



Student Transfer Policy and Procedure

1. Purpose

This policy applies specifically to international students enrolled at EEI. The Policy specifies the processes undertaken for students transferring from other Registered Training Organisations (RTO) to EEI and for students transferring from Empyrean Education Institute (EEI) to other RTOs.

In accordance with the National Code of Practice, EEI will not knowingly enrol transferring students before the student has completed six months of the principal course of study except for certain circumstances. The restriction applies to any prerequisite courses in a package of courses as well as the first six months of the principal course. After the first six months of the principal course no restrictions apply.

2. Students seeking to transfer to EEI from another RTO within restricted period.

EEI will consider an application from an international student in the following circumstances:

- The original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered. Student must include evidence of this circumstance with their transfer application
- 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. Student must include evidence of this circumstance with their transfer application
- 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. Student must include evidence of this circumstance with their transfer application
- The original registered provider has provided a written letter of release. Student must include Letter of Release on letterhead of the provider with transfer application.

3. Students seeking transfer from EEI to another RTO within restricted period

- If a student requests a transfer from EEI within the restricted period, EEI will consider all such requests fairly and take into consideration the individual circumstances of each student in order to ascertain what is best for the student
- If EEI considers the transfer would be to the detriment of the student, the application will be refused and the student will be advised of the reasons for the decision in writing. Any decision made by EEI does not preclude the right of the student to appeal the decision
- EEI students must submit their request on the Request to Transfer between Providers form; all applications will be assessed against the EEI Request to Transfer between Providers Policy and Procedure

4. Procedure - Request Transfer to another RTO within restricted period.

The student seeking a transfer will meet with a member of the Student Services team to discuss reasons for seeking transfer. As part of the discussion the staff member will suggest ways in which EEI can assist in helping resolve the concerns of the student. The staff member will encourage the student to remain at EEI if she/he believes it is in the best interest of the student. If, at the end of the discussion, the student decides to continue with the request to transfer the staff member will facilitate this request. Meeting notes are retained on the student's file.



a. The nominated staff member will:

- assist student in completing the Form
- ensure the Form is signed by the student and the staff member, and that a copy is given to the student as evidence of date on which the Form was received
- advise the student that within 10 working days of receipt of the Form, the student will be informed, by written notification, of the outcome
- advise the student that should their request be refused, the student has the right to appeal the decision made by EEI. A copy of the Complaints and Appeals Policy and Procedure will be given to the student
- advise the student that:
 - i. if request to transfer has been approved, a Letter of Release will be provided at no cost to the student
 - ii. if applicable tuition fees have been paid in advance, a refund will be calculated against the EEI Cancellation and Refund Policy and paid into the student's nominated account
 - iii. Outstanding applicable tuition fees must be paid prior to being issued a Letter of Release.

b. After consultation with relevant EEI Department Heads or Managers, the student services staff member will submit the transfer request to the director together with a recommendation in regard to the outcome.

c. Upon receipt of the application, the Managing Director will assess the request within 10 working days. This period may be extended if the applicant fails to provide all relevant information/documentation, however in such instances EEI will advise the student of the additional information or documentation required to make the decision. The additional information will be attached to the original Request for Transfer between Providers form.

5. Successful application for transfer between providers within restricted period

If after carefully considering the reason for requesting a transfer to another RTO, the DIRECTOR approves the application. EEI will undertake the following actions:

a. if student has paid all applicable tuition fees:

- issue Letter of Release without cost to student
- calculate refund and where a refund is due, pay into student's nominated account

b. if student has applicable tuition fees due:

- issue account statement detailing applicable fees due and payable immediately
- advise student that on receipt of fees due EEI will issue a Letter of Release without cost to the student.

c. In all circumstances student will be reminded of their right to appeal the decision made by EEI.

6. Unsuccessful application for transfer between providers within restricted period.

If after carefully considering the reason for requesting a transfer to another RTO, the Managing Director does not approve the application, EEI student services staff will notify the student in writing of the outcome.



The notification will clearly state the reasons why the transfer was refused. The notification will also remind the student of his/her right to appeal the decision made by EEI. A copy of the Complaints and Appeals process will be included with the written notification.

7. EEI may refuse a student's request to transfer within the restricted period for the following reasons:
 - a. where the student has no valid enrolment offer from the receiving provider; and
 - b. in cases where the student is under 18 years old, unless there is written evidence that student's parent or legal guardian supports the transfer and written confirmation that the new provider will accept responsibility for approving a student's accommodation, support and general welfare arrangements
 - c. where the student is applying for a transfer in order to avoid penalties such as overdue fees or failing to achieve satisfactory attendance or course progress
 - d. where the applicant's transfer may jeopardise the student's progression through a package of courses
 - e. applicants should note that it is their responsibility to provide appropriate and timely evidence/documentation.
8. Students wishing to transfer between providers after the restricted period

Students have the right to transfer without proceeding through the Request to Transfer process. The transferring student will complete the Student Course Variation Form. EEI will undertake the following actions:

- a. if student has paid all applicable tuition fees:
 - issue Letter of Release without cost to student
 - Calculate refund and where a refund is due, pay into student's nominated account.
 - b. if student has applicable tuition fees due
 - issue account statement detailing applicable fees due
 - advise student that on receipt of fees due EEI will issue a Letter of Release without cost to student
 - c. In all circumstances student will be reminded of their right to appeal the decision made by EEI.
5. Regulatory and Legislative Requirements

This policy supports the government legislation standards of *AQTF 2007*, *National Code 2007*, *National Vocational Education and Training Regulator Act 2011*, *Education Services for Overseas Students Act 2000*, *Standards for Registered Training Organisations (RTOs) 2015*

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