



INTERNATIONAL STUDENT TRANSFER BETWEEN PROVIDERS POLICY

Version:	Approved by:	Approval Date:	Effective Date:	Next Review:								
9	Academic Board	13 June 2019	13 June 2019	13 June 2023								
Responsible Officer:	Student Services Manager		Document No:	UOWC-SS-POL-10								
Purpose:	<p>This Policy:</p> <ol style="list-style-type: none"> Outlines UOW College Australia's (herein referred to as 'the College') requirements for international students who seek to transfer to another education provider; Sets out the circumstances in which the College will and will not grant the release sought; and; Meets the requirements of Standard 7 of the National Code 2018. 											
Scope:	<table border="1"> <tr> <td>UOWCA</td> <td>✓</td> <td>UOWCHK</td> <td></td> <td>UOWD</td> <td></td> <td>UOWG</td> <td></td> </tr> </table>	UOWCA	✓	UOWCHK		UOWD		UOWG		<p>This Policy only applies to international students who:</p> <ol style="list-style-type: none"> Hold a student visa; and Have accepted an offer to study at the College; and Have completed less than six months of their College course; or Have a packaged offer with UOW. <p>This Policy does not cover refunds. All refunds are assessed independently, in accordance with the Fees and Refund Policy. A release does not guarantee a refund.</p>		
UOWCA	✓	UOWCHK		UOWD		UOWG						
Related Documents:	<p>Academic Delegations of Authority Policy Fees and Refund Policy International Student Release Procedure Course Variation Request Form Student Grievance and Appeals Policy</p>											
References & Legislation:	<p>Educational Services for Overseas Students Act 2001 (ESOS Act) National Code of Practice for Providers of Education and Training to Overseas Students 2018</p>											



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1. Definitions

Word/Term/Acronym:	Definition:
Confirmation of Enrolment (CoE)	A document provided electronically which is issued by the registered provider to intending overseas students and which must accompany their application for a student visa. It confirms the overseas student's eligibility to enrol in the particular course of the registered provider.
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students. Lists all Australian education providers registered to offer courses to international students on student visas and the courses offered.
Domestic Student	A student who is an Australian Citizen or Permanent Humanitarian Visa Holder, who will be resident in Australia for the duration of the course of study.
Education or Registered Provider	An educational institution registered on CRICOS that is approved to deliver a course to overseas students under the ESOS Act.
ESOS agency	The regulatory agency that has awarded CRICOS Registration for the relevant program. For UOW College Australia programs, the ESOS agency will be either the Australian Skills Quality Authority (ASQA) or the Tertiary Education Quality and Standards Agency (TEQSA).
International Student	A student who is not a domestic student. This includes but is not limited to students on a temporary residence visa, bridging visa and student visa. Referred to as 'overseas student' in the National Code.
Package Offer	An offer for more than one course of study where progression to a higher level course is contingent on the satisfactory completion of the lower level course.
Personal Support Plan	An individualised support program tailored to suit the needs of the student as required.
Principal Course	The highest level qualification undertaken by an international student where a student visa has been issued for multiple courses of study. The principal course is usually the final course of study in a package offer.
Principal Provider	The education provider of the principal course.
PRISMS	Provider Registration and International Student Management System (PRISMS). Through PRISMS, certain Australian Government agencies can monitor student compliance with visa conditions and provider compliance with the Education Services for Overseas Students Act 2000 (ESOS Act).
Release	Student discharge from one education provider to enable enrolment with another education provider.
Restricted Period	The first six (6) months of the principal course of study. Includes any courses prior to the principal course in a package offer.
Student	A person enrolled at any of the College campuses.
Transfer	To cease a current enrolment and accept an offer of study at another education provider.



2. Principles

1. The College will interpret this Policy in line with its commitment to:
 - a. Act in a transparent and ethical manner;
 - b. Make defensible decisions fairly, openly and equitably; and
 - c. Afford students all rights consistent with the operation of natural justice within the education sector, including the right to appeal a determination.
2. The College considers acceptance and enrolment the result of an informed choice by the student.
3. The College will assess, and where approved, grant releases at no cost to the student.

3. Circumstances where a release is not required

1. A release will not be required where:
 - a. A student is financially supported by a government sponsor and:
 - i. The government sponsor considers the change to be in the student's best interest; and
 - ii. The government sponsor has provided written support for the change.
 - b. UOW College Australia, or a UOW College Australia course has ceased to be registered; or
 - c. An ESOS agency has imposed a sanction which prevents a student from continuing their course.

4. Circumstances where a release will be granted

1. The College will only grant a student's request to transfer where:
 - a. The student has provided a valid and unconditional enrolment offer from another registered education provider; and
 - b. The College is satisfied that the transfer is not to the detriment of the student, including the academic and social well-being of the student; and
 - c. The student has discussed the intended transfer request with a Student Advisor; and
 - d. At least one of the following apply:
 - i. The College is satisfied that exceptional circumstances exist that prevent the student from continuing their study at the College; or
 - ii. The student will be reported to the Department of Home Affairs because they are unable to achieve satisfactory course progress at the level they are studying and have meaningfully engaged with their Personal Support Plan; or
 - iii. There is credible evidence that the student's reasonable expectations about their current course are not being met; or



- iv. The student was misled by the College or an international education agent regarding the course or the College.
2. If a student has a package offer that includes a UOW course as the principal course of study, a release will only be granted where the student has been released from UOW.
3. The College will deem exceptional circumstances apply if it is satisfied that the circumstances:
 - a. Are beyond the student's control; and
 - b. Did not make their full impact on the student until after they accepted their offer to undertake a course of study at the College; and
 - c. Make it impractical for the student to complete their prescribed course of study at the College within the restricted period. This includes:
 - iii. Medical treatment; and/or
 - iv. Compassionate and compelling circumstances where it is clear that it is in the best interests of the student to transfer to another course.
4. For the avoidance of doubt, commuting to the College, irrespective of the time associated, will not be considered an exceptional circumstance.

