

Release Procedure

Effective Date: 14 April 2021



Background

A Release is required if an international student wishes to transfer to another registered education provider within **six months** of commencement of their **principal program**, or **during any program(s) prior to the principal program**.

The requirement to issue a Release and have a policy and process for assessing overseas student transfer requests is stipulated under Standard 7 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code). Detailed information regarding Standard 7 can be found at: <https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/nationalcodepartd/Pages/ExplanatoryguideD7.aspx>

This procedure applies to international students of the University of Adelaide and the University's English Language Centre.

Definitions

Six months is calculated as six calendar months from the date an international student commences their **principal program**.

A student's **commencement date** is the start date specified on their CoE for their principal program.

The **principal program** is the highest qualification (normally the last program) covered by the student's visa. The Release requirement also applies to all programs of study prior to the student's principal program.

Eligibility

To make a valid application for release international students must provide the following to the appropriate assessing area, as specified on the application form:

- A completed "Application for Release to Transfer Education Provider" form;
- A valid and current offer of enrolment from the new registered provider;
- A written statement outlining the reasons for their release request and supporting documentation;
- Sponsored students with a financial guarantee from a sponsoring organisation or home government must provide written permission from their sponsor;
- Students under the age of 18 must also have written permission from their legal guardian or parent to transfer and evidence that the new provider will accept responsibility for the student's accommodation, support and general welfare requirements.

A release **may** be granted if there is evidence that:

- There are demonstrated compelling and compassionate grounds deemed beyond the student's control (refer to guidelines below);
- The student has completed their current pathway program(s) and has not met the entry requirements of their principal program;
- The University has discontinued the program into which the student was accepted;
- There is evidence the student received misleading information about their program of study from the University or one of its representatives and the program is therefore unsuited to their needs;
- There is evidence that the student's reasonable expectations about their program are not being met;

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- An appeal (internal or external) on another matter results in a decision or recommendation to release the student;
- The student has been accepted into a program and the University determines it is an unsuitable level of study;
- The student will be reported as they are unable to achieve satisfactory academic progress at the level they are studying, even after engaging with the University's support services and intervention strategy.

A release **may** be refused if:

- Tuition fees or other charges are owed to the University;
- Request is based on personal preference or change of mind;
- Request is based on a desire to change to a new course with lower fees, shorter duration or to be closer to family and friends;
- A change will jeopardise the student's progression through a package of programs;
- Student has not accessed support or academic services offered by the University and the application is based on being unable to achieve satisfactory academic progress;
- Student has only just commenced their program and there is no evidence to suggest they will not be successful in achieving satisfactory academic progress;
- Student has failed to meet student visa conditions including their obligation to ensure they have sufficient financial capacity to fund their study and living costs;
- Student wishes to transfer to a program similar to those offered by the University or one of its pathway providers;
- Request is an attempt to avoid being reported to Department of Home Affairs due to a failure to meet attendance or academic progress requirements;
- Student has not made a genuine attempt to actively participate in their principal program and/or meet assessment requirements of the program.

Responsibility for Assessment

Responsibility for the assessment of an application for a Release is delegated as follows:

Academic English: GEAP (General English for Academic Purposes) students	The University's English Language Centre
Academic English PEP Pathway (Pre-Enrolment English Program) students	International Admissions
University of Adelaide College Degree Transfer, Foundation Studies Program or Pre-Masters Program students	University of Adelaide College
Eynesbury College Foundation Studies Program or Diploma Students	Eynesbury College
Undergraduate or postgraduate coursework students who are yet to enrol at the University of Adelaide (this includes University of Adelaide College and Eynesbury College students who are due to transfer to their Bachelor program)	International Admissions

Undergraduate or postgraduate coursework student applications BEFORE Census	International Admissions
Undergraduate or postgraduate coursework student applications AFTER Census	International Student Support
Higher Degree by Research students who are yet to enrol at the University of Adelaide	Adelaide Graduate Centre
Higher Degree by Research students who are currently enrolled	Adelaide Graduate Centre

All decisions must be documented and all non-sensitive documentation stored on the student's file.

Advice to students

Within 10 working days of submitting their completed request for a Release, students must be provided with either:

- approval to transfer to a new provider, or
- a written explanation of the decision to refuse the transfer and their appeal rights

by the area delegated with responsibility for assessment of the Release application.

Review of decision

Students who have been refused a transfer have 20 working days in which to seek a review of the decision. Requests for review should include any additional or new evidence that supports the request. Students will receive written notification of the outcome of the review. The notification will include the reasons for the decision.

Student Grievance Resolution Process

Students have the right to appeal a decision by the University. Students who are refused a transfer have the right to appeal in accordance with the Student Grievance Resolution Process:

<https://www.adelaide.edu.au/student/grievance/>

Finalisation of decision in PRISMS

The student's refusal status in PRISMS will not be updated until the appeal process is completed.