

RMIT University Pathways (RMIT UP) Transfer to Another Education Provider Instruction

Section 1 – Purpose

- (1) The [National Code of Practice for Providers of Education and Training to Overseas Students](#) requires all CRICOS registered providers to have a documented policy and process for assessing overseas student transfer requests prior to the overseas student completing six months of their principal program. This instruction provides the steps for assessing and processing applications from student visa holders requesting a release from an RMIT UP program in order to transfer from RMIT UP to another education provider.

Section 2 – Authority

- (2) Authority for this document is established by the RMIT UP Enrolment and Enrolment Variation Procedure.

Section 3 – Scope

- (3) This instruction is for staff responsible for processing applications from RMIT ELICOS student visa holders requesting to transfer to another education provider and thereby seeking release from RMIT UP. This instruction is also available to students making these transfer requests.

Section 4 – Instruction

Transfer from RMIT UP to another provider

Students seeking release from RMIT UP only

- (4) Eligible reasons to transfer to a new education provider and required supporting documentation:
- Applications for release from RMIT UP will be approved in circumstances where RMIT UP has assessed the transfer to be in the best interest of the student, including but not limited to the following:

Reasons eligible for release approval	Examples of documents required from student include but not limited to:
The RMIT formal program accepted by the student has been cancelled or ceased to be offered for the student's accepted intake	Not required, verified internally
The student is not achieving satisfactory course progress despite genuine engagement with the intervention strategy for students at risk	Not required, verified internally
RMIT UP fails to deliver the course as outlined in the written agreement	Not required, verified internally
Evidence that the overseas student was misled by RMIT UP or an education or migration agent regarding the course and the	Correspondence received by the student from RMIT UP or an education or migration agent prior to enrolment

course is therefore unsuitable to the student's needs and/or study objectives	
Evidence that the overseas student's reasonable expectations about the course are not being met	Correspondence or marketing material received by the student from RMIT UP prior to enrolment
Evidence that the program is inappropriate because it does not meet the academic needs of the student	Letter from academic or careers counsellor or psychologist
The student provides evidence of compassionate and compelling circumstances beyond the student's control, that impact on plans for study or wellbeing	Letter from a registered medical practitioner, or the student's parents stating release is in the student's best interests.
An appeal on another matter results in a decision or recommendation to release the overseas student	Appeal outcome document
A government sponsor considers the change to be in the student's best interests	Letter/email from the sponsor

- b. Applications to transfer to another education provider may be refused in the following circumstances:
- i. the student desires to change to a similar program with lower fees;
 - ii. the student has either not commenced studying, or has been enrolled at RMIT UP for less than 5 weeks and has not experienced the full range of academic and transitional support services available at RMIT UP;
 - iii. where a visa was granted but the student fails to enrol at RMIT UP before the end of the enrolment period. In this situation, the student should apply to defer their RMIT UP commencement;
 - iv. there is strong evidence that the student has not genuinely engaged in study;
 - v. the student failed to read or understand the RMIT UP Offer or RMIT UP EAP Refund Procedure;
 - vi. the student has provided insufficient evidence to support the application.
- c. If the RMIT UP program is packaged with an RMIT formal program, students should be aware that changing from RMIT UP to another provider may affect admission to their RMIT formal program and RMIT UP may therefore not approve the release.

(5) Applying to transfer:

- a. Students submit the following documents to RMIT UP Student Services reception or via email to rmit.up.studentservices@rmit.edu.au:
- i. completed RMIT UP Transfer Application form
 - ii. personal statement giving the reasons for the transfer request
 - iii. a valid letter of offer from another CRICOS registered provider
 - iv. evidence to support their application (which may be one of the eligible criteria for release as described in 4a.
 - v. [ELICOS Refund Application](#) Form (if applicable).
- b. If the student is under 18 years of age:

- i. Where the student is not being cared for in Australia by a Department of Home Affairs approved student guardian, the student must provide written confirmation from their intended new provider that they will accept responsibility for approving a student's accommodation, support and general welfare (i.e. CAAW from the new provider).
- ii. RMIT UP Student Services staff will obtain written consent from the parent or legal guardian via the email address listed in Studylink before proceeding with the request for transfer.
- c. Currently enrolled students should continue to attend class and remain enrolled until they receive approval for their release.

