

Transfer Between Registered Providers Procedure

Policy Code: LT890

Table of Contents

Purpose	1
Scope	1
Definitions	1
Actions	2
Granting of Release	2
Applying for a Release Letter	3
Prospective Students	5
Responsibility	6
Legislative Context	6
Associated Documents	6
Forms / Record Keeping	6
Implementation	6

Purpose

To provide a procedure for students and staff in relation to Applications for Transfer Between Registered Providers.

This procedure ensures the University's compliance with Standard 7 of the National Code 2018.

Students applying to change teaching locations should refer to the [Transfer Between Teaching Locations Procedure](#).

Scope

This procedure relates to international students studying with the University on a student visa.

Definitions

Term	Definition
Application for Transfer Between Registered Providers	An application by a Student for Transfer Between Registered Providers (transfer application).
Approved Transfer	Authorising a student to be released from one registered provider so that they are able to enrol with another registered provider
Compassionate or compelling circumstances	Circumstances generally out of the control of the student which will have an impact upon the student's wellbeing or program progress.
Campus	Teaching location owned and managed by the University
CUP	Centre for University Partnerships

Term	Definition
ESOS Act:	The Education Services for Overseas Students Act 2000 of the Commonwealth of Australia, as amended from time to time.
Immigration	Department of Home Affairs
ISA:	International Student Admissions.
National Code:	The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, established pursuant to Part 4 of the ESOS Act 2000, as amended from time to time.
Nominated Officer	International Compliance Officer at the University in the case of students enrolled at a University campus; or in the case of students studying at Partner Provider sites the Nominated Officer is the Campus Manager/Director (or nominee).
Partner Provider	Educational institute providing programs of the University through an approved Education Agreement.
Principal Program	The main program of study to be undertaken by an overseas student where a student visa has been issued for multiple programs of study. The principal program of study would normally be the final program of study where the overseas student arrives in Australia with a student visa that covers multiple programs.
PRISMS	The Provider Registration and International Student Management System. Approved and non-approved transfers are recorded in PRISMS.
Program	A full-time registered program of education or training registered on CRICOS for the attainment of a testamur or certificate. Defined as Course in the ESOS Act. Also defined as Course in TAFE sector.
Student	A person who holds an Australian student visa, who wishes to be released from the University to study at another registered provider and is an 'overseas student' as defined by the ESOS Act.
Student Counsellor or equivalent	Includes a student counsellor/student support officer/advisor or welfare officer appointed by the University and working at the University or, in the case of students enrolled at and attending a Partner Provider, a student counsellor/student support officer or welfare officer appointed by and working at the Partner Provider.
Working Day	Monday to Friday excluding public holidays.

Actions

Granting of Release

Where a student requests a transfer prior to completing six months of their principal program the University or its nominated officer will assess the request for transfer against this procedure.

Students must co-operate with the University staff or its nominated officers (in the case where a student is studying at a partner provider nominated officer means partner provider staff) and attend any interviews or other appointments scheduled for them including in respect of support services provided by the University or its Partner Providers.

Applying to transfer between registered providers does not preclude students from the requirement to enrol on time. Non enrolment will not automatically result in a transfer between registered providers, however it will result in the student being reported to Immigration via PRISMS for failing to enrol.

Circumstances in which the registered provider will grant the transfer request because the transfer is in the overseas student's best interests, including but not limited to where the registered provider has assessed that:

- the overseas student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even 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
- the registered provider 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 objective
- an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student

Students are required to provide documentation to support their application to transfer to another registered provider.

Compassionate or compelling circumstances may include:

- Medical grounds, which may include, but are not limited to, serious illness or injury.
- Death of a student's immediate family member evidenced by a death certificate.
- Other compassionate circumstances where adequate evidence can be provided to show reason for release.

Refusal of Release

The University may refuse an application for transfer in the following circumstances:

- The student has not completed the first four weeks of the principal program in which he or she is enrolled and has not accessed the full range of support services available at the University or partner provider teaching location.
- The student is transferring to a similar program with another provider and has not provided documentation that supports their transfer request.
- The student is applying to transfer to a program with a lower qualification without consultation with program or academic coordinator.
- If the transfer may jeopardise the student's progression through a package of programs.
- The transfer to the new program may be detrimental to the student's well being and/or career objectives as stated in the student's original admissions application.
- The student's personal statement is inconsistent with other information provided to the University.
- The student has outstanding debts.

Applying for a Release Letter

1. Students wishing to obtain a transfer between registered providers must complete, sign, date and lodge the **Application for Transfer Between Registered Providers Form** at the office of the nominated officer. (*Refer to Forms Section below*)

