

International Student Transfer Between Registered Providers Procedure

1. PURPOSE OF PROCEDURE

- 1.1 The purpose of TEC-NQ's International Student Transfer between registered providers procedure is to provide a student or parent(s)/legal guardian with the procedure and ground on which a transfer/release may be granted or refused.

2. SCOPE

- 2.1 This document outlines the process for assessing requests made by International Students who are seeking a transfer to another registered provider.

3. LEGISLATION

- 3.1 Education Services for Overseas Students (ESOS) Act 2000 (Cth);
- 3.2 Standard 7 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007;

4. DEFINITIONS

- 4.1 **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.
- 4.2 **CRICOS** means Commonwealth Register of Institutions and Courses for Overseas Students.
- 4.3 **DIBP** means the Australian Government Department of Immigration and Border Protection, responsible for the Student Visa program.
- 4.4 **National Code** means the National Code of Practice for Registration Authorities and Providers of Education and Training of Overseas students. The National Code sits under the ESOS framework and provides standards for the conduct of registered providers and the registration of their courses;
- 4.5 **Principal course of study** means the main course of study which an would normally refer to the final course to be undertaken by a student where s Student Visa has been issued for multiple and sequential courses of study;
- 4.6 **PRISMS** means the Provider Registration and International Student Management System used to process information given to the Secretary of the DIBP by registered providers.

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5. PROCEDURES

Criteria for Transferring to another Registered Provider

- 5.1 A student who has not completed six (6) months of their principal course must submit a written request via the International Student Deferral, Cancellation and Release Application Form to the Operation Administration Coordinator seeking a Letter of Release to transfer to another registered provider. Supporting documentation of a formal letter of offer from another registered provider must be submitted with the International Student Deferral, Cancellation and Release Application Form. The Formal Letter of Offer must include the course name, campus/location and expected commencement date as justification and evidence for the transfer.
- 5.2 A letter of release is not required by a student who has completed six (6) months or more of their principal course. However the student must submit a written request to the Operations Administration Coordinator seeking approval to transfer to another registered provider. The written request must include a formal letter of offer from the other registered provider.
- 5.3 Where a student is under eighteen (18) years of age, the Operations Administration Coordinator requires written confirmation from the student's parent/guardian supporting the transfer, and written confirmation that the registered provider will accept the responsibility for approving the student's accommodation, support and general welfare arrangements in accordance with Standard 5 of the National Code.

Assessment

When making an assessment of a student's request for a transfer to another registered provider, the Operations Administration Coordinator in conjunction with the Organisational Development Manager will take into consideration the student's individual circumstances and any supporting documented evidence, such as:

- The students long-term educational goals, and personal welfare needs;
- The student's progression to date and whether there are any outstanding fees owing to Tec-NQ;

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- The existence of extenuating circumstances that cannot be addressed by Tec-NQ's support services.

In determining requests to transfer to another registered provider from a student with a package offer Tec-NQ will take into account the recommendation of the package provider; however Tec-NQ reserves the right to differ with the recommendation and the decision of Tec-NQ will be final.

Where appropriate, the student may be counselled to:

- Explore the student's reasons for seeking to transfer;
- Ascertain any compassionate or compelling circumstances that may apply in that student's case; and/or
- Identify any alternative academic pathway or programs within Tec-NQ's scope that may be relevant to the student's goals.

A request by a student may not be approved if:

- The student has not started studying or has only recently started studying;
- The transfer may jeopardise the student's progression through a course
- The student applies to transfer from a course/package that was processed under Streamlines Visa Processing (SVP) to a course or provider that is not eligible for SVP); and/or

A transfer request will always be refused if:

- The student does not have a formal letter of offer from the receiving registered provider; or
- The student has outstanding debts with Tec-NQ
- In the case of a student under the age of eighteen (18), a transfer will always be refused unless there is also written confirmation from the students parent/legal guardian supporting the transfer and that the new provider will accept responsibility for approving a student accommodation, support and general welfare arrangements as per Standard 5 of the National Code.

Notification of Outcome

Within ten (10) working days of receiving a written request to transfer to another registered provider, the Operations Administration Coordinator will make an assessment and formally notify the student of the outcome in a letter.

Where a student's request to transfer to another registered provider is approved the student will receive:

- A letter of release

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- Instructions to complete a VET change of enrolment form or a refund request form
- Information that Tec-NQ will cancel the student's CoE and notify the DIBP through PRISMS and
- Instructions to contact DIBP for advice on whether a new student visa is required.

Where a student's request to transfer to another registered provider is not approved the student will receive:

- A letter of release not granted stating the reasons for the decision;
- Information that a transfer is may be granted once the student completes a minimum of six (6) months of study in his or her principle course (if applicable) and;
- Information that the student may appeal the decision through the International Student Appeals Procedure.

Criteria for Transferring from another Registered Provider

A student seeking to transfer from a current registered provider to Tec-NQ must follow the policy and procedures applicable to the registered provider.

Tec-NQ will act in accordance with Standard 7 of the National Code and will not knowingly enrol a student seeking to transfer from another registered provider prior to the student completing six (6) months of the principal course, except where:

- The original registered provider has provided a letter of release;
- The original registered provider has ceased to be registered or the program in which the student is enrolled, has ceased to be registered;
- The original registered provider has had a sanction imposed on its registration that prevents the students from continuing in their principal course;

A student who applies for enrolment with Tec-NQ and has not completed six (6) months of their principal course must provide documentary evidence of at least one (1) of the circumstances listed above before Tec-NQ will accept the student for enrolment and issue a CoE.

Applications to transfer enrolment to Tec-NQ will be assessed on a case by cases basis and in accordance with Tec-NQ's enrolments policy and procedures.

Reporting and Records

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Tec-NQ may be required to make available any information provided by students to Commonwealth and State Government and law enforcement agencies.

As per Section 19 of the ESOS Act, Tec-NQ will notify the DIBP via PRISMS of any changes to a student's enrolment, or any non-compliance matter.

All records of enrolment, progression, interventions and documentary evidence, assessment notifications and any information provided to the student will be retained on the students Mitec file store.

Complaints and Appeals

A student has the right to make a complaint and/or appeal if the student is not satisfied with any decision of Tec-NQ or believes the decision was not made in accordance with the International Students Complaints or Appeals Procedures.

Cancellation of a student's enrolment will not take place until the expiry of the twenty (20) working day complaint period, or if an appeal is lodge, until after the appeal has been finalised.

If the student is not satisfied with the final outcome of an appeal, the student may refer the matter to an external organisation such as:

- [Overseas Students Ombudsman](#)

6. RELATED POLICIES AND DOCUMENTS

- 6.1 International Students Transfer Between Providers Workflow
- 6.2 International Student Deferral, Cancellation or Release Application
- 6.3 Letter of release granted
- 6.4 Letter of release not granted

7. PROCEDURE RELEASE DETAILS

Date of Policy

9th February 2016

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Approved by

Julie Hyde, Organisational Development Manager

Signature:

Date:

Review Date