

Release Policy for International Students

1. PURPOSE/OBJECTIVE

This policy outlines the conditions and circumstances by which an international student may apply to transfer to another registered provider prior to the completion of six months of study of their principal program. This policy is to be read in conjunction with any Macquarie University related policy.

2. APPLICATION

This policy outlines the circumstances under which MQC will allow both the enrolment of transferring students and the release of students from the University to another registered provider within the first six months of study in their principal program.

This policy applies to all international students studying in Australia on a student visa, to all international students who have sought direct entry into a MQC program, and those students who have been issued with a package offer for more than one course, the principal course being the program of study at MQC.

This policy does not apply to students who:

- Hold a visa other than a student visa
- Are transferring from one course of study to another within Macquarie University.
- Are in receipt of an Australian Commonwealth Government scholarship
- Have completed more than six months of their principal course of study with MQC.

3. POLICY STATEMENT

The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (the National Code) restricts education providers from enrolling any transferring students prior to the completion of six months of study in their principal program, except in limited circumstances.

The National Code requires registered education providers to assess requests from international students to transfer to another provider prior to the completion of six months of study in their principal program.

Following the completion of six months of study in their principal course students are not required to seek release.

MQC has determined circumstances where it will enrol a student seeking to transfer to the university, and where it will approve a student to transfer from the University prior to the completion of six months of study in their principal program.

Students seeking enrolment at MQC

MQC may enrol a student transferring from another registered provide prior to the completion of six months' of study in their principal program under the following circumstances:

- i. The original registered provider has ceased to be registered or the program in which the student is enrolled has ceased to be registered.
- ii. The original registered provider has issued a written letter of release.
- iii. 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 in their principal program
- iv. 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.

Students seeking release from MQC

Where a student requests a transfer from MQC to another registered provider prior to completing six months of their principal course, the student must complete the *MQC Application for Transfer to Another Registered Provider* form and submit to Student Services Manager or delegate with other relevant documentation including a letter which must outline;

- The reason for requesting the transfer
- AND a letter of offer from the proposed registered provider (without any academic or English conditions).
- Apply at least 10 working days prior to the start of Orientation Week. These dates are available on the MQC website - <http://www.city.mq.edu.au/>
- Must have a full offer from the Institution they wish to attend with no academic or English language conditions attached

Where the student is under 18, MQC also requires a letter supporting the transfer from a parent or legal guardian. The new letter of offer must include a clause confirming that the proposed registered provider will accept responsibility for the student's accommodation, support and general welfare arrangements as per Standard 5 of the National Code.

Requests for transfer will be assessed by Student Services Manager or delegate according to the criteria outlined below. Where a student is on a package offer, a request for transfer will need to be approved by MQC. MQC will maintain records of all requests from a student for a transfer on the student's file, including assessment of the requests and the decision regarding the request.

Assessment Criteria

MQC considers the following circumstances as acceptable reasons for granting a student's request for transfer*:

- i. The new course is deemed to be in the best interest of the student's future career or
- ii. Compassionate and compelling circumstances, including but not restricted to:
 - a. Unexpected severe illness or death of a family member
 - b. Involvement of custody proceedings for their child
 - c. The student or accompanying family member has an acute medical condition requiring treatment
 - d. The student has been involved in legal proceedings where the timing is beyond the student's control

- e. The student has been caught up in a natural disaster, political uprising or similar event
- f. The student has an accident, falls seriously ill, or contracts a serious medical condition after arriving in Australia.

*Documentary evidence must be provided for points i and ii above.

Conditions under which a letter of release will not be granted

MQC will not approve a release request in the following circumstances:

- i. Change of mind: Students are able to apply for transfer to other courses within MQC, but will not be granted a release to enrol with another provider on the basis of change of mind
- ii. The transfer request is to study a program at an academic level that is considered lower than their current principal program of study
- iii. The student has not exhausted access to MQC's support services for assistance with study or personal issues
- iv. Poor attendance
- v. Student claims difficulty with course but has not accessed the additional academic support available at MQC
- vi. Student claims difficulty with course however MQC believes student is capable with extra support and effort
- vii. The transfer will jeopardize the student's progress through a package of courses
- viii. Poor application to course work
- ix. Claims of financial hardship
- x. Accommodation difficulties – distance, transport, living arrangement
- xi. Migration agent's error

MQC reserves the right to take into consideration other factors, including individual circumstances of a student, which may not have been specified above.

Where a release is not granted, written reasons for the refusal will be provided to the student together with advice that he or she is able to access MQC's appeals policy and procedure and that the student has 20 working days to do so.

Refunds of Tuition Fees

The provisions of the MQC's Refund Policy will apply when a student's request for release is granted.

Appeals

A student who has been denied release may appeal the decision

All appeals must be made in writing and be addressed to the Campus Director and Principal.

All appeals will be considered within 10 working days after submission, and completed in a reasonable timeframe which takes into account the student's future enrolments and the length of their student visa. Please note that a student is not entitled to submit numerous appeals of the same nature to the Campus Director.

The decision of the Campus Director will be the final avenue of internal appeal within MQC.

Following the outcome of an internal appeal, students have the ability to lodge an external appeal to the New South Wales Ombudsman or, for international students seeking an appeal, the Overseas Student Ombudsman, should the outcome of the internal appeal not be favourable to the student. In accordance with the provisions of the National Code, a student's enrolment will be maintained while an internal appeal is being heard.

Circumstances in which a letter of release is not required

A letter of release is not required if:

- i. The student has been studying in their principal program for more than six months
- ii. The student does not meet the conditions of their Letter of Offer and therefore cannot commence their program at MQC and a suitable alternative program at MQC is not available
- iii. The student wishes to discontinue studying at MQC and intends to return to their home country.

4. DEFINITIONS

- N/A

5. RELATED DOCUMENTS

- MQC Student Fee and Refund Policy
- Deferment and Suspension Policy
- Under 18 Policy
- National Code 2007
- Relevant Macquarie University Policies

AMENDMENT HISTORY

Department:	Student Services	
Approval Authority:	SMT	
Approval Date:	01 September 2010	
Date for Next Review:	01 September 2013	
Revision Date	Version	Summary of changes
01/09/2010	1	New policy developed and implemented in line with MQ Policy
22/09/2011	2	Changes made to conditions as per suggestions from QMT meeting