

International Students Transfer Policy

1. Purpose

Envirotech Education (Envirotech) in compliance with the RTO Standards, the Education Services for Overseas Students Act 2000 of the Commonwealth of Australia (ESOS) and Standard 7 of the National Code Part 4, recognises international students as consumers and supports them to exercise choice, while acknowledging that they may also be a group that requires support to transition to study in Australia. This policy draws the requirements and guide decision making by pointing to the range of factors that ought to be taken into account. It is also providing directions on the individual circumstances of the student that should be considered in order to determine if the transfer will be to the detriment of the student.

2. Scope

This Transfer Policy and Procedure applies to:

- 2.1. International students studying on shore, who are the holders of a student visa
- 2.2. Envirotech's units with responsibilities to administer, approve and process international students' transfer requests, and is available to all Envirotech staff

3. Relevant Standards

Standards 7 of the National Code 2007

4. Relevant links:

- 4.1. National Code: <https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/nationalcodepartd/Pages/ExplanatoryguideD7.aspx>

5. Associated policies and procedures

- 5.1. Deferral, suspension and cancellation of course enrolment
- 5.2. Dispute Resolution - Complaints and Appeal Policy
- 5.3. Refund policy
- 5.4. Academic Progress Monitoring Policy and Procedures

6. Associated documents

- 6.1. Student offer letter which constitute Envirotech Written agreement and include the transfer policy in its terms and conditions of enrolment
- 6.2. Student Handbook, containing this policy
- 6.3. Course cancellation form, available on Envirotech website (www.envirotech.edu.au)
- 6.4. Letter of release approval letter
- 6.5. Letter of release refusal letter

7. Students seeking to transfer from Envirotech to another provider

International students seeking to transfer from Envirotech to another register provider prior to completing six (6) calendar months of their principal course must seek approval to transfer and obtain a letter of release. The principle course is the highest level course in a set of courses or the latest course's enrolment date if all courses are at the same level.

7.1. Envirotech will consider an application to grant and issue a letter of release only if:

- 7.1.1. An application is made on Envirotech approved Course Cancellation Form available on Envirotech website
- 7.1.2. The students presented a valid letter of offer from the provider to which they transfer to
- 7.1.3. A confirmation by the transferring student that all relevant course fees have been paid or will be paid as a pre-requisite to the release letter and there will be no outstanding fees payable by the student under the Envirotech Refund Policy at the time of the Release letter being issued
- 7.1.4. Compelling or compassionate circumstances for the transfer exists, and there are reasonable grounds for the transfer that relate to pressing and important personal factors. These factors will mainly be related to health or change of career intentions OR
- 7.1.5. When the student will be reported because they are unable to achieve satisfactory course progress at the level they are studying and they have tried to engage in the intervention strategy Envirotech designed for them, however, couldn't achieve satisfactory outcome. In this case students will be released to study a lower Australian Qualification Framework (AQF) level and will need to apply for a new student visa. Envirotech is obligated to report the student's progress to the department even if the transfer has been granted.

7.2. Envirotech will refuse to issue a letter of release in the following circumstances:

- 7.2.1. When a new offer letter from a receiving provider has not been provided by the student
- 7.2.2. When the student has unpaid course fees for the study period in which the request is received
- 7.2.3. When there are outstanding fees payable under the Envirotech Refund Policy
- 7.2.4. When the transfer would be considered detrimental to the student's best interests, including but not limited to:
 - 7.2.4.1. A transfer would jeopardise a student's progress through a package of courses
 - 7.2.4.2. A student requires or has access to particular support services that will not be delivered by the receiving provider or accessible by the student following the transfer
 - 7.2.4.3. The student's career goals or future studies outcomes might not be achieved as previously requested by the student when applying to study with Envirotech, and a student visa has been granted on those grounds.
 - 7.2.4.4. If the student is trying to avoid being reported to DIBP for failure to meet Envirotech attendance or academic progress requirements, and did not engaged in the intervention strategy that has been designed to support a satisfactory progress.

7.3. Envirotech will assess and respond to the transfer request within 10 working days

7.4. When a letter of release request is being refused, the student will be advised in writing of the reasons for the refusal

7.5. A letter of release will be issued by Envirotech at no additional cost

7.6. Records of all release requests, its assessment and outcomes will be recorded and saved on Envirotech compliance register and will be monitored by Envirotech Student Registrar and Compliance Manager

8. Students seeking to transfer to Envirotech from other provider

- 8.1. International students who seek to transfer to Envirotech, prior to the completion of the first 6 months of their principal course, will be issued with a CoE only if:
 - 8.1.1. The original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered;
 - 8.1.2. The original registered provider has provided a written letter of release;
 - 8.1.3. 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; or
 - 8.1.4. 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
 - 8.1.5. The student has no Active CoE with any provider and must maintain visa requirement and be enrolled into a registered course.
- 8.2. Envirotech will not knowingly accept a student transferring from another provider, prior to the completion of the 6 first months of their principal course if:
 - 8.2.1. It is clear that the student breached student visa conditions
 - 8.2.2. The student cannot demonstrate sufficient evidence for not being related to a provider, and student still has active CoEs with a provider
 - 8.2.3. The original provider refused to grant a letter of release to the student

9. Procedures

Envirotech staff and Envirotech's representatives, who directly interact with international students, must be aware of the entire ESOS obligations and the potential implications for students. Staff must also be aware of the limitations on transfer before completion of six months of a principal course and should advise overseas students of these limitations.

