

International Student Transfer Between Registered Providers or Locations Policy

Section 1 - Overview

The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (National Code 2007) requires UNE to demonstrate compliance with the National Code 2007 at the point of CRICOS registration and throughout its CRICOS registration period.

This compliance requirement also applies to students enrolled in courses delivered in association with another provider where UNE is the registered provider. UNE is responsible for breaches of the National Code, whatever the nature of its contractual or other arrangements with another provider.

Section 2 - Scope

This policy applies to all on campus international students at UNE and the English Language Centre as per Standard 7 of the National Code 2007. UNE is required to assess requests from international students for a transfer between registered providers prior to the student completing six months of their principal course of study.

Section 3 - Policy

In order to comply with Standard 7 of the National Code 2007, UNE must:

(1) Not knowingly enrol a student wishing to transfer from another registered provider's course prior to the student completing six months of their principal course of study except where:

- 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 provided a written letter of release;
- c. The original registered provider has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing his or her principal course; or
- d. Any government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change.

(2) Have and implement a documented student transfer request assessment policy and procedure, which is available to staff and students. The policy must specify:

- a. The circumstances in which a transfer will be granted;
- b. The circumstances UNE considers as providing reasonable grounds for refusing the student's request, including when a transfer can be considered detrimental to the student; and
- c. A reasonable timeframe for assessing and replying to the student's transfer request having regard to the restricted period.

(3) Only consider granting a letter of release where the student has:

- a. Provided a letter from another registered provider confirming that a valid enrolment offer has been made;
- b. Where the student is under 18 years of age, UNE must have written confirmation that the student's parent or legal guardian supports the transfer.

(4) If a transfer is granted, UNE must issue a letter of release at no cost to the student and must advise the student of the need to contact the Department of Immigration and Border Protection (DIBP) to seek advice on whether a new student visa is required.

(5) Where UNE does not grant a letter of release, the student must be provided with written reasons for refusing the request and must be informed of his or her right to appeal the decision in accordance with Standard 8 of the National Code (Complaints and Appeals).

(6) UNE must maintain records of all requests from students for a letter of release and the assessment of, and decision regarding the request, on the student's file.

The Principle of this policy is to ensure:

(7) Students are restricted from transferring to another Australian education provider if they have not yet completed six calendar months of study in their principal program at UNE, unless:

- a. UNE has ceased to be registered or the course in which the student is enrolled has ceased to be registered;
- b. UNE has provided a written letter of release;
- c. UNE has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing his or her principal course; or
- d. Any government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change.

(8) Students who wish to transfer before they have completed six calendar months of study in their principal program for reasons other than those listed under clause 7 (a-d), must apply to the Manager, International Services and Compliance, UNE International for a Release Letter.

- a. A request for a Letter of Release may be granted if a student:
 - i. Provides a letter from another registered provider confirming that a valid enrolment offer has been made, and presents a compassionate or compelling case as determined by the Director, UNE International;
 - ii. Provides a letter from their Government sponsor stating the release will be in the student's best interest; and
 - iii. If under 18 years of age, UNE must have written confirmation that the student's parent or legal guardian supports the transfer.
- b. A request for a Letter of Release may be refused if:
 - i. The Manager of International Services and Compliance believes that granting a transfer will jeopardise a student's progress through a packaged course; or
 - ii. The request is made within the first four weeks of the principal course commencing; or
 - iii. The student has requested to transfer to a non-Streamline Visa Processing (SVP) compliant provider; or
 - iv. The University believes the student is trying to avoid being reported to DIBP for failure to meet the University's or the English Language Centre's attendance or academic progress requirements.

(9) UNE will acknowledge receipt of a student's transfer request and commence processing the request within five

working days.

(10) Should a request for release be refused the student is able to appeal the decision through UNE's appeal processes outlined in the International Student Appeals policy.

(11) Students who wish to transfer after they have completed six calendar months of study in their principal program, can do so freely.

(12) UNE does not enrol students who have not yet completed six calendar months of study in their principal program at another registered provider except where:

- 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 provided a written letter of release;
- c. The original registered provider has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing his or her principal course; or
- d. Any government sponsor of the student considers the change of provider to be in the student's best interest and has provided a written support for that change.

(13) UNE will allow students to transfer between UNE teaching locations provided:

- a. The student has completed at least one teaching period, and
- b. The student is transferring to the same degree or award.

Section 4 - Definitions

(14) CRICOS — Commonwealth Register of Institutions and Courses for Overseas Students- Registry of providers of nationally recognised training to overseas students who have Australian student visas.

(15) DIBP — Department of Immigration and Border Protection-The purpose of DIBP is to 'build Australia's future through the well-managed movement and settlement of people'.

(16) ESOS — Education Services for Overseas Students (ESOS) Act 2000-The ESOS Act sets out the legal framework governing delivery of education to overseas students studying in Australia on a student visa.

(17) Letter of Release - Letter granted by a Provider to allow a student to transfer from one institution to another.

(18) National Code 2007 - National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students.

(19) Registered Provider -The process whereby a provider is recommended by a designated authority for registration under the ESOS Act to provide a specified course in that state to overseas students.

(20) Transfer - Movement of a student on an Australian student visa between registered Providers.

Status and Details

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