

International Students - Release Letter Assessment Policy

Section 1 - Background and Purpose

(1) This Policy has been developed to comply with Standard 7 of the [National Code](#) of Practice for Registration Authorities and Providers of [Education Services for Overseas Students Act 2000](#).

Section 2 - Scope

(2) Applies to:

- a. All campuses
- b. All programs or courses, including students on a packaged visa with La Trobe University approved business partners (eg, LTM and selected TAFEs)
- c. All International Students holding a student visa and staff dealing with International students

Section 3 - Policy Statement

(3) International students are free to transfer to another provider following completion of the first six calendar months or at least one full standard semester of their principal course. The conditions for approval of a Release Letter are documented in the Procedures.

(4) Students wishing to withdraw in advance of the completion of the six months or full semester are also required to obtain a Release Letter.

Section 4 - Procedures

(5) Students must continue to attend classes while a decision is being made regarding a Release Letter or if a student has appealed this decision and the appeal is in process.

(6) Under Standard 7 of the National Code 2007, registered providers must not knowingly enrol a student wishing to transfer from another registered provider's program prior to the student completing six calendar months of his/her principal program of study, except in limited circumstances.

(7) A Release Letter is required where a student has not completed a full semester from the time of commencement to the date results are

- a. released, or
- b. 6 months of their principal course has not been completed.

(8) If a student has completed a full semester but less than 6 months, a release letter is required and will be granted

automatically. This does not exempt a student from submitting a request for release form.

Part A - Circumstances in Which a Transfer Will Be Granted

(9) Circumstances in which a Transfer will be granted are described below:

Students Have Not Met Conditions

(10) International students will be provided with a Release Letter if they have not met the conditions as stated in their offer letter.

Transfer in Student's Best Interests

(11) If the International student can demonstrate to the satisfaction of La Trobe University that the transfer to another provider is in their best interests, a Release Letter will be granted.

(12) This may include:

- a. where the transfer represents a clear educational progression;
- b. where a student is experiencing demonstrable academic difficulties in their current course;
- c. where the student's personal circumstances suggest that changing to an alternative course with another provider is in their best interests.

Compassionate and Compelling Circumstances

(13) Compassionate and compelling circumstances are generally those beyond the control of the student and which have an impact upon the student's course progress or wellbeing. These could include, but are not limited to:

- a. serious illness or injury, where a medical certificate states that the student was unable to attend classes;
- b. bereavement (death) of a close family member
- c. major political upheaval or natural disaster in the home country requiring emergency travel when this has impacted on the student's studies; or
- d. a traumatic experience which could include:
 - i. involvement in, or witnessing of a serious accident
 - ii. witnessing or being the victim of a serious crime

(14) When this has impacted on the student, these cases should be supported by police or psychologist's reports.

Sponsored Students

(15) In accordance with Standard 7 of the National Code, a sponsored student may transfer before completing six months of their principal course if their Sponsor considers the change to be in the student's best interest and has provided written support for that change.

(16) International sponsored students; including International students on AusAID visas, should contact the Sponsored Programs team at La Trobe International for further advice.

(17) International students in receipt of US Financial Aid funding or other overseas student loan programs should contact La Trobe International.

Students Under 18 Years of Age

(18) In accordance with Standard 7 of the National Code, a student under 18 years of age may transfer before

completing six months of their principal course with written confirmation that the student's parent or legal guardian supports the transfer.

(19) Where a student is under 18 years of age and is not being cared for in Australia by a parent or suitable nominated relative, it is a regulatory requirement that the valid Letter of Offer also confirms that the new provider will accept responsibility for approving the student's accommodation, support and general welfare arrangements as per Standard 5 (Younger Students).

Program Ceased to Be Offered

(20) If the principal program accepted by the student has been cancelled or ceased to be offered for the student's accepted intake, a Release Letter may be offered.

Part B - Circumstances in Which a Transfer Will Be Refused

(21) Circumstances in which a Transfer will be refused are described below.

Academic Difficulties

(22) The student has not completed the first four weeks of the principal course in which he or she is enrolled and has not accessed the full range of applicable support services available at the University of Partner Provider

Jeopardises Progression in Packaged Courses

(23) The transfer may jeopardise the student's progression in packaged courses

Jeopardises Educational Progression

(24) Where the transfer is unfavourable to the student in some way, including where the transfer does not represent clear educational progression;, this may include;

(25) Where a student applies to transfer to another provider in a different education sector (e.g. VET) or lower level qualification (e.g.; Bachelor to Diploma) and the transfer is determined to not be in the student's best interests

Not Classified as Compassionate or Compelling Circumstances

(26) The following circumstances will not generally be considered compassionate or compelling circumstance;

- a. Change to a new course with lower fees
- b. Distance of student's accommodation from the La Trobe University campus at which they are enrolled
- c. Financial difficulty (unless these can be proven to be sudden and unexpected)
- d. Work; the need or desire to work
- e. Holiday: the student is requesting a break or would like to visit family
- f. Homesickness: all international students are likely to experience homesickness to a certain degree (unless it is supported by documented evidence; e.g. medical certificate)

Outstanding Debts

(27) The student has outstanding debts to the University.

Scholarship Students

(28) The student is in receipt of La Trobe University scholarship funds.