Students applications for a letter of release:

- 9.1. Students must lodge the request for letter of release in writing:
 - 9.1.1. Using the Course Cancellation Form. The form is available on Envirotech website (www.envirotech.edu.au) and will be automatically directed to the relevant Envirotech staff for assessment.
 - 9.1.2. Provide additional relevant supporting documents, including statement of reasons for the release request, evidence for the personal request of a student visa cancellation and new offer letter from a new provider.
 - 9.1.3. Pay the cancellation process fee and any outstanding fees
- 9.2. Application date and calculation of withdrawn/ cancellation will be calculated from the date the written request has been provided together with **all** required evidence. Only a completed application requests will be assessed.
- 9.3. An email receipt acknowledging that the request has been received will be produced.
- 9.4. Release requests will be saved together with all relevant documentation, communication and correspondence that might be relevant to the assessment and outcome by Envirotech staff on the internal Compliance Site under 'Registers'. The record will be updated according to the request circumstances

- 9.5. Envirotech staff will assess the request and submit its recommendation to the Compliance Manager.
- 9.6. Envirotech will give due consideration to the student's best interests and educational objectives when assessing an application for release
The range of factors may include:
 - 9.6.1. The course which student wishes to transfer to:
 - 9.6.1.1. better meets the study capabilities of the student
 - 9.6.1.2. better meets the long- term goals of the student, whether these relate to future work, education or personal aspirations
 - 9.6.1.3. better meets the student's social needs-in order to gain 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)
 - 9.6.2. Student claims or can provide evidence that his or her reasonable expectations about the current course are not being met or they have been misled by Envirotech or an education or migration agent regarding Envirotech services or its course. In this case Envirotech will make efforts to address the matter personally with the student and apply any improvements to the pre-enrolment, marketing and students' information before a release can be considered
 - 9.6.3. Explanation why transfer can be shown to be detrimental to the student's best interests
 - 9.6.4. Students' academic progress
 - 9.6.5. Review of students' course paid fees and if any outstanding invoices exists
- 9.7. Decision making will be done within 10 working days from the student full application request date and a relevant approval or refusal response letter will be issued
- 9.8. Response outcome letter will be sent as a response to the student enquiry within 10 days from submitting the full application, and also be saved on the register record under the student's document set.
 - 9.8.1. Approval letter must include the following:
 - 9.8.1.1. Advice to the student of the need to contact DIBP to seek advice on whether a new student visa is required.
 - 9.8.1.2. Information regarding the student's academic progress and meeting the academic program requirements or listing the evidence of compelling and compassionate circumstances for which occur and prevented the students to meet satisfactorily progress
 - 9.8.1.3. A statement that the student paid all relevant fees
 - 9.8.2. Refusal letter must include the following:
 - 9.8.2.1. Reasons for not granting the release
 - 9.8.2.2. Advice regarding the student's right to appeal the refusal decision within 20 working days from the outcome date received through the Envirotech complaints and appeal mechanism.
- 9.9. If student is being refused to receive the letter of release and decided to appeal Envirotech decision, Envirotech will follow its complaints and appeal policy and will act accordingly.
- 9.10. When transfer is granted, Envirotech staff will communicate with the different departments for the following purposes:
 - 9.10.1. Finance- for the process of amending invoices, process refund and close any financial processes
 - 9.10.2. Administration- CoE officer to cancel the CoE and updating the systems including: SMS, Envirotech DB lists, OSHC etc.
Administration- to Issue a Statement of Attainment as required.

Students who are interested in enrolling with Envirotech, transferring from another provider:

- 9.11. Complete online application form available on Envirotech website
- 9.12. Confirm there is no breach with any student visa condition
- 9.13. The student meets all entry requirements and English level to participate in the requested course.
- 9.14. If students are downgrading in AQF level, they should be aware that a new student visa is required to be submitted
- 9.15. A proof of Release letter has been provided by the original provider prior to enrolment process and the issue of a CoE, OR
- 9.16. If no release letter is required, evidence of CoE cancellation and un-associate enrolment is demonstrated by the student according to Envirotech enrolment policies and procedures
- 9.17. Once all evidence has been provided and online application has been successfully completed, Envirotech staff will issue the student with the new CoE.