(6) Application outcome

- a. The RMIT UP Student Services Advisor assesses the application for transfer and the outcome is emailed to the student's RMIT email account within 10 working days of the date the student submits the full request.
- b. A student approved to transfer to another education provider is granted release from RMIT UP and is advised to contact the Department of Home Affairs (DHA) to seek advice related to their student visa.
- c. If the request to transfer to another education provider is approved, RMIT UP issues the approved release through the Provider Registration and International Student Management System (PRISMS) and the student's enrolment at RMIT UP is cancelled from the date the transfer application was submitted in full.
- d. There is no cost applied for the approval of a request to transfer and any applicable refund is calculated and issued in accordance with the [RMIT University Pathways \(RMIT UP\) English for Academic Purposes \(EAP\) Refund Procedure](#).
- e. If the student is under 18 years of age, and the request to transfer to another education provider is approved, RMIT UP also:
 - i. uploads all of the approval documents to the student's file on Studylink; and
 - ii. informs RMIT Student Wellbeing Services via email to isunder18@rmit.edu.au of the enrolment variation and includes relevant dates. RMIT Student Wellbeing Services manages any matters related to the CAAW that are impacted by the enrolment variation.
- f. If the request for transfer is denied, the outcome email to the student will include reasons for the outcome and information about the appeal process;
- g. If the transfer application is denied, RMIT UP reports the refusal of release to DHA via PRISMS if:
 - i. the student has chosen not to access the internal appeal process within 20 working days, or
 - ii. the student has chosen not to access the external appeal process within 10 working days, or
 - iii. the external appeal finds in favour of RMIT UP, or
 - iv. the student has withdrawn from the appeal process and notified RMIT UP in writing.

(7) Internal Appeal

- a. A student may appeal a decision not to release them to transfer to another institution, if they can provide evidence that:
 - i. significant relevant circumstances have not been taken into account in the decision, and/or
 - ii. there was an error in process, or a breach of policy that had a significant impact on the decision, and/or

iii. there is new relevant information that was not available at the time the student made the application, which would have had a significant impact on the decision.

- b. The student should remain enrolled and attend classes during the appeal process.
- c. Internal appeal applications must be submitted within 20 working days of the date of the email advising them of the outcome of the application for transfer.
- d. Internal appeal applications should be lodged in writing to the RMIT UP Chief Executive Officer and submitted either in person at RMIT UP Student Services reception or via email to rmit.up.studentservices@rmit.edu.au.
- e. The student will be notified of the outcome of the appeal via their student email within 10 working days of submission.
- f. If the appeal is upheld, RMIT UP will issue the release through PRISMS and the student's enrolment will be cancelled, effective from the date the application to transfer was submitted in full.
- g. If the appeal is dismissed, the student will be advised of their right to seek external appeal of the decision.

(8) External Appeal

- a. Students who wish to seek review of the outcome of the internal appeal must lodge an appeal with the Commonwealth Ombudsman at <https://www.ombudsman.gov.au/How-we-can-help/overseas-students> within 10 working days of the date the appeal outcome was emailed to them.
- b. Students must notify RMIT UP of the lodgement reference number for the external appeal to rmit.up.studentservices@rmit.edu.au within 10 working days of the date the appeal outcome was emailed to them to avoid the refusal of release being reported on PRISMS.
- c. The student should remain enrolled and attend classes during the appeal process.

Students seeking release from RMIT UP and their RMIT formal program

(9) Applying for transfer

- a. Students must first apply for transfer and seek a release from the RMIT formal program via the [RMIT website](#).
- b. If RMIT approve the request to transfer to another provider and be released from the RMIT formal program, the student must then complete the RMIT UP Transfer Application Form and submit it either in person at RMIT UP Student Services reception (or via email to rmit.up.studentservices@rmit.edu.au).
- c. RMIT UP will release a student to another education provider where the student has been released by RMIT from the principal course of study and has a valid offer for a formal program offered by another registered CRICOS provider that includes a direct entry English pathway program at an appropriate level.

Transfer from another provider to RMIT UP

Students transferring from another provider to RMIT UP only, or to RMIT UP as part of a new RMIT University package of programs

(10) RMIT UP considers an application from a student transferring from another education provider if:

- a. the student provides evidence of satisfactory attendance and academic progress from the previous provider, or
- b. the original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to exist.

- (11) RMIT UP can accept a student only if RMIT University has approved and managed the transfer.

Section 5 – Compliance

- (12) Compliance with this instruction is monitored by the Quality Assurance and Standards team who investigate all identified breaches.

Section 6 – Definitions

Term	Definition
ELICOS	English Language Intensive Courses for Overseas Students

Section 7 - Document Details

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