

International Student Transfers

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

Weston Institute will not enrol international students transferring from their principal course (ie. 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 and this 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

Weston Institute 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
- Weston Institute 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

Weston Institute 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 Weston Institute 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 Weston Institute in an intervention strategy aimed at improving the student's course attendance
- has not paid all tuition fees

Procedure for assessing applications for transfer to Weston Institute

- Weston Institute receives an application from a student who is on-shore and 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 Weston Institute will seek to create a new Confirmation of Enrolment in PRISMS. Where PRISMS notify 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 Weston Institute has ceased to be registered, or sanctions have been placed on Weston Institute by the Australian government, which do not allow the student to continue with the course, no formal release is required.
- Applications for transfer to Weston Institute are to be assessed and replied to within ten (10) working days.

Procedure for assessing applications for transfer from Weston Institute

- 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 verifies if the student has completed 6 months of their principal course and when they arrived in Australia.

With these documents sighted, Weston Institute will assess the transfer request using the following questions:

- Has the student completed a minimum time of six months in their principal course? o Does the student have any outstanding fees payable to Weston Institute?
- o Is the student fully aware of the study issues involved in the transfer?
- o 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 Weston Institute 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 release and inform the student accordingly . If the Chief Executive Officer decides to refuse the 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 within twenty (20) working days if they want a review of the decision.
- Weston Institute must not finalise the student's refusal status in PRISMS unless the appeal finds in favour of Weston Institute, 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 the final decision concerning the release of any student.
- All requests, considerations, decisions and copies of letters/email notifications of release are placed on the student's file and are to be retained and stored securely by Weston Institute for a period of no less than two years from the date the student's enrolment with Weston Institute 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 Weston Institute refund policy as outlined in the written agreement.
- Weston Institute 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](#)

International Student Deferral, Suspension and Cancellation

Student enrolment can be deferred, suspended or cancelled in limited circumstances by Weston Institute or by the student. When deferral, suspension or cancellation of enrolment is initiated by Weston Institute, the student has the right to appeal the decision.

International students need to note that any deferral, suspension or cancellation may affect their study visa in Australia.

Weston Institute initiated suspension

Weston Institute may suspend a student's enrolment in the following circumstances:

- Student behavioural misconduct as defined in the Behaviour Misconduct Policy;
- As part of the intervention strategy for unsatisfactory progress as defined in the Monitoring Course Progress Policy;
- The student's failure to pay required fees to undertake or continue the course;
- In compassionate and /or compelling circumstances as determined by the Chief Executive Officer .

The length of time a student may have their enrolment suspended is at the discretion of the Chief Executive Officer of Weston Institute. A student's enrolment may not be suspended more than one (1) Term without the circumstances being re-assessed. The student will be notified in advance of the reasons and the timeframe of the suspension. A student may appeal a suspension decision through Weston Institute's internal appeals process. Any appeal will be dealt with as a matter of urgency to minimise any disadvantage to the student. A student's enrolment will be maintained throughout the process.

If, as part of this process, a student's enrolment is cancelled, the student will be notified in writing of the reasons for the cancellation and given twenty (20) working days to access Weston Institute's internal complaints and appeals process.

Any change in enrolment status will not be reported to the Department of Education until the internal appeals process has been completed unless extenuating circumstances relating to the student apply . Once the deferral, suspension or cancellation is processed Weston Institute will notify the Department of Education via PRISMS.

Student initiated suspension

Once the course has commenced students may only request a suspension of their participation in compelling or compassionate circumstances. Students must submit documents supporting their claim for suspension of their course e.g. medical certificates. The granting of the suspension is at the discretion of the Chief Executive Officer of Weston Institute.

The length of time of the suspension is also at the discretion of Weston Institute and shall be negotiated between the student and the Chief Executive Officer of Weston Institute.

Suspensions do not entitle a student to a refund.

Deferral

A student may defer the commencement of their course in the following circumstances:

- Compassionate or compelling circumstances agreed with Weston Institute
- A delay in obtaining a visa.

Students must request a deferral in writing to the Chief Executive Officer. The length of time should not exceed 2 Terms. A new eCoE will be issued once a new commencement is processed.

A deferment does not entitle a student to any refunds of fees and costs already paid.

Results of Deferral or Suspension

Students will be informed in writing of the outcome of their request for deferral or suspension.

If a student is dissatisfied with the outcome of a request, they can access the complaints and appeals process of Weston Institute.

All documentation relating to this process will be kept on the student's file. All discussions will be recorded in the student's file.

Students are advised to retain their original documents for their own records and to submit certified copies with any applications for deferment or suspension.

Cancellation

Any student who wishes to cancel their enrolment with Weston Institute must apply in writing to the Chief Executive Officer.

The student will meet with the Chief Executive Officer to explain their reasons for seeking a cancellation of current enrolment.

Cancellations may involve a refund. This is discussed with the Chief Executive Officer on a case-by-case basis. Once a student's enrolment is cancelled, deferred or temporarily suspended Weston Institute will advise the student to seek advice from immigration on any potential impact on their visa and notify the Department of Education via PRISMS as is required under section 19 of the ESOS Act.