

International Student Transfer Policy

1. Purpose

This Policy outlines the requirements for the assessment and approval of applications from International Students seeking to transfer between UNSW College (the College) and other registered providers prior to completing six calendar months of their Principal Program of Study.

2. Scope

This Policy applies to:

- (a) International Students seeking to transfer to the College within six (6) months of the commencement of their Principal Program of Study;
- (b) International Students enrolled at the College, or who have completed their studies at the College but not yet enrolled at UNSW, seeking to transfer from UNSW College to another registered provider;
- (c) College staff involved in the recruitment, admission, delivery, management or administration of International Students on student visas enrolled in or wishing to be enrolled into College programs.

3. Policy statement

The College is committed to the transparent, compliant and effective assessment of International Students' transfer requests.

3.1. The College's obligations and rights under this Policy

- (a) College staff will comply with the [International Students Under 18 Student Policy](#) when assessing requests to release a student under 18 years of age;
- (b) College staff will inform the International Student in writing of the result of the transfer/withdrawal request within ten working days of all required information being made available to the College;
- (c) If a request to be released is refused by the College, the International Student will be advised in writing of the reasons for the refusal and they will be informed of their right to appeal the decision;
- (d) Requests for a release, the assessment of the application, and the decision will be recorded in College systems; and
- (e) College staff will notify the change in enrolment to the Department of Home Affairs (DHA) via PRISMS (Provider Registration and International Student Management System).



3.2. Students' obligations and rights under this Policy

- (a) International students must submit a completed [Release Request Form](#) and [Application to Withdraw Form](#) with supporting documentation. Sponsored students are required to provide written approval from the government sponsor supporting the transfer.
- (b) If the International Student is enrolled in a program at the College before a release/ withdrawal request is finalised, the applicant is required to attend all scheduled classes unless there are compassionate or compelling circumstances which prevent them from doing so (see [Compassionate or Compelling Circumstances Policy](#)).
- (c) All applications to transfer to an alternate registered provider must include a copy of a valid offer letter from the receiving registered provider.
- (d) Under 18 Students must provide signed parental or guardian support for the request to transfer to another registered provider and written confirmation that the receiving registered provider will accept responsibility for approving the student's accommodation, support and general welfare arrangements, as specified in the [International Students Under 18 Student Policy](#).
- (e) International Students who are enrolled in English package courses which include a UNSW degree course will need to apply to UNSW directly for a release from the degree course (see UNSW release requests).
- (f) Students considering transferring providers must ensure that they continue to meet the conditions of their student visa.

4. Legislative requirements

- (a) Standard 7 of the ESOS National Code requires registered providers to assess requests from students for a transfer between registered providers prior to the student completing six (6) months of their Principal Program.
- (b) The Principal Program is the main program of study to be undertaken by an International Student where the student visa has been issued for multiple programs and is usually the final program of study.
- (c) The first six (6) months is calculated as six (6) calendar months from the date an International Student commences their Principal Program.
- (d) This means that transfer restrictions apply to an International Student during all programs they undertake prior to the Principal Program. No restrictions apply after the student has completed six (6) months of their Principal Program.
- (e) For an International Student to transfer before completing six (6) months of their Principal Program, the International Student must obtain a release from their registered provider by meeting one of the circumstances as set out in this Policy.

5. Request for transfer

- (a) An International Student will need an approval for release when the student has not completed six (6) months of their Principal Program of Study, except in the circumstances outlined below. This restriction applies to any prerequisite programs in a Packaged Program as well as in the first six (6) months of the Principal Program.
- (b) **The exceptions are where:**
- i. the releasing registered provider, or the program in which the International Student is enrolled, has ceased to be a registered; or
 - ii. the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the International Student from continuing the student's program at the registered provider; or
 - iii. any government sponsor of the International Student considers the change to be in the student's best interest and has provided written support for that change. This usually applies where the International Student's study in Australia is sponsored by the government of another country.