Six Months

(29) The student has not completed 6 months of the principal course

Insufficient Evidence

(30) Insufficient evidence to support the release request is provided

Part C - Student Services

(31) Where appropriate, students seeking a Release Letter will be offered information and advice by La Trobe International to explore their reasons for transferring to another provider. This will consider any compassionate or compelling or academic circumstance, and may also include helping a student identify alternative academic pathways or courses within La Trobe which may be relevant to their academic aspirations.

Part D - Application for Letter of Release

(32) All applications for a Release Letter must be made in writing on the 'Request for a Release Letter' form, which can be downloaded at <http://www.latrobe.edu.au/international/life/leaving/withdrawal> with the required documentation attached.

Part E - Required Documentation

(33) All required documentation must be attached in order for the application to be assessed. The documentation required is described below.

Letter of Offer from New Institution

(34) The student must submit a valid offer letter from the institution the student wishes to transfer to.

(35) The scheduled date for commencing classes at the other institution must not have passed or be after the date the request for a letter of release is lodged.

Documentary Evidence

(36) Documentary evidence that the transfer is in the student's best interest, which should include a letter to the Associate Director, International Marketing and Recruitment, La Trobe International stating reasons for the release. This may include a statement of support from an independent professional (e.g. medical practitioner, academic or counsellor).

Evidence Where Conditions of Offer Have Not Been Met

(37) Evidence that the student has not met their offer conditions (if applicable).

Under 18 Written Confirmation of Support (if applicable)

(38) If the student is under 18 years of age, written confirmation that the student's parent or legal guardian supports the transfer; (if the student is under 18 years old and not being cared for in Australia by a parent or suitable nominated relative, this Letter of Offer must also state that the receiving institution will accept responsibility for approving the student's accommodation, support and general welfare arrangements).

Discontinuation of Enrolment

(39) Discontinuation of Enrolment form or Discontinuation of Acceptance form (if applicable).

Application for Refund

(40) Application for Refund form (if applicable).

Sponsored Students

(41) For Sponsored Students, written support for the transfer from the Sponsor.

US Students Receiving Financial Aid Funding

(42) For US students in receipt of Financial Aid funding, a copy of the Award Letter.

Scholarships Students

(43) Acceptance of scholarships letter.

Part F - Outcome of Application

(44) A written statement of the outcome will be given to the student, including reasons for the outcome and information on how to appeal the decision.

Part G - Appeals

(45) Where a student is refused a Release Letter, the student has the right to appeal.

(46) Any appeal should be lodged in writing addressed to the Pro Vice-Chancellor (International) within 20 working days of the date of the decision not to grant a Release Letter.

(47) Appeal applications should include;

- a. evidence showing how the decision was not made in accordance with

(48) Release Letter assessment (international students) procedure

- a. additional or new evidence to support the appeal for release

(49) Students will be notified within 10 working days of date of appeal submission about the outcome of the appeal with a written statement including reasons for the outcome. If further evidence is required, only upon receipt of this evidence will the process of the appeal commence with a response provided within 10 business working days.

(50) If the student is still not satisfied with the outcome of the appeal, a new appeal can be lodged within 20 working days from the date of the initial appeal response, addressed to the University Ombudsman at no cost.

(51) Contact details:

University Ombudsman
La Trobe University
Room 136, Level 1, Peribolos East
Bundoora, Victoria 3086

Ph: 03 9479 1897
Fax: 03 9479 3897
Email: ombudsman@latrobe.edu.au
Web:
<http://www.latrobe.edu.au/about/management/organisation/ombudsman>

(52) If the complaint or grievance is not resolved through the University Ombudsman, the student may lodge a complaint with the Victorian Ombudsman. There is no cost. If the student has not followed the steps laid down in the relevant University procedures, the Victorian Ombudsman may ask them to do so before accepting the complaint.

The contact details are:
Victorian Ombudsman Office
Level 1, North Tower
459 Collins Street Melbourne Victoria 3000
Ph: 03 9613 6222
Fax: 03 9614 0246
Email: ombudvic@ombudsman.vic.gov.au
Web: www.ombudsman.vic.gov.au

Part H - Refunds

(53) Students must complete the Application for Refund form and must discontinue their enrolment in accordance with the specified dates that La Trobe University has determined as the dates governing eligibility for refunds. In all circumstances, students' entitlements to a refund will be assessed in accordance with the La Trobe International Refund Policy. More information can be found at: <http://www.latrobe.edu.au/international/fees/tuition>

Part I - Privacy Information

(54) La Trobe has a longstanding commitment to hold confidential all personal information about students and to disclose it only with the consent and knowledge of the student, or when legally permitted or required to do so. For further information please visit <http://www.latrobe.edu.au/privacy/student-information>

Section 5 - Definitions

(55) For the purpose of this Policy and Procedure:

- a. Principal Course: The principal course is one for which a student visa has been issued at the highest level of study in the program.
- b. Release Letter: A letter granted to an International student that will release them from their commitment to La Trobe University.

Section 6 - Stakeholders

Responsibility for implementation – Pro Vice-Chancellor (International).

Responsibility for monitoring implementation and compliance – Pro Vice-Chancellor (International).

Status and Details

Status	Historic
Effective Date	6th December 2016
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