

UNSW Global Pty Limited		Transfer Between Providers Policy (Overseas Students)	
UNSW Foundation Studies UNSW Institute of Languages	<input checked="" type="checkbox"/> Internal	<input checked="" type="checkbox"/> External	
Responsible Officer	Manager, Admissions		
Contact Officer	Manager, Admissions		
Authorisation	General Manager, Compliance and Student Management		
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Superseded Documents	SSER-007-POL Version1.2		
Review Date	November 2012		
Policy ID	SSER-007-POL		

## 1. Preamble

### 1.1 Purpose

Registered providers are restricted from enrolling transferring students prior to the student completing six months of his or her principal course of study (or for the duration of the course if the course is less than six months), except for the circumstances outlined below. Registered providers, from whom the student is seeking to transfer, are responsible for assessing the student's request to transfer within this restricted period.

### 1.2 Background

This policy satisfies the requirements of Standard 7 of the National Code 2007

### 1.3 Principles

Registered providers 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

## 2. Scope

This policy applies to:

- International students seeking to transfer to UNSW Foundation Studies and/or UNSW Institute of Languages courses within six months of their principal course of study.
- International students enrolled in UNSW Foundation Studies and/or UNSW Institute of Languages courses seeking to transfer.
- UNSW Global Student Services staff involved in the admission to UNSW Foundation Studies and UNSW Institute of Languages CRICOS registered courses.
- UNSW Global staff with the responsibility for international student recruitment.

- UNSW Global staff with the responsibility for international student advisory and support services

### 3. Definitions

UNSW Global Pty Limited, a not-for-profit provider of education, training and consulting services, is a wholly owned enterprise of the University of New South Wales (UNSW).

UNSW Global Pty Limited and UNSW Institute of Languages CRICOS Provider No 01020K.

The University of New South Wales (UNSW) CRICOS Provider No 00098G

**International students** - Overseas students holding a student visa issued by the Australian Government Department of Immigration and Citizenship (DIAC)

**Local students** – Australian Citizens, Permanent Residents or New Zealand Citizens

**Principal course of study** - The main course of study leading to the highest qualification on the student's current visa. If the student is on a packaged courses, the course leading to the highest qualification will be the student's principal course and the restriction will apply to the first six months of that course and any packaged courses before it.

### 4. Policy Statement

UNSW Global Pty Limited, represented by its educational groups UNSW Foundation Studies and UNSW Institute of Languages will not knowingly enrol a student wanting to transfer from another provider prior to the student having completed six months of their principal course of study unless:

- The registration of the provider or the course in which the student is enrolled is cancelled.
- The provider has issued the student with a letter of release.
- 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.
- 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.

No release letter is required in the circumstances outlined above or when international students have completed six months of their principal course of study.

#### 4.1 International student seeking to transfer to UNSW Foundation Studies and/or UNSW Institute of Languages

International students seeking to transfer to UNSW Foundation Studies and/or UNSW Institute of Languages courses prior to completion of the first six months of their principal course, will only be issued with a CoE if:

- The student provides a letter of release from the existing provider or, if a government sponsor provides written approval for the change; and
- If the student is an under the age of 18, there is written evidence that the student's parent or legal guardian supports the transfer and appropriate arrangements are in place for the accommodation and continued support and welfare of the student as per Standard 5 of the National Code 2007.

## 4.2 International student seeking to transfer from UNSW Foundation Studies and/or UNSW Institute of Languages to another provider

International students seeking to transfer from UNSW Foundation Studies and/or UNSW Institute of Languages to another registered provider prior to completion of the first six months of their principal course must seek approval to transfer and obtain a Release Letter. A Release Letter will only be issued if:

- The course in which the international student is enrolled in is found to be academically unsuitable for the student or
- Compassionate and compelling circumstances exist

Prior to a Release Letter being issued, international students must:

- Present a valid letter of offer of enrolment from the receiving provider
- If the international student is under the age of 18, present evidence that the student's parent or legal guardian supports the transfer
- Present written evidence that any government sponsor supports the transfer, if applicable
- Present a valid letter that the new provider accepts responsibility for approving a student's accommodation, support and general welfare

## 4.3 Additional Guidelines

- UNSW Global Pty Limited will refuse to issue a Release Letter if the transfer request is found to be detrimental to the student and the conditions for approving the Release Letter have not been met.
- International students seeking to transfer will be informed in writing within 10 working days of the result of their application.
- The Release Letter, if granted, will be issued at no cost to the student.
- If a request to transfer is refused by UNSW Global Pty Limited, the student will be advised in writing of the reasons for the refusal and he/she will be informed of their right to appeal the decision.
- Requests for letters of release, the assessment of the application and the decision will be maintained on the student's file.

## 5. Legal and Policy Framework

This policy complies with the following legislative framework governing the delivery of education to overseas students studying in Australia on a student visa:

- Education Services for Overseas Students (ESOS) Act 2000  
<http://www.comlaw.gov.au/comlaw/management.nsf/lookupindexpagesbyid/IP200401844?OpenDocument>
- National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (The National Code 2007)  
<http://www.aei.gov.au/regulatory-information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/Pages/default.aspx>

## 6. Implementation

### 6.1 Responsibilities

UNSW Global Pty Limited, represented by its educational groups UNSW Foundation Studies and UNSW Institute of Languages must comply with the ESOS Act and its regulations. Each staff member involved in the promotion, recruitment, admission, delivery, management or administration of overseas students on student visas is responsible for the implementation of this policy.

