

Transfer Between Registered Providers Policy

Policy Owner	Academic Director
Contact Officer:	Student Advisory Manager
Policy Number:	QTDP0006
Approved by:	Senior Management Group
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Related Documents:	Refund Policy Deferral or Withdrawal Policy Complaints Policy Transferring Provider Form Letter of Release (Curtin College /CU) Refusal to Release Letter

1. Overview

- 1.1. This policy has been developed in line with Standard 7 – Transfer between Registered Providers of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (the National Code 2007).
- 1.2. The policy outlines the conditions under which Curtin College will consider a student request for a transfer between registered providers. This policy should be read in conjunction with the policies outlined above.
- 1.3. The packaged offers that Curtin College makes usually contain an offer to enrol at Curtin University after completing studies at Curtin College. In these circumstances Curtin University is the provider of the principal course. Curtin University has delegated authority to issue Letters of Release on its behalf but Curtin University does retain the right to rescind this authority at any time. This policy takes reference from Curtin University’s student release policy and other sources.

2. Organisational Scope

- 2.1. This policy applies to all international students enrolled at Curtin College who hold a student visa to study in Australia.

3. Definitions

- 3.1. **Department of Immigration and Border Protection (DIBP):** The Australian government agency responsible for issuing students with visas.
- 3.2. **Enrolled:** A student is deemed to have enrolled once fees have been paid and subjects have been selected for the current study period (Status = current).
- 3.3. **International Student:** For the purpose of this policy, an International student is defined as one who is not an Australian or New Zealand citizen or the holder of a permanent residency or humanitarian visa. For the purposes of this policy, students who are in Australia, as a result of their parents/legal guardians being on a temporary business visa (eg visa subclass 457), are also regarded as an international student.
- 3.4. **Letter of Offer:** A Formal offer of place at Curtin College in nominated course.
- 3.5. **Letter of Release:** A formal letter required when an international student wants to transfer to another education provider within the first 6 months of study of their principal course.
- 3.6. **National Code:** The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (amendment effective July 2007) which outlines nationally consistent standards for the conduct of registered providers and the registration of their courses. The standards set out specifications and procedures to ensure that registered providers of education and training courses can clearly understand and comply with their obligations under the

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National Code. The National Code also identifies the roles and responsibilities of the Australian Government and state and territory governments in discharging their regulatory functions.

- 3.7. **Package Offer** A letter of offer to a student containing two or more courses. Usually completion of earlier courses at a certain level of attainment is a requirement for progressing to the next course.
- 3.8. **Principal Course of Study:** For students on a 'packaged offer' their 'principal course of study' is with Curtin University of (Curtin). Where a student has received a 'stand-alone offer' to study at Curtin College, the College is the provider of their 'principal course of study'.
- 3.9. **Six months of study:** Six calendar months of the principal course of study from the date that the student commences the course. Where a deferment of study has been granted in the first semester, the deferred period or leave of absence is not included in the six months of study. Students are expected to complete their six months of study upon their return.
- 3.10. **Streamlined Visa Processing (SVP):** SVP is a structure under which the Department of Immigration and Border Protection (DIBP) will assess student visa applicants.

4. Policy Principles

- 4.1. It is an Australian regulatory requirement that students must complete six months of their "principal course of study" (refer 3.7) before changing or transferring between registered providers unless a letter of release is issued by the principal provider or other person or persons authorised to issue such a letter or where compelling and compassionate reasons exist.
- 4.2. Curtin College is restricted from enrolling students from another registered provider's course prior to the student completing six months of his/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 letter of release
 - c) The original registered provider has had a sanction imposed on its registration by the Australian Government of 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.
 - e) The student's Confirmation of Enrolments was conditional, and the condition has not been met.

5. Policy Content

- 5.1. It is recognised that students who have completed six months of a principal course are not required to request a formal release by an institution and as such are free to enrol wherever they choose.
- 5.2. International students seeking to transfer from Curtin College to another registered provider, who have not yet completed six months of study in their principal course, should see a Curtin College Student Advisor. Where an agent has been used to secure a place at the College, that agent will be contacted and advised of how the transfer of a student will affect their contractual arrangement.
- 5.3. Students should familiarise themselves with the Refund Policy in regard to Fee penalties, located under 'College Policies' at <http://www.curtincollege.edu.au>
- 5.4. Students enrolled with Curtin College, who have not yet completed six months of their principal course of study, will not be authorised to transfer to another registered provider unless it is deemed by the College to be in the student's best interest (refer 5.8).
- 5.5. Students who are unsuccessful in their request to transfer prior to completing 6 months of their principal course may appeal that decision. For further advice students should refer to Curtin College's Complaints Policy under 'College Policies' at <http://www.curtincollege.edu.au>

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- 5.6. A student requesting a transfer must satisfy Curtin College management that they have a genuine and legitimate basis for such a request. Curtin College management will assess and respond to the student's request within 10 working days of the application.
- 5.7. Students who apply to transfer after accepting their enrolment offer, but before starting classes, will not be approved except in extreme circumstances such as:
- Inability to secure an Australian visa;
 - Compassionate and compelling circumstances
- 5.8. **Circumstances in which Curtin College will grant approval for a transfer include but is not limited to the following:**
- The student has received a direct offer for a Curtin University degree program;
 - Curtin College is unable to continue to provide the course;
 - Curtin University is unable to continue to provide the course;
 - Student demonstrates he/she is experiencing threat to physical or mental health or safety by remaining at the College and demonstrates clearly how this will be alleviated through a transfer;
 - Any government sponsor of the student considers the change to be in the student's best interest and has provided written, authorised support for that change;
 - The student is not coping in the program, and has sought academic assistance from the College that has not improved their academic performance;
 - A letter from another registered provider confirming that a valid enrolment offer from another streamlined visa processing eligible course or package of courses, has been made is supplied to Curtin College, and the College forms the view that the student is genuinely intending to study with that provider.
- 5.9. **Circumstances in which Curtin College will not grant approval for a transfer include but are not limited to the following:**
- The student does not have a valid enrolment offer from the receiving provider;
 - The transfer may jeopardize the student's progression through a package of courses;
 - The student has not provided sufficient evidence to support your stated reasons for transferring. The student has a change of mind;
 - The student expresses difficulty with course material but has not sought assistance from Student Advisors or Program Coordinators;
 - Curtin College forms the view that the student is trying to avoid being reported to DIBP for failure to meet the provider's academic progress and attendance requirements;
 - The student does not have a valid enrolment offer from another registered (CRICOS) provider;
 - The course for which the student is intending to enroll in with the other provider, is similar to or the same as the course in which the student is currently enrolled at Curtin College;
 - The student is experiencing homestay or other accommodation problems;
 - The student is experiencing course schedule conflict with personal, work, or other non-study commitments.
 - The student is having difficulty adjusting their new environment in Australia or wishes to live elsewhere.
 - Where a student has obtained a visa under SVP processing a letter of release will not be granted if a student is downgrading the visa subclass. e.g moving from a Visa subclass 573 to visa subclass 572, except for compelling or compassionate reasons in which evidence has been provided. The student will be asked to withdraw and take advice from the Department of Immigration and Border Protection on the regulations concerning enrolling with another provider without a letter of release.

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- The student applied to transfer from a Curtin College/Curtin University package that was processed under Streamlined visa processing (SVP) to a course or provider that is not eligible for SVP.
- The student is a sponsored student and has not provided a letter of support from the sponsor.
- The student was identified as a Student at Risk and where recommended to access our support programs, which the student did not attend.
- The student has a tuition fee or other debt to Curtin College.
- Where the student wishes to change to a similