



Advocate Training

**CRICOS Policies and
Procedures**

Student Transfers – Standard 7

The purpose of this procedure is to address Standard 7 of the National Code 2018.

Advocate Training **will not enrol** international students transferring from their principal course (i.e. the main course of study or the highest qualification indicated on the student's current visa) with another registered provider before they have completed 6 months of their principal course with that registered provider. This requirement must be applied unless:

- the original registered provider or course in which the student is enrolled has ceased to be registered
- the student has been released from the original registered provider and the release has been recorded with the date of effect and reason for release in PRISMS
- the original registered provider has had a sanction imposed on its registration
- 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

Advocate Training **will release a current student** from their principal course before they have completed 6 months of that course where it can be demonstrated that the student:

- will be reported because they are unable to achieve satisfactory course progress at the level they are studying, after engaging with that registered provider's intervention strategy to assist the overseas student in accordance with Standard 8 (Overseas student visa requirements)
- there is evidence of compassionate or compelling circumstances
- Advocate Training fails to deliver the course as outlined in the written agreement
- there is evidence that the overseas student's reasonable expectations about their current course are not being met
- there is evidence that the overseas student was misled by the registered provider or an education or migration agent regarding the registered provider or its course and the course is therefore unsuitable to their needs and/or study objectives
- an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student

Advocate Training **will not release a current student** from their principal course before they have completed 6 months of that course where it can be demonstrated that the student:

- has not made satisfactory academic progress and is seeking a transfer to avoid being reported to DHA before engaging with Advocate Training in an intervention strategy aimed at improving the students' academic progress
- has not attended the course as required and is seeking a transfer to avoid being reported to the DHA before engaging with Advocate Training in an intervention strategy aimed at improving the students' course attendance
- has not paid all tuition fees

Procedure for assessing applications for transfer to Advocate Training

- Advocate Training receives an application from a student who has indicated that they are currently studying at another institution.
- The student is requested to provide evidence of their release from their current institution either by a letter of release or an email notification and if the student has no outstanding fees to be paid or other remaining matters of concern, the application proceeds.
- Where the student states that their current RTO has entered their release into PRISMS without providing the student any written notification Advocate Training will seek to create a new Confirmation of Enrolment (CoE) in PRISMS. Where PRISMS notifies that the student is still currently enrolled with another RTO the transfer application will not proceed. The student is informed that the application for transfer cannot proceed at this time. They are welcome to re-submit their application when the 6-month period has passed.
- **Note:** In the very rare circumstances where Advocate Training has ceased to be registered, or sanctions have been placed on Advocate Training by the Australian government, which do not allow the student to continue with the course, no formal release is required.
- Applications for transfer to Advocate Training are to be assessed and replied to within ten (10) working days.

Procedure for assessing applications for transfer from Advocate Training

- A student who wishes to transfer to another provider before they have completed six months in their principal course at SMIC must submit a written request to the

CEO. A valid letter of offer of enrolment from the new registered provider must be provided with the request

- The Chief Executive Officer uses PRISMS to ascertain if the student has completed 6 months of their principal course and when they arrived in Australia.
- With these documents sighted, Advocate Training will assess the transfer request using the following questions:
 - Has the student completed a minimum time of six months in their principal course?
 - Does the student have any outstanding fees payable to Advocate Training?
 - Is the student fully aware of the study issues involved in the transfer?
 - Is the student trying to avoid being reported to DHA for lack of course progress and has not undertaken any intervention strategy?
 - Where the answers to these questions are satisfactory, the student will be advised by email that the request to transfer will be granted at no charge to the student. The student will also be advised of the need to contact DHA and to check if they need obtain a new visa
 - The Chief Executive Officer reports the student's termination of studies through PRISMS.
 - Applications for transfer from Advocate Training are to be assessed and replied to within ten (10) working days.

Once a transfer request decision has been made

- The Chief Executive Officer will decide whether to refuse or grant the letter of release and inform the student accordingly. If the Chief Executive Officer decides to refuse a letter of release the student will be advised in writing providing the reasons for refusal and indicating that the student may access the student complaints and appeals process if they want a review of the decision within twenty (20) working days.
- Advocate Training must not finalise the student's refusal status in PRISMS until the appeal finds in favour of Advocate Training, or the overseas student has chosen not to access the complaints and appeals processes within the twenty (20) working day period, or the overseas student withdraws from the process.
- The Chief Executive Officer will make any final decision regarding the issuance or refusal of a letter of release for any student.

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- All requests, considerations, decisions and copies of letters of release are placed on student's file and are to be retained and stored securely by Advocate Training for a period of no less than two years from the date the student's enrolment with Advocate Training is terminated.
- The approval of transfer of a student to another institution does not indicate the agreement to provide any refund. Refunds are governed by Advocate Training refund policy as outlined in the written agreement.
- Advocate Training must also encourage the overseas student to consider whether a change in enrolment breaches a visa condition. The student can refer to the Department of Home Affairs (DHA) website at: [Click](#)