2. The following documents (where applicable) must be attached to the Application for Transfer Between Registered Providers Form as part of the application:
 - i. a letter detailing the reasons for the request to transfer to another Institution and how the student will benefit from the transfer; and
 - ii. a copy of the offer letter from the other Institution confirming that a valid enrolment offer has been made unconditionally at that Institution; and
 - iii. a copy of the documentary evidence referred to in the letter of application. Where a student's request is based on medical grounds documentary evidence from an appropriately qualified medical practitioner, psychologist or counsellor must be provided. Failure to present evidence may adversely affect the outcome of the Transfer Between Registered Providers Application; and
 - iv. written approval for the change from the scholarship body if a sponsor is paying the tuition fees.
3. Upon receipt of the Application for Transfer Between Registered Providers form, the nominated officer must:
 - i. consider the application and documentation attached and if appropriate forward a copy of the Transfer Between Registered Providers Application to the relevant student counsellor (or equivalent) for assessment; and
4. If deemed appropriate, the student counsellor (or equivalent) should:
 - i. interview the student to determine:
 - the circumstances surrounding the release; and
 - how the student may benefit from a transfer to another education provider; and
 - whether the transfer would be detrimental to the student or his or her future studies, well being and/or career objectives
 - ii. consider the options available to the student to achieve his or her learning goals, including any support services offered by the University or, in the case of a student enrolled at a partner provider, the partner provider, to assist the student to adjust to study and life in Australia
 - iii. consider any supporting documentation provided by the student
 - iv. make a decision as to whether a transfer would be detrimental to the student or his or her future studies, well being and/or career objectives and formally notify the nominated officer for responding to the request.
5. The Nominated Officer must:
 - i. consider the Transfer Between Registered Providers Application and supporting documents in light of:
 - the student's educational goals and individual circumstances; and
 - the recommendation made by the student counsellor; and
 - whether the transfer would be detrimental to the student or his or her future studies, well being and/or career objectives
 - ii. within 5 working days of receipt of the application, forward the application including all documentation provided by the student and recommendations by the nominated officer or counsellor at the student's teaching location to the Centre for University Partnerships (CUP) for final assessment.
 - iii. CUP will make and record a decision as to whether to grant a transfer between registered providers and issue a release letter within five working days of the official receipt of the application
6. If CUP decides to approve a Transfer Between Registered Providers application, the letter sent to the student is to be issued at no cost to the student and is to include:
 - i. a withdrawal form;
 - ii. advice that the student's CoE will be cancelled and he or she must contact Immigration to seek advice on whether a new student visa is required;
 - iii. advice that their transfer approval will be recorded in PRISMS;
 - iv. advice that if applicable the student may apply for a refund in accordance with the University's [Refund for International Students Policy](#) and [Refund for International Students Procedure](#).

7. If CUP decides not to grant a Transfer Between Registered Providers, the letter sent to the student is to include:
 - i. the reasons for the decision not to grant a transfer between registered providers
 - ii. if the reason is because the documents provided by the student do not, in the view of the nominated officer provide adequate grounds to justify the transfer, the student must be advised what additional documentation should have been lodged with his/her application
 - iii. advice that he or she may freely transfer after completion of 6 calendar months of his or her Principal Program; and
 - iv. information on the student's right to appeal the decision in accordance with the University's appeals processes.

Appealing Decision

A student may appeal a release decision to the Manager, International and Strategic Compliance, Centre for University Partnerships within 20 working days of that decision. In this event the University will maintain the student's enrolment in the program in which he or she is enrolled to study until the appeals process is completed.

- **Mt Helen, Camp Street, Berwick and Gippsland Campus Students:** The student is to complete the **Registered Providers Application for Transfer Appeal (Section 1) Form** (*Refer to Forms Section below*) and submit it to the Manager, International and Strategic Compliance, Centre for University Partnerships within the allowed 20 working days.
- **Partner Provider Students:** The student must complete the **Registered Providers Application for Transfer Appeal (Section 1) Form**, (*Refer to Forms Section below*) and submit it to the Nominated Officer at their teaching site. The Nominated Officer is to within 48 hours forward the Application for Transfer Appeal Section 1 form to CUP.
- **CUP will** forward the Application for Appeal Section 1 and 2 forms to the Manager, International and Strategic Compliance, Centre for University Partnerships within three working days of receipt of the application to appeal.
- **Appeal:** The Manager, International and Strategic Compliance, Centre for University Partnerships will facilitate the appeal process and the student will be formally notified of the outcome of the student's appeal within 5 working days of the receipt of the appeal application forwarded by the Nominated Officer.
- **External Review:** If the Student is not satisfied with the result of the Appeal process, the student has the right to access the external appeals process through the Victorian Ombudsman.

Prospective Students

1. Students transferring from another provider to the University who have not completed six months of study at their current provider will not be eligible for admission until the restricted period has been released in PRISMS. No transfer approval is required where evidence is provided:
 - i. the student has completed at least six months study in his or her principal program; or
 - ii. the student is government sponsored and the government sponsor provides written support for the change as it considers the change to be in the student's best interests; or
 - iii. the releasing registered provider has ceased to be registered or the program in which the student is enrolled ceased to be registered (evidence to be provided); or
 - iv. the releasing registered provider has a sanction imposed on it that prevents the student from continuing his or her principal program (evidence to be provided); or
 - v. the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS.

Responsibility

- International Admission Officers
- Partner Providers
- Manager, International and Strategic Compliance, Centre for University Partnerships

Legislative Context

- [Education Services for Overseas Students Act 2000](#)
- [National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students](#) (2018)

Associated Documents

- [Refund for International Students Policy](#)
- [Refund for International Students Procedure](#)

Forms.

- [Application for Transfer Between Registered Providers](#) (PDF 178.0kb)
- [Application for Transfer Between Registered Providers Appeal \(Section 1\)](#) (PDF 178.7kb)
- [Application for Transfer Between Registered Providers Appeal \(Section 2\)](#) (PDF 195.2kb)

Forms / Record Keeping

Title	Location	Responsible Officer	Minimum Retention Period
Application for Transfer Between Registered Providers	Student File	Nominated Officer	7 years
Copy of Approved or Not Approved letter	Student File	Nominated Officer	7 years
Copy of Appeal letters	Student File	Nominated Officer	7 years if upheld 15 years if dismissed

Implementation

The [Transfer Between Registered Providers Procedure](#) will be implemented throughout the University via:

1. An Announcement Notice under 'FedNews' on the 'FedUni' website and through the University Policy - 'Recently Approved Documents' webpage to alert the University-wide community of the approved Procedure.
2. Inclusion on the University's online Policy Library.