6. Compassionate or compelling circumstances

- (a) Compassionate or compelling circumstances are matters which, in most cases, are beyond the control of the student and will impact the student's capacity to progress with their planned course of study.
- (b) They can include but are not limited to:
- i. serious illness or injury;
 - ii. death of a close family member;
 - iii. childcare / maternity reasons;
 - iv. major political upheaval or natural disaster in the home country of a student that has impacted on their studies;
 - v. a traumatic experience, which could include:
 - involvement in, or witnessing of a serious accident; or
 - witnessing or being the victim of a serious crime that has impacted the student (these cases should be supported by a police or psychologist report);
 - a situation in which the College is unable to offer any other courses because of the structure of the student's program;
 - if the student has been identified as being at risk of progressing satisfactorily and the College recommends a reduced study load as a formal intervention strategy.

- (c) Documented evidence of circumstances surrounding a case for compassionate or compelling circumstances is required before it can be considered. Such evidence may include:
 - i. a detailed medical statement from a physician or medical specialist;
 - ii. a detailed statement from a counsellor who has been involved in the assessment and/or treatment;
 - iii. a police statement;
 - iv. a copy of a death certificate or death notice for a close family member.
- (d) Supporting documentation for compassionate or compelling circumstances must clearly indicate:
 - i. what the special circumstances were;
 - ii. when they occurred;
 - iii. how long they lasted;
 - iv. the level of impact of the special circumstances.

7. Assessment

The College considers the following factors when assessing requests to transfer between registered providers:

7.1. International students seeking to transfer to the College before completing six months of the International Student's Principal Program of Study

The College will not enrol an International Student transferring from another provider before the student has completed six (6) months of their Principal Program of Study except where:

- (a) the releasing registered provider, or the program in which the International Student is enrolled, has ceased to be registered;
- (b) the releasing registered provider has agreed to the International Student's release and recorded the date of effect and reason for release in PRISMS;
- (c) the releasing registered provider has had a sanction imposed on its registration by the Australian Government or State or Territory government that prevents the International Student from continuing the student's Principal Program of Study; or
- (d) any government sponsor of the International Student considers the change to be in the student's best interest and has provided written support for such change.

International students seeking to transfer from the College to another registered provider before the International Student has completed six (6) months of their Principal Program of Study must seek approval to transfer.

7.2. Grounds for Approval

The College will grant a Release where it is in the International Student's best interests, being where the International Student can demonstrate:

- (a) they will be reported because they are unable to achieve satisfactory program progress at the level they are studying, even after engaging with the College's intervention strategies to assist the International Student in accordance with Standard 8: International student visa requirements; or
- (b) there is sufficient evidence of Compassionate or Compelling Circumstances, as set out in the Compassionate or Compelling Circumstances Policy, and the evidence can justify a change of provider; or
- (c) the College fails to deliver the program as outlined in the written agreement with the International Student; or
- (d) there is evidence that the International Student's reasonable expectations about their current program of study are not being met; or
- (e) there is evidence that the International Student was misled by UNSW Sydney or the College or an education agent regarding UNSW Sydney or the College or its program of study and the program of study is therefore unsuitable to the needs and/or study objectives of the International Student; or
- (f) an appeal (internal or external) on another matter results in a decision or recommendation to release the International Student; or
- (g) any other circumstances which the College considers to be in the International Student's best interests under Standard 7 of the National Code, as the College determines at its discretion.

If a release is granted, it will be at no cost to the International Student and the International Student will be advised to contact DHA to seek advice on whether a new student visa is required.

7.3. Grounds for Refusal

The College may refuse to Release in any of the following circumstances:

- (a) where the International Student has outstanding debt to the College or UNSW Sydney. Debts include but are not limited to all fees, loans and library fines; or
- (b) where the International Student has not or only recently started studying the program and the full range of support services are yet to be provided or offered to the International student; or
- (c) where an International Student is not genuinely engaging with an intervention strategy; or
- (d) if the College considers that the transfer may jeopardise the International Student's progression through a package of programs; or
- (e) where the International Student is changing their Principal Program of Study to a lower AQF level or a non-AQF level (except where the change is from an AQF level 10 Doctoral degree to an AQF 9 Masters degree); or

- (f) where the International Student has received an “At Risk” notice for unsatisfactory attendance or unsatisfactory program progress, in accordance with the College’s [Academic Progression and Exclusion Policy](#); or
- (g) where the International Student will be or has been reported to the DHA for unsatisfactory attendance or other visa breaches; or
- (h) where the College considers that the transfer is not in the International Student’s best interest, that is, they do not meet any of criteria set out in paragraph 6.3.

