International Student Transfer Assessment Procedure

Section 1 - Purpose

(1) This Procedure sets out how the University of Canberra (University) administers requests from international students holding a student visa to transfer, within the first six months of their principal course of study:

a. to the University from another registered provider; and
b. from the University to another registered provider.

(2) The Procedure ensures that transfer processes are consistent with the requirements of the Education Services for Overseas Students Act 2000, and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018), a legislative instrument made under the ESOS Act 2000.

Section 2 - Scope

(3) This Procedure applies to all international students holding a student visa, seeking transfer between registered providers where the student has not completed the first six months of their principal course of study (see Definitions for meaning of 'principal course of study').

Section 3 - Policy

(4) Refer to the International Student Policy.

Section 4 - Procedure

Transfer from the University of Canberra to Another Provider

(5) In accordance with the National Code 2018, all requests for transfer (prior to completion of the first six months of a student's principal course of study) must be:

a. lodged in writing in using the Release Letter Request Form; and
b. accompanied by a valid enrolment offer from another registered provider.

(6) To ensure the best interests of the student seeking to transfer from the University to another registered provider, the University also requires the valid enrolment from the other registered provider to:

a. provide for continuous enrolment – there must be no gap, or a short gap of no more than 2 months between the time of discontinuation from the University and commencement at the other registered provider; and
b. confirm that the start date for the course at the other registered provider has not passed or that the student has been issued with an approval for a late commencement by the registered provider.

Additional Requirements for Students Under the Age of 18

(7) Where the international student is under the age of 18, the receiving registered provider must:

a. negotiate the transfer date for welfare arrangements with the University to ensure there is no gap;
b. inform the student of their visa obligation to maintain their current welfare arrangements until the transfer date, or have alternative welfare arrangements approved or return to their home country until the new approved welfare arrangements take effect;
c. gather written confirmation that the student's parent or legal guardian supports the transfer; and
d. where the student is not being cared for in Australia by a parent or suitable nominated relative, confirm that it accepts responsibility for approving the student's accommodation, support and general welfare arrangements in accordance with Standard 5 of the National Code 2018 (Younger overseas students).

(8) For students under the age of 18, the University must obtain written confirmation from the receiving registered provider of:

a. the transfer date for welfare arrangements, including the student's accommodation, support and general welfare arrangements, ensuring there is no gap, which should be recorded on the student's file; and
b. support from the student's parent or legal guardian for the transfer.

Circumstances in Which the University Will Grant a Transfer Request

(9) The University will grant a request for transfer in circumstances including but not limited to where:

a. the student is likely to be reported because they are unable to achieve satisfactory course progress at the level they are studying, as set out in the University's Academic Progress Policy;
b. there is evidence of compassionate or compelling circumstances;
c. the University or the University of Canberra College (UCC) failed to deliver the course as outlined in the written agreement;
d. there is evidence that the student's expectations about their current course are not being met;
e. the student provides sufficient evidence that they were misled by the University or an education or migration agent regarding the University or its courses and in breach of the ESOS Act 2000 (Cth); or
f. an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.

Circumstances in Which the University Will Refuse a Transfer Request

(10) The University will refuse a request for transfer where:

a. a valid letter of enrolment offer from the receiving registered provider is not received;
b. written confirmation from a parent or guardian of a student under the age of 18 supporting the transfer is not received;
c. the University has accepted responsibility for a student under the age of 18 and the receiving provider has not confirmed its acceptance of the responsibility for approving the student' accommodation, support and general welfare arrangements in accordance with Standard 5 of the National Code 2018;
d. the student has outstanding tuition or other fees owing to the University; or
e. the transfer would not be in the best interests of the student as it would result in detrimental outcomes for the student.

