



International Student Transfer Assessment Procedure

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In developing this procedure the University had regard to the provisions of section 40B(1)(b) of the Human Rights Act 2004 (ACT).

1. PURPOSE:

1.1. These procedures set out how the University of Canberra administers requests from 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.

1.2. The procedures detail the administration of requests for transfer and ensure these are consistent with the intent of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code 2018) under the terms of the *Education Services for Overseas Students (ESOS) Act 2000*, while ensuring applications are based upon genuine grounds.

2. SCOPE:

2.1. The procedures apply to all international student 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 at the University of Canberra including through a package of courses leading to a University of Canberra degree program.

3. PROCEDURE:

3.1. Students seeking to transfer from the University of Canberra

3.1.1. In accordance with the Code, all requests for transfer must be accompanied with an original written letter of offer from another provider, which must:

- provides 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 of Canberra and commencement at the other provider; and
- confirms that the start date for the course at the other provider has not passed or the student has been issued with an approval for a late commencement by the provider; and

- states that the provider accepts responsibility for approving the student's accommodation, support and general welfare arrangements where the student is under 18 and not under the care of a parent or suitable nominated relative.

3.1.2. The University of Canberra will refuse a request for transfer where:

- a valid letter of enrolment offer (as set out at 3.1.1) is not received;
- written confirmation from a parent or guardian of a student under the age of 18 supporting the transfer is not received;
- where the University of Canberra 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's accommodation, support and general welfare arrangements in accordance with Standard 5 of the National Code 2018;
- the student has outstanding tuition or other fees owing to the University of Canberra; and
- the transfer would not be in the best interests of the student as it would result in detrimental outcomes for the student.

3.1.3. Factors the University will consider when determining if a transfer would be detrimental include but are not restricted to the following:

- the transfer may jeopardise the student's progression through a package of courses;
- the full range of support services are not being provided or offered to the student;
- 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 AQF qualification.
- 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
- If the student is trying to avoid being reported to the Department of Immigration and Border Protection for failure to meet the University of Canberra's attendance requirements.

3.1.4. The University will grant a release in circumstances where, but not limited to:

- the student is likely to be reported because they are unable to achieve satisfactory course progress at the level they are studying, including after engaging with the University of Canberra's Early Intervention Strategy;
- There is evidence of compassionate or compelling circumstances;
- The University of Canberra fails to deliver the course as outlined in the written agreement;
- There is evidence that the student's expectations about their current course are not being met;
- the student provides sufficient evidence that they were misled by the University of Canberra or an education or migration agent regarding the University of Canberra or its courses and which is a breach of the ESOS Act; or
- an appeal (internal or external) on a matter that may reasonably result in the student wishing to seek a transfer supports the student.

3.1.5. A decision to refuse a transfer request must be provided in writing and contains the reasons for the decision as well as information about the student's rights to appeal the decision under the *Student Grievance Resolution Policy*.

3.2. Students seeking to transfer to the University of Canberra

3.2.1. The University of Canberra 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:

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

3.3. Processing transfer requests

3.3.1. The University of Canberra 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.

3.3.2. The release will be approved by the UC Principal Executive Officer (PEO) or nominated delegate in accordance with CRICOS Registration guidelines in the National Code.

3.3.3. Where the transfer request is refused, the University will not update the refusal status in PRISMS until the student has accessed the internal appeals process and the appeal is found in favour of the University;

3.3.4. All requests for transfer and associated documentation including a record of the assessment of the request and the decision will be kept on individual student files for a minimum of two years after the student ceases to be an accepted student.

4. ROLES AND RESPONSIBILITIES:

Who	Responsibilities
International Student Support Service	<ul style="list-style-type: none">• Receives application for transfer• Ensures application includes all relevant supporting documentation
Director Student Administration	Decision in relation to transfer requests

5. IMPLEMENTATION AND REPORTING:

5.1. Reporting

5.1.1. The policy and procedures will be monitored by the Manager, International Compliance and updated when directed by the governing legislation.

6. GOVERNING POLICY AND LEGISLATION:

This procedure is governed by the:

- [University of Canberra Act 1989](#)
- [National Code of Practice for Providers of Education and Training to Overseas Students 2018 \(National Code 2018\)](#)
- [Education Services for Overseas Students \(ESOS\) Act 2000](#)

7. SUPPORTING INFORMATION:

Documents related to this Procedure are:

- International Student Transfer Assessment Policy
- [International Student Fee Policy](#)
- [Student Grievance Resolution Policy](#)
- [Welfare Arrangements for Under 18 International Students Policy](#)
- [Welfare Arrangements for Under 18 International Students Procedure](#)

8. DEFINITIONS:

Terms	Definitions
Student visa	The student visa is 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 <i>Migration Act 1958</i> . (definition from the National Code)
Principal course of study	The principal course of study refers to 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)