



## OVERSEAS STUDENTS RELEASE AND TRANSFER POLICY: COUNSELLING

<b>Version</b>	1.01	<b>Number of pages</b>	6
<b>Responsible officer</b>	Chief Community Life Officer		
<b>Contact</b>	policy@morling.edu.au		
<b>Approved by</b>	Academic Board		
<b>Responsible body</b>	Academic Board		
<b>Keywords</b>	International student; CCSC; Counselling; Transfer; Release; Enrolment		
<b>Access level</b> <i>Select from the drop-down menu</i>	Public		
<b>Dissemination Range</b>	DSS Staff; CCSC staff; Overseas counselling students		
<b>Approval date</b>	11 September 2019		
<b>Effective date</b>	11 September 2019		
<b>Review date</b>	September 2022		
<b>Superseded documents</b>	None		
<b>Higher Education Standard</b>	National Code Standard 7		
<b>Document classification</b> <i>Select from the drop-down menu</i>	Student Services and Administration		

### 1. PURPOSE

To outline the conditions and circumstances by which an overseas student may apply to transfer to another registered provider prior to the completion of six months of study of their principal program, in accordance with the National Code of Practice for Providers of Education and Training to Overseas Students, which was established under the Education Services for Overseas Students (ESOS) Act 2000.

### 2. DEFINITIONS

<b>Key Term or Acronym</b>	<b>Definition</b>
CoE	Confirmation of Enrolment
MC	Morling College
National Code	National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018

### **3. SCOPE**

- 3.1 This policy applies to:
  - 3.1.1 all international students on a student visa, enrolled in courses in Counselling, who seek to transfer to another provider prior to completing six months of their principal course of study
  - 3.1.2 overseas students who have been issued with a package offer for more than one course, the principal course being the program of study at Morling College (MC)
  - 3.1.3 MC staff.
- 3.2 This policy does not apply to the following:
  - 3.2.1 domestic students
  - 3.2.2 those on a visa other than a student visa
  - 3.2.3 overseas students who have completed more than six months of their principal course of study with Morling.

### **4. POLICY STATEMENT**

Morling College is committed to complying with the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (the National Code), which restricts providers from enrolling transferring students prior to the student completing six months of his or her principal course of study, except for the circumstances outlined in the standard.

Providers, from whom a student is seeking to transfer, are responsible for assessing the students request for transfer within the restricted period. It is expected that the student's request will be granted where the transfer will not be to the detriment of the student.

After completing the first six months of the principal course no restrictions apply.

Morling College has determined circumstances where it will:

- a. will approve request to transfer to another provider prior to completion of six months of study in the principal course
- b. will refuse student's request to transfer to another provider prior to completion of six months of study in the principal course.

### **5. PRINCIPLES**

Students seeking to enrol at Morling College

- 5.1 Circumstances Eligible for Enrolment

The MC will not enroll a student wishing to transfer from another registered provider's course prior to the student completing a minimum of six months of that principle course except where:

- a. the original provider has ceased to be registered
- b. the course in which the student is enrolled has ceased to be registered
- c. the original provider has had a sanction imposed on its registration that prevents the student from continuing his/her course
- 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
- e. they comply with 5.2 and 5.3 below.

#### 5.2 Letter of Release

Students wishing to transfer to the MC before they have completed six month of study in their principal course for reasons other than those outlined above will need to request a letter of release from their primary provider. Once a letter of release has been provided, students are welcome to apply for a course at MC, and for a Confirmation of Enrolment (CoE) to be issued.

#### 5.3 Good Reports

MC will only enrol an overseas student who has completed or partially completed another relevant course if MC is satisfied that:

- (a) the student had demonstrated a commitment to studies in that previous course; and
- (b) had a good attendance record for that course; and
- (c) had paid all the fees required for that course.

At application, students who have previously enrolled in relevant courses must authorise the Registrar at MC to obtain official records and other information about commitment to study, attendance and fee payment history from relevant educational institutions attended by the student.

