

International Student Transfer Between Registered Providers

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| Related Policies or Other Documents: | The National Code 2007 Refund of Tuition Fees for International Students International Student Complaints and Appeals Guidelines (ELIS website) |

Rationale and Scope

The revised National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (National Code 2007) requires UNE to demonstrate its 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.

Standard 7 of the National Code 2007 requires UNE to assess requests from students for a transfer between registered providers prior to the student completing six months of his or her principal course of study in accordance with their documented procedures.

In order to comply with **Standard 7** 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 his or her 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 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; and
 - b) where the student is under 18 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 Citizenship (DIAC) 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 (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.

Principle

1.1 Students are restricted from transferring to another Australian education provider if they have not yet completed 6 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.

1.2 Students who wish to transfer before they have completed 6 calendar months of study in their principal program for reasons other than those listed under clause 1.1, must apply to the Director, English Language and International Services (ELIS) for a Release Letter.

1.2.1 A request for a Letter of Release may be granted if a student:

- a) 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, ELIS and
- b) if under 18 UNE must have written confirmation that the student's parent or legal guardian supports the transfer.

1.2.2 A request for a Letter of Release may be refused if:

- a) The Director, ELIS believes that granting a transfer will jeopardise a student's progress through a package course; or
- b) The request is made within the first four weeks of the principal course commencing; or
- c) The University believes that the student is trying to avoid being reported to DIAC for failure to meet the University's attendance or academic progress requirements.

1.3 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 Guidelines.

1.4 Students who wish to transfer after they have completed 6 calendar months of study in their principal program, can do so freely.

1.5 UNE does not enrol students who have not yet completed 6 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 to be in the student's best interest and has provided written support for that change.

Procedure

2.1 Transfer from UNE within the first six calendar months of Study

2.1.1 Where a student requests a transfer from his or her principal UNE course within the first 6 months for a reason not stated in clause 1.1, the student must apply to the Director, ELIS for a Letter of Release. To apply for a Letter of Release, the student must supply the International Services Manager with:

- a) Written confirmation that the student's parent or legal guardian support the transfer if the student is under 18 years of age; and
- b) A written explanation, supported by appropriate evidence, of the reasons for the transfer which are claimed to constitute compassionate or compelling circumstances; and
- c) A letter from another registered provider confirming that a valid enrolment offer has been made.

2.1.2 The request for transfer is considered against clause 1.2 by the Director, ELIS, who will also seek comment from the relevant Head of School and where applicable, partner institution.

2.1.3 The Director, ELIS will inform the student, Head of School and, where applicable partner institution of the outcome within 10 days of receiving the request.

2.1.4 If a Letter of Release is granted, the Director, ELIS, will assess this against the Refund of Tuition Fees for International Students. The Letter of Release is granted at no cost to the student.

2.1.5 If a request for a Letter of Release is denied, the University will provide the student with written notification of this decision, including an explanation of the reason for refusal. The student will also be informed of his or her right to appeal the decision, through the provision of the International Student Appeals Guidelines.

2.1.6 The International Services Manager, ELIS will maintain records of all requests from students for Letters of Release and the assessment of, and decision regarding, the request, on TRIM.

2.1.7 Where a student wishes to transfer from UNE due to a reason specified in clause 1.1, no letter of release is required, but will be provided on request.

2.2 Transfer to UNE within the first six calendar months of Study

2.2.1 Applications for admission are received and registered by the Manager, International Recruitment and Admissions, International Marketing and Pathways (IM&P).

2.2.2 The Manager, International Recruitment and Admissions, IM&P assesses the application.

2.2.3 Should the application be deemed eligible for admission to UNE, the Manager, International Recruitment and Admissions, IM&P, enters the student's details into the Provider Registration and International Student Management System (PRISMS) to create a new CoE.

- 2.2.4 PRISMS will advise if the student has not completed six months of the principal course. PRISMS will not advise who the student is currently studying with, but will alert providers trying to issue a new CoE that the student is enrolled elsewhere.
- 2.2.5 If the Manager, International Recruitment and Admissions, IM&P wishes to issue a CoE for a student who has not completed the first six months of his or her principal course, PRISMS will ask the provider one or more questions:
- Does the student require a letter of release? [Answer: Yes or No]
The answer will be 'Yes' unless the circumstances listed in clause 1.4 have occurred.
 - If the answer is 'No', the response is recorded and the provider will be allowed to continue with creating the CoE.
 - If the answer is 'Yes' the provider will be asked the following question:
 - Have you sighted the letter of release from the previous provider? [Answer: Yes or No]
 - If the provider answers 'Yes', the response will be recorded and the provider will be allowed to continue with creating the CoE.
 - If the answer is 'No', the provider will be shown the following warning:
 - It would appear that you may be in breach of the requirements in Standard 7 should you continue to create the CoE for this student. This information will be recorded. Do you wish to create the CoE? [Answer: Yes or No]
 - If the provider answers 'Yes', the provider will be required to enter reasons for doing so (in the mandatory comments field).
 - If the provider answers 'No', the CoE approval process will be cancelled.

2.3 Transfer to and from a UNE domestic partner

2.3.1 IPM Team Leaders will annually audit records of all requests for student transfer as per *Integrated Project Management Procedures for Teaching Partnerships and International Projects*.

Annexure

- Letter of Release
- Letter of Transfer Refusal
- Information for International Students Wishing to Transfer Between Registered Providers

Approval Signature

06.07.2009
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Date

V. Crew
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Signature

Director, English Language and International Services (ELIS)

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Printed Name