8. Appeal against Release decision

- (a) Where a Release request is not approved, the International Student may apply for a review of the College’s decision within twenty working days of decision.
- (b) A review of the decision will be undertaken by the Senior Manager, Admissions and Student Systems within ten (10) working days of receiving a request for release.
- (c) Further appeals can be made to the College Appeals Committee under the [Student Review and Appeal Policy](#).
- (d) An International Student who is not satisfied with the outcome of the appeal may lodge a complaint with the NSW Ombudsman (Diploma and Foundation Students only), or Overseas Ombudsman (English students only).
- (e) An International Student who is lodging an external complaint must inform The College in writing by emailing complaintsandconduct@unswcollege.edu.au. For further information on complaints and appeals, please refer to the College [Student Review and Appeal Policy](#) and [Student Review and Appeal Procedure](#).

9. Roles, responsibilities and delegations

Role	Responsibility
Academic Board	Approves this Policy.
Senior Manager, Admissions and Student Systems	Responsible for the day-to-day implementation of this Policy.
Quality and Compliance Officer	Responsible for the administration and publishing of this Policy.

10. Definitions

Definitions and Acronyms	
AQF	Australian Qualifications Framework
Department of Home Affairs (DHA)	Australian Government agency with responsibilities for national security, law enforcement, border control, immigration, refugees, citizenship, transport, security and multicultural affairs.
International Student	A person (whether within or outside Australia) who holds a student visa as defined by the ESOS Act, but does not include students of a kind prescribed in the ESOS Regulations. Where the student is under 18 years of age and the student is required to exercise rights or enter obligations as a legal person, this term may refer to the student's parent or legal guardian.
Packaged Program or Package	Means where more than one program delivered by UNSW College or UNSW is covered by the same student visa.
PRISMS (Provider Registration and International Student Management System)	The Provider Registration and International Student Management System (PRISMS) is the system used to process information given to the Secretary of DEST by registered providers.
Principal Program or Principal Program of Study	Means the principal program of study (referred to as the "principal course of study" in the ESOS National Code), being the main program of study to be undertaken by an International Student where a student visa has been issued for multiple programs of study. The principal program of study would normally be the final program of study where the International Student arrives in Australia with a student visa that covers multiple programs.
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 International Students; and the provider is registered by the Secretary of DEST on CRICOS.

Related Policy Documents and Supporting Documents	
Legislation	<ul style="list-style-type: none"> • <u>Education Services for International Students Act 2000 (Cth) or ESOS Act</u> • <u>National Code of Practice for providers of Education and Training to International students 2018 or ESOS National Code</u>
Policy	<ul style="list-style-type: none"> • <u>Student Review and Appeal Policy</u>

	<ul style="list-style-type: none"> • International Students Under 18 Policy • Privacy Policy
Procedures	<ul style="list-style-type: none"> • Student Review and Appeal Procedure • International Students Under 18 Procedure • Student Fees Procedure • Student Refund Procedure
Forms	<ul style="list-style-type: none"> • Request to Appeal Form • Application to Withdraw Form • Request to Release Form • Request for Refund Form

11. Policy Governance

International Student Transfer Policy	
Category/Business Group	Student and Program Administration
Published Externally (Yes/No)	Yes
Approver	Academic Board
Responsible Officer	Executive Director, Students
Contact Officer	Head of Student and Program Administration
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Next Review Date	17/08/2026
Version	1.0

Revision History

Version	Approved by	Approval date	Effective date	Sections modified
1	Academic Board	08 August 2023	17 August 2023	N/A

Please visit our website to ensure that you have the latest version of this Policy. Policies are available at: unswcollege.edu.au/about/policies