1. Context

It is a requirement of the National Code that a student visa holder remains with their original provider for the first six calendar months of their program of study. Torrens University Australia can, however, approve a transfer to another institution or enrol a student from another institution in the first six months of their study in specific circumstances. This Policy sets out those circumstances and describes how transfer requests are assessed and implemented.

2. Definitions

**CRICOS:** Commonwealth Register of Institutions and Courses for Overseas Students. CRICOS registered institutions are providers of nationally recognised training to overseas students who have Australian student visas.

**International student:** A student studying in Australia on a student visa, as defined in *the ESOS Regulations 2001*.

**Letter of release:** a document issued by Torrens University Australia which allows a student to transfer to another CRICOS registered provider within the first six months of commencing their principal program of study at the University.

**Principal program of study:** is the highest qualification (normally the last program) covered by a student’s visa.

3. Scope

This policy applies to students who require an Australian student visa to study at Torrens University Australia.

4. Principles

Torrens University Australia:
- will comply with National Code Part D, Standard 7 in assessing requests for a letter of release;
• will not actively recruit students or knowingly enrol students who have not completed six months of their principal program with their original provider except in circumstances outlined in Standard 7 of the National Code;
• will assess applications for a transfer to another provider fairly and consistently, taking into account the individual circumstances and best interests of the student.

5. Accepting transfer students

Torrens University Australia will not admit a student who wishes to transfer from another institution during the first six months of their principal program of study except where:

• the student’s original institution has provided a written letter of release;
• the student’s original institution has ceased to be registered as a CRICOS provider, or the program in which the student is currently enrolled has ceased to be registered as a CRICOS program;
• the student’s original institution has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing their principal program of study; or
• a government sponsor of the student considers the change to be in the student’s best interest and provides written support for the transfer.

6. Releasing students

Torrens University Australia will issue students with a letter of release so that they can transfer to another institution in the first six months of their program in the following circumstances:

6.1 Failure to meet conditions of offer
If a student fails to meet specific pre-conditions relating to their offer of admission, such as not successfully completing a Foundation or English language program, they are eligible to be issued with a letter of release.

6.2 Compassionate or extenuating circumstances
A student who demonstrates compassionate or extenuating personal reasons for requesting a transfer to another institution within their first six months of study will be provided with a letter of release. Compassionate and extenuating circumstances are usually unexpected and outside the control of the student.

6.3 Government sponsored students
If a government sponsor considers that a change of provider is in the best interests of the student and provides written support for the transfer, a letter of release will be issued.

6.4 CRICOS registration of Torrens University Australia
If Torrens University Australia or a student’s principal program of study cease to be CRICOS registered, a letter of release will be issued to the student.

6.5 Students who are under 18
A letter of release will be granted to students who are under 18 years of age if the requested transfer to another institution has the written support of the student’s parent or guardian.
6.6 Student has been misled
If a student can demonstrate that they were misled by information provided to them about Torrens University Australia or their program of study by a representative of the University or by an education or migration agent, the student will be issued with a letter of release.

6.7 Alternative offer that is not detrimental
Torrens University of Australia will provide a letter of release if the offer received by a student from an alternative institution is not considered to be detrimental to the student. Consideration will be given to:

- whether the transfer would be academically unsuitable and/or detrimental to the student’s future study plans;
- the possibility that a student is requesting a transfer to avoid being reported to the Department of Immigration and Citizenship for breaching academic progress requirements;
- whether the transfer may jeopardise the student’s progression through a package of programs;
- whether, given the time that has elapsed since the commencement of the student’s program of study, the student has had the opportunity to access the full range of support services offered by the University.

7. Refusal to release a student
A letter of release will not be issued during the first six months of study if a student does not have a valid enrolment offer from an alternate CRICOS registered provider, or if the transfer is considered to be detrimental to the student. If the student is under 18 and does not provide evidence that their parent or legal guardian supports the transfer, the student will not be issued with a letter of release.

8. Request for Letter of release
To apply for a release, students must complete a Request for a Letter of Release form and include supporting documentary evidence. Depending on the circumstances, this may include a statement of support from an independent medical, legal or academic professional, a parent or guardian if a student is under 18, or from a government sponsor of the student.

9. Outcome of request
Students who have applied for a release will be advised of the outcome of their complete application within 10 days of submitting their Request for Letter of Release form.

10. Appeals and Refunds
Students who are dissatisfied with the outcome of their request for a release may appeal in accordance with the Student Grievance Management Policy. A student’s entitlement to a refund will be determined in accordance with the Student Refund Policy.

11. References
National Code, Standard 7