1. Purpose

This policy establishes the principles and processes by which BCA National will assess international student requests to transfer between registered providers to ensure compliance with the Education Services for Overseas Students (ESOS) Act 2000 and the requirements of Standard 7 of the National Code of 2007.

2. Scope

This policy applies to all international onshore students who request to transfer their enrolment to (or from) BCA National prior to them having completed six months of their principal course of study. This policy also applies to company staff who assess the transfer request.

International students are made aware of this policy in their Letter of Offer and the International Student Guide. Staff are made aware of this policy in the Operations Handbook.

3. Definitions

“Appeal” a formal written request by a student to have a matter heard and/or reconsidered in accordance with the company four-stage grievance resolution framework.

*External Appeal* written request by a student to have a matter heard and/or reconsidered by the Overseas Student Ombudsman if they are not satisfied with the outcomes of their internal appeal.

“Enrolled” where an international student has been issued with a CoE to confirm acceptance by the registered provider and is occupying a place in the CRICOS registered course for which the student was accepted and is progressing towards completion of the course requirements.

“Original Provider” the registered provider from who the student is seeking to transfer.

“New Provider” the registered provider to who the student is seeking to transfer.

“Principal Course of Study” is the main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study. The principal course of study would normally be the final course of study where the overseas student arrives in Australia with a student visa that covers multiple courses.

“Letter of Release” a letter supplied by the Original Provider acknowledging their agreement to release an international student within (or prior) to the first six months of their principal course of study, to transfer to another registered provider.
4. Policy

4.1 Transferring to BCA National from another registered provider

BCA National will not enrol, nor seek to enrol, any international student wishing to transfer from another registered provider’s course prior to that student having completed six months of their principal course of study. The following exceptions may apply, where:

a) The original registered provider has ceased to be registered or the course in which the student was enrolled has ceased to be registered.

b) The original registered provider has provided a written letter of release.

c) 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/her principal course of study or any prerequisite courses.

d) 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.

4.2 Transferring from BCA National to another registered provider

An international student wishing to transfer from BCA National to another CRICOS registered provider, prior to having completed six months of their course of study at BCA National, must submit an ‘Application for a Letter of Release’ with the following supporting documentation:

a) A certified copy of their student visa; and,

b) A copy of the letter of offer from the registered provider to which they wish to transfer.

BCA National will only consider an application complete if it has been signed and the above documentation attached. BCA National will assess and respond to all completed applications within 14 days of receipt of the application.

A copy of the application, decisions and outcomes will be kept on the student file.

4.3 Grounds for the provision of a Release Letter

BCA National will assess an ‘Application for a Letter of Release’ and provide a letter of release, at no cost to the international student, on one or more of the following grounds:

a) BCA National is no longer able to provide the course of study in which the student is due to commence or has enrolled,

b) The student is unable to complete the course of study due to compassionate circumstances ie. emotional or financial hardship, welfare or personal safety,

c) The student has justifiable claims that their reasonable expectations of the course of study are not being met,

d) The course is academically unsuitable for the student and does not meet their educational or developmental needs,

e) The Government sponsor of a student considers the change to be in the student’s best interest and has provided written support for that change.
4.4 Grounds for the provision of a Release Letter

The following are not normally considered grounds for the provision of a Letter of Release, where the student:

- Has changed their mind about the course and/or studying at BCA National,
- Is downgrading to a qualification not offered at BCA National for reasons other than academic ability,
- Wants to live somewhere else (unless there are compassionate grounds).

Where an ‘Application for a Letter of Release’ is successful, the student will be notified in writing attaching the Letter of Release within 14 days of application. A student who is granted a Letter of Release should contact DIBP to seek advice on whether a new student visa is required.

4.5 Grounds for denying a Letter of Release

BCA National will assess an ‘Application for Letter of Release’ and refuse the request for a Letter of Release on one or more of the following grounds, where:

a) The student has unpaid tuition fees (or other charges),

b) The transfer would be detrimental to the student’s ability to complete the requirements of the new course of study,

c) The Government sponsor of a student considers the change not to be in the student’s best interest.

Where an ‘Application for a Letter of Release’ is denied, BCA National will not provide a Letter of Release. The student will be sent a Refusal of Release Letter outlining the reasons for decision and their rights to appeal the decision. This letter will be sent within 14 days of the application being received by BCA National.

Where release is denied, the applicant has the right to appeal the decision within twenty working days in accordance with the company Student Complaints & Appeals Policy.