to be submitted to the Student Services Officer and must include the following documents;

- A completed Student Transfer and Release Request Form with an attached letter detailing their reasons for requesting a transfer to another provider
- A copy of the 'Offer letter' from the other registered provider
- A copy of supporting independent documents

Shafston will respond in writing to the request within 10 working days. If the student is not satisfied with the response, the student can access the Shafston complaints and appeals process, located on the Shafston website. Internal appeals must be submitted within 20 working days of the outcome. Students are also entitled to appeal under Australia consumer protection laws.

If Shafston approves the request, a 'Letter of Release' will be issued to the student at no cost. The letter of release will encourage the student to refer to DHA website in relation to their course change and if a new student visa is required. Upon approval and issuance of the 'Letter of Release', Shafston will cancel the student's course and future course's of study and cancel the student's CoE and future CoE's via PRISMS notifying DHA that the student has transferred to another provider.

If Shafston does not approve the request, a 'Release Refusal Letter' will be issued explaining the reasons for refusal, together with advice that it is possible to lodge an appeal if the student thinks there are sufficient grounds and they can submit further information supporting their request. Appeals must be submitted by students within 20 working days. Student must continue to attend classes and engage in assessment activities until the process is finalised.

Shafston will maintain records of all requests from overseas students for a letter of release, the assessment of that

request, and the decision regarding the request. These documents will be stored in the student's file.

Transfer from other providers.

Under Standard 7 of the National Code 2018, Shafston will not knowingly issue a CoE to a student seeking to transfer from another provider prior to the student completing six months of his/her principal course except where the any of the following apply:

- The registration of the provider or the course in which the student is enrolled is cancelled
- The provider has given the student a letter of release
- A government sanction on the provider's registration prevents the student from continuing his/her principle course, or
- The student's government sponsor writes to support the change

If Shafston accepts a student from another provider, and attempts to process the enrolment, but are alerted by PRISMS that the student is currently enrolled with another registered provider and yet to complete the first six months of their primary course, then

- Shafston will contact the student to request a letter of release from their principal provider and not complete the 'CoE' confirmation of enrolment unless documentation evidence as described above has been presented.

Students who have commenced classes without presenting one of the above will be required to provide a copy of their letter of release from their original provider within two weeks of the student commencing classes.

In circumstances where the original provider advises Shafston that the student has completed six months of their principal study and does not require a letter of release, Shafston will attempt the CoE issue in PRISMS. If unable to proceed, Shafston will advise the student the CoE issue cannot proceed and request the Student remedy the release with their transferring provider.

Please note the following points:

1. Before submitting an application to study with another Registered Provider, students are encouraged to consider and clearly understand how a transfer will affect their current student visa and how, and if it will better meet their personal requirements or long term goals.
2. A new student visa may be required if the new course is in a different level or sector to the original student visa course(s) or if there is an extension required to the student's visa.
3. Six months of the principle course means the completion of six calendar months of the principle course of study from the date that the student commences the course or the scheduled start date. Calendar months of study does not include holiday breaks or deferral and suspension periods. Principle course refers to the highest level course in the packaged program that the student visa has been granted.
4. For students who have a student visa granted with a University course, this will mean the highest level University course is the principle course of study. Students must ensure the changes to their study plans will not affect their ability to commence their principle course on their enrolled start date. If it will, the student is required to make arrangements in regards to their principle course directly with that provider to either defer the start date or withdraw and request a letter of release.
5. Students who are issued with letters of release may not be granted a refund of pre-paid fees. Refund requests will be assessed against Shafston's written terms and conditions and refund policy. Students must apply for a refund as a separate request to their request for transfer and release.
6. A letter of release will not generally be granted if the student is requesting to transfer to another Brisbane provider to study the same or similar course of study unless extenuating circumstances are proven.



SHAFSTON
www.shafston.edu