

Transferring between education providers

ELC complies with Standard 7 of the National Code of Practice regarding transfer requests. Generally, international students cannot transfer between registered education providers prior to completing six calendar months (excluding any holidays) of their principal course of study. Note that this policy comes into effect once a visa has been granted against English Language Company's eCoE.

A student may transfer to another provider within the first 6 months of their course if:

- ELC is unable to deliver the course in which the student enrolled (and a suitable alternative course cannot be offered)
- ELC is unable to deliver a course at a suitable level of English for the student
- A government sponsor considers that the transfer is in the best interest of the student
- The student has been given a release letter from ELC*

A release letter **may*** be granted by ELC based on specific circumstances supported by evidence such as:

- If the student fails to meet academic requirements on a direct entry pathway, providing ELC is unable to offer an alternative course that would better meet their needs and providing the student has maintained satisfactory attendance and made a genuine attempt to engage with the school's intervention strategies
- If there are compelling/compassionate circumstances. These are generally circumstances beyond the student's control and which have an impact upon their course progress or wellbeing such as:
 - an extreme health situation (evidenced by a medical certificate)
 - bereavement of an immediate family member (parent, sibling, spouse, child) (evidenced by a death certificate)
 - emergency or traumatic experience (evidence must be provided to support a request for release in this situation)
- If there is evidence that the student's reasonable expectations about their course are not being met or that the student was misled by ELC or its education agents and as a result the course is unsuitable to their stated needs and/or study objectives.

A transfer request will **not** be approved if:

- The student has outstanding course fees
- It is suspected that the student is seeking to transfer in order to avoid being reported to DHA for failure to meet academic progress or attendance requirements.
- A transfer will jeopardise the student's progression through a package of courses
- The circumstances forming the basis of the request were known to the student before accepting an offer from ELC
- The student has not fully utilised the full range of support services provided by the school in order to overcome any difficulties outlined in the student's request.
- The transfer does not demonstrate clear educational progression. ELC regards it as in a student's best interests to follow a cohesive path of study and may deny a request where the transfer is to a similar course of study with another provider.
- The transfer is deemed to be detrimental to the student's well-being

ELC assumes that students have compared courses, including fees, schedules and pathways before enrolling in their course at ELC. It is also assumed that a student visa has been obtained for the primary purpose of studying.

Therefore, a release letter will **not** be approved based on: course price, course hours, a work schedule, desire to move to be with friends or family, change in accommodation or a general claim that a transfer will be in the student's best interests.

How to request a transfer

1. Request a transfer request form from reception
2. Complete the transfer request form which must include:
 - a written letter of offer from another provider
 - documentary evidence to support the request as required
3. Submit the request form and any documents to reception

All requests will be considered within 5 working days and you will be advised of the outcome by email. You may be asked to discuss your request with the Director of Studies during this time. Make sure that you continue to attend classes while your application is being considered.

Approved: If your transfer request is approved then you must consider whether a change in enrolment breaches a visa condition. You should refer to the Department of Home Affairs website at:

<https://www.border.gov.au/Trav/Stud/More/Changing-courses>.

Not approved: If your transfer request is not approved you have the right to appeal through ELC's complaints and appeals process within 20 days (see below). The refusal to release will not be recorded on your Confirmation of Enrolment until the appeal process has concluded.

> Complaints and appeals process

1. Make an appointment with the Director of Studies. You may bring a support person to this meeting if you wish.
2. You will be given the opportunity to explain why you wish to appeal a decision and may be asked to provide documentary evidence.
3. You will be informed of the outcome of the appeals process in writing within 5 working days.
4. If you are unhappy with the outcome of an internal appeal, you may lodge an external appeal through the NSW Ombudsman. <https://www.ombo.nsw.gov.au/complaints> This must be done within 20 days of notification of the outcome of your internal appeal. You should continue to maintain your enrolment throughout the appeals process.

> Refund policy

Where a student is granted approval for release to study at another provider prior to completing six months' study of the principal course, no refund will be made in accordance with ELC's refund policy (see below).

- For program cancellations on or after the date of commencement of your course, there will be no refund.
- For program cancellations before the commencement of your course, with more than 28 days' notice, ELC will retain a \$250 cancellation fee.
- For program cancellations before the commencement of your course, with less than 28 days' notice, ELC will retain 25% of the total tuition fee payable and a \$250 cancellation fee.
- For program cancellations due to the refusal of a student visa, ELC will retain a \$250 cancellation fee only except in the case of submission of fraudulent documents. In this case, ELC will retain a cancellation fee of \$1000.