5. Supporting Documentation

1. Students must supply evidence that substantiates the claim for release. The College will refuse any request that is not substantiated by evidence.
2. Transfer applications on medical grounds must be accompanied by a medical certificate (original or original certified copy) which must indicate:
 - a. The name of the student; and
 - b. The date the certificate was written and signed; and
 - c. The degree of incapacity of the student; and
 - d. How the medical condition affects the student's ability to continue in the prescribed course of study at the College.
3. Supporting documentation for applications on compassionate grounds may include, but is not limited to:
 - a. Notification or letter from a registered psychologist; or
 - b. Death certificate or death notice; or
 - c. Police report or event number.
4. In addition to providing supporting documentation to evidence their claim for transfer, students under 18 years of age seeking to transfer must also provide:
 - a. Written evidence that the student's parent or legal guardian supports the transfer; and
 - b. Written confirmation that the new provider will accept responsibility for approving a student's accommodation, support and general welfare arrangements in cases



where the student is not being cared for in Australia by a parent or suitable nominated and approved relative.

5. Supporting documentation must be an original or certified copy and written in English. If the original document is not in English, a certified and signed translation must accompany the original document before this can be accepted by the College.

6. Circumstances where a release will not be granted

1. Subject to section 4 of this policy, the College will **not** grant a release where:
 - a. In the opinion of the College, the transfer is not in the best interests of the student; or
 - b. The student has not yet commenced or only recently started studying in their course; or
 - c. The student has an outstanding financial debt to the College; or
 - d. The College considers the transfer request is an attempt by the student to avoid being reported to the Department of Home Affairs for failure to meet mandatory or discretionary visa conditions; or
 - e. The reason provided for the transfer request is change of mind, transfer to another provider with lower tuition fees or travel difficulties; or
 - f. The student has not met course progression and has been placed on a Personal Support Plan but has not, in the opinion of the College, meaningfully engaged with that Personal Support Plan; or
 - g. The student has not otherwise utilised the full range of support services available to assist with academic and personal issues and the College believes the reasons for the transfer request can be resolved by accessing the appropriate support services.

7. Requests to transfer from another education provider to the College

1. The College will only issue a CoE to enrol an international student who seeks to transfer to the College if:
 - a. The original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered;
 - b. The original registered provider has agreed to the student's release and this has been recorded in PRISMS;
 - c. The original provider has had a sanction imposed on its registration by an ESOS agency that prevents the student from continuing in their principal course; or
 - d. Any government sponsor of the student considers the change to be in the student's best interests and has provided written support for that change; and
 - e. If the student is under the age of 18, there is written evidence that the student's legal guardian supports the transfer and, in cases where the student is not being cared for in Australia by a parent or suitable nominated and approved relative,



the student must have accommodation, support, and general welfare arrangements in place with the College.

8. Notification of Determination and Appeal Rights

1. Students will be informed of the outcome of their request within 10 working days of the application being submitted.
2. If a student's request to transfer to another education provider within the restricted period is approved, students will be advised to contact the Department of Home Affairs to obtain information about the impact of this decision on their student visa and seek advice on whether a new student visa is required.
3. If a student's request to transfer to another education provider within the restricted period is refused, the College will inform the student in writing of the reasons for refusing the request and of their right to appeal the decision pursuant to the *Student Grievance Policy*.
4. If a student chooses to lodge an appeal, they must remain enrolled at the College and pay all relevant tuition fees, until the appeal is finalised. Any fee refunds will be assessed in accordance with the Fees and Refunds Policy.

9. Roles & Responsibilities

Officer:	Responsibility:
Student Advisors	<ul style="list-style-type: none">• Providing accurate advice to the student regarding the academic implications of the intended transfer request;• Conducting a preliminary assessment of the student's transfer application and advising the student accordingly, e.g. if additional documentation is required; and• Completing and submitting the transfer request on behalf of the student via a Course Variation Request Form, ensuring a complete application, with all required information and evidence, is submitted; and• Notifying the student of the outcome of the application, including the student's right to appeal as appropriate.
Administration Manager	<ul style="list-style-type: none">• Finalising the release in accordance with the Department of Home Affairs procedures as amended from time to time.



10. Change History

Version	Approved By	Date Effective	Amendment
1.0	Academic Board	16/11/2007	New Policy
2.0	ITC Quality Manager	10/08/2010	Administrative update – migrated to new template
3.0	ITC Quality Manager	20/06/2011	Administrative update –name change
4.0	Strategy & Operational Group	05/03/2012	Definitions added. Minor wording change to 3.1.1f
5.0	Academic Board	19/03/2015	Migrated to new template; policy title change; complete policy revision and re-write; UOW alignment.
6.0	Compliance Officer	21/07/2016	Minor change only – College branding and document formatting updated.
7.0	Academic Board	23/11/2017	Implementation of revised National Code 2018
8.0	Academic Board	01/06/2018	Substantive Review – content redrafted and restructured to reflect National Code 2018.
9.0	Academic Board	13/06/2019	College branding and application of policy on new template. Revised for closer alignment with UOW.