### 6.2 Staff Roles

#### 6.2.1 International student seeking to transfer to UNSW Foundation Studies and/or UNSW Institute of Languages

- International students seeking to transfer to UNSW Foundation Studies and/or UNSW Institute of Languages must complete the normal admissions process, indicating if they are transferring providers within the first six months of their principal course and include a release letter and parental approval if under 18 years of age.
- If the student is transferring within their first six months of their principal course, UNSW Global Student Services staff will:
  - o sight a valid release letter issued to the student
  - o confirm the student has written parental approval for transfer if the student is under 18 years of age and ensure continued appropriate accommodation, welfare and support services are in place
  - o confirm the student has written approval from any government sponsor, if applicable, and if the student is under 18 years of age, ensure continued appropriate accommodation, welfare and support services are in place
  - o determine via PRISMS whether or not a student is currently studying with another provider
  - o issue a Confirmation of Enrolment if the above criteria for transfer is met and if the student is eligible for the course for which they have applied

#### 6.2.2 International student seeking to transfer from UNSW Foundation Studies and/or UNSW Institute of Languages to another provider

- International students seeking to transfer from UNSW Foundation Studies and/or UNSW Institute of Languages to another provider must complete the "Application to Withdraw Form" form available at UNSW Global Student Services and supply the following supporting documentation:
  - o A Statement of Reasons for the release request in accordance with the guidelines of this policy
  - o A copy of a valid letter of offer from the new registered provider and written parental or guardian support if the student is under 18 years of age
  - o Written approval of any government sponsor, if applicable
  - o Where the student is under 18 years of age, evidence that continued appropriate accommodation, welfare and support services are in place

- If a complete application has been received, UNSW Global Student Support Staff will counsel the student. Should the student wish to continue with the withdrawal application, UNSW Global Student Support Staff (for UNSW Foundation Studies enrolled students) or UNSW Institute of Languages Head of Studies (for UNSW Institute of Languages enrolled students) will approve the request and forward the completed “Application to Withdraw Form” and supporting documentation to UNSW Global Student Services Staff for processing
- UNSW Global Student Services will issue a Release Letter to the student (if this is requested), advising the student of the need to contact DIAC to seek advice on whether a new student visa is required
- UNSW Global Student Services will notify the Department of Education, Employment and Workplace Relations (DEEWR) via the Provider Registration and International Student Management System (PRISMS) of the change in the enrolment
- If the request for transfer is rejected, the student will be provided with written reasons for the refusal advising the student of his/her right to appeal this decision in accordance with Standard 8 of the National Code 2007

### 6.3 Student Roles

#### 6.2.1 International student seeking to transfer to UNSW Foundation Studies and/or UNSW Institute of Languages

- International students seeking to transfer to UNSW Foundation Studies and/or UNSW Institute of Languages must complete the normal admissions process, indicating if they are transferring providers within the first six months of their principal course and include a release letter and parental approval if under 18 years of age.
- If the student is transferring within their first six months of their principal course, the student must submit:
  - o a valid release letter
  - o written parental approval supporting the transfer if the student is under the 18 years of age and evidence that continued appropriate accommodation, welfare and support services are in place
  - o written approval by any government sponsor, where applicable, supporting the transfer, and if the student is under the 18 years of age evidence that continued appropriate accommodation, welfare and support services are in place

#### 6.2.2 International student seeking to transfer from UNSW Foundation Studies and/or UNSW Institute of Languages to another provider

- International students seeking to transfer from UNSW Foundation Studies and/or UNSW Institute of Languages to another provider must complete the “Application to Withdraw Form” form available at UNSW Global Student Services and supply the following supporting documentation:
  - o A Statement of Reasons for the release request in accordance with the guidelines of this policy
  - o A copy of a valid letter of offer from the new registered provider and written parental or guardian support if the student is under 18 years of age

- o Written evidence that any government sponsor supports the transfer, if applicable
- o Where the student is under 18 years of age, evidence that continued appropriate accommodation, welfare and support services are in place

- If the request for transfer is approved, UNSW Global Student Services will issue a Release Letter to the student, advising the student of the need to contact DIAC to seek advice on whether a new student visa is required
- If the request for transfer is rejected, the student will be provided with written reasons for the refusal advising the student of his/her right to appeal this decision in accordance with Standard 8 of the National Code 2007

## **7. Review**

The Manager, Admissions will review this policy annually, or in case of legislative changes governing the delivery of education services to overseas students on a student visa

## **8. Attached Documentation**

- Application to Withdraw Form
- UNSW Foundation Studies Release Letter
- UNSW Release Letter
- UNSW Institute of Languages Release Letter

## **9. Related Policies and Procedures**

SSUP-016 - Compassionate and Compelling Circumstances Policy (Overseas Students)  
FS-008-POL - UNSW Foundation Studies Complaints and Appeals Policy  
IL-008-POL - UNSW Institute of Languages Complaints and Appeals Policy