(11) Factors the University will consider when determining whether a transfer would be detrimental to the student

include, but are not limited to:

a. the transfer may jeopardise the student's progression through a package of courses;
b. the full range of support services are not being provided or offered to the student;
c. the transfer may impact on the student's visa, their ability to adhere to visa conditions or result in the student moving to a lower level Australian Qualifications Framework qualification;
d. the transfer request is based upon the need to relocate to another city for family/friend or medical support without evidence of these supports being present in the new location; and
e. if the student is trying to avoid being reported to the Commonwealth Department responsible for Immigration for failure to meet the University's attendance requirements.

(12) A decision to refuse a transfer request must be provided to the student in writing and contain the reasons for the decision as well as information about the student's rights to appeal the decision under the Student Grievance Resolution Policy within 20 working days.

Transfer to the University from Another Provider

(13) The University will not knowingly admit an international student seeking to transfer from another registered provider prior to the student completing six months of their principal course of study, except where any of the following apply:

a. the releasing provider, or the course in which the student enrolled, has ceased to be registered;
b. the releasing provider has had a sanction imposed on its registration by the ESOS agency that prevents the student from continuing their course at the registered provider;
c. the releasing provider has agreed to the student's release and recorded the date of effect and reason in PRISMS; or
d. any government sponsor (Australian or other) of the student considers the change to be in the student's best interest and has provided written support for the change.

(14) The Future Student Services business unit will:

a. checks PRISMS to ensure the University is not knowingly admitting an international student seeking to transfer from another registered provider prior to the student completing six months of their principal course of study; and
b. where the student appears in PRISMS, check whether exceptions set out in the previous clause apply.

Processing Transfer Requests

(15) The University will assess and reply to a student's request to transfer within 10 working days, subject to all relevant supporting documentation and evidence being submitted with the request.

(16) Where the transfer request is refused, the University will not update the refusal status in PRISMS until:

a. any grievance procedure finds in favour of the University or UCC; or
b. the international student has chosen not to access the internal grievance processes within the 20-working-day period; or
c. the international student withdraws from the process.

(17) If a release is granted, it must be at no cost to the international student and the University must advise the international student to contact the Commonwealth Department responsible for Immigration to seek advice on whether a new student visa is required.

Records

(18) The University will keep a record of all transfer requests and records related to the assessment of, and decision regarding the request, for a minimum of two years after the international student ceases to be an accepted student.

Section 5 - Roles and Responsibilities

Who	Responsibilities
International Student Support (within Student Wellbeing & International Support)	• Receives application for transfer. • Ensures application includes all relevant supporting documentation. • Assesses application for transfer. • Reports transfer in PRISMS when finalised.
Manager, International Partnerships & Engagement	• Monitoring transfer requests and processes.
Manager, Integrity & Resolution	• Undertakes Student Conduct, Appeals and Grievance processes and reports the outcome to relevant parties.
Future Student Services	• Checks PRISMS to ensure the University is not knowingly admitting an international student seeking to transfer from another registered provider prior to the student completing six months of their principal course of study. • Where student appears in PRISMS, checks whether exceptions set out in this Procedure apply.
Director, Student Life	• Makes decisions in relation to transfer requests.

Section 6 - Definitions

Terms	Definitions
Registered provider	An organisation that is registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) to provide courses to Overseas Students.
Student visa	An authorisation permitting people who are not Australian citizens or permanent residents to come to Australia for the primary purpose of studying in Australia as defined by the Migration Act 1958. (Definition from the National Code 2018)
Principal course of study	The main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study. The principal course of study would normally be the final course of study where the overseas student arrives in Australia with a student visa that covers multiple courses(definition from the National Code 2018)

Status and Details

Status	Current
Effective Date	31st March 2023
Review Date	8th January 2027
Approval Authority	Academic Quality Standards Committee
Approval Date	31st March 2023
Expiry Date	To Be Advised
Custodian	Michelle Lincoln Deputy Vice-Chancellor
Responsible Manager	Jen Babic Manager, International Partnerships & Engagement
Author	Martin Drinkwater Director, Student Connect
Enquiries Contact	Nick Markesinis Policy Manager Policy