Only if the student has good reports in each of these areas will the Registrar approve admission to the course in the affiliated college.

Students seeking release from Morling College

#### 5.4 Letter of Release

Students wishing to transfer from MC before they have completed six months of study in their principal course for reasons other than outlined above must apply to the Registrar for a letter of release. The request for a letter of release must contain a written explanation, and supporting evidence, of the reasons for the compassionate or compelling case (see 5.5 below), as well as a letter from another registered provider confirming that a valid enrolment offer has been made.

Applications for release will be assessed based on 5.5 and 5.6 below. MC reserves the right to also take into consideration other factors, including individual circumstances of a student not included in 5.5 and 5.6.

#### 5.5 Circumstances Eligible for Transfer

- a. The new course is deemed to be in the best interest of the student's future career
- b. Compassionate and compelling circumstances as determined by the Chief Academic Officer
- c. The student is struggling academically and that the course is not appropriate and there are no relevant alternatives at MC
- d. If the student claims or can provide evidence that his or her reasonable expectation about the current course are not being met
- e. The student has evidence that they have accessed MC's support services available to them, and that the student has shown evidence of a genuine effort to engage with these support services to seek resolution of any difficulties they are encountering in progressing in their course.

#### 5.6 Circumstances Not Eligible for Transfer

- a. The request is made within the first four weeks of the principal course commencing.
- b. If MC determines that the transfer would be detrimental to the student's future study plans
- c. If MC believes that the student is trying to avoid being reported to DIAC for failure to meet MC's attendance or academic progress requirements
- d. It is believed the student is deliberately trying to manipulate the Australian student visa system
- f. The student has not exhausted access to MC's support services for assistance with study or personal issues
- g. Where the student has outstanding fees to MC.
- h. Claims of financial hardship
- i. The student decides they would prefer to study at an institution with lower fees
- j. Change of mind.

#### 5.7 Letter of Release from Morling College

Prior to the first six months of the course being completed, MC will grant a letter of release at no cost to the student when the transfer has been approved and the student has provided a letter from another registered provider confirming that a valid enrolment offer has been made.

After the first six months of the course have been completed, the student is to provide a letter from another registered provider confirming that a valid enrolment offer has been made. The letter of release will be granted at no cost to the student.

If granted such a letter of release, the student will need to contact the nearest Department of Home Affairs office to seek advice on whether a new student visa is required.

#### **5.8 Transfer Declined**

If MC does approve the transfer, the student will be provided with a written reason for the refusal together with advice that he or she is able to access MC's appeals policy and procedure and that the student has 20 working days to do so. The decision may be appealed in accordance with the MC's Grievance Policy: International Counselling Students.

#### **5.9 Timeline for Requests to Transfer**

MC will attempt to respond to all students' requests for transfers within five business days of receipt of the request. MC will maintain a record of all requests from students for a letter of release and the assessment of, and decision regarding, the request on the student's file.

#### **5.8 Cancellation of Enrolment and Refunds**

Students granted a Letter of Release approving transfer to another institution must cancel their enrolment and apply for a refund of fees if applicable. Students may be subject to academic or financial penalty for cancellation of enrolment in accordance with MC's Written Agreement and Refund of Tuition Fees for International Counselling Students Policy.

## **6. RELATED DOCUMENTS AND LEGISLATION**

National Code of Practice for Providers of Education and Training to Overseas Students 2018.

Education Services for Overseas Students Act 2000 (ESOS Act) and related amendments and regulations

Education Services for Overseas Students (Calculation of Refund) Specification 2014

MC Grievance Policy: International Counselling Students

MC Refund of Tuition Fees for International Counselling Students Policy

## **7. REFERENCES**

Australian College of Theology Overseas Student Release and Transfer Policy

## 8. VERSION HISTORY

Version	Approved by	Approval Date	Effective Date	Changes made
1.01	Policy Coordinator	Feb 2023	Feb 2023	Header table updated to latest version, including addition of keywords.
1	Academic Board	11 September 2019	11 September 2019	New

*Download this policy anew with each use, as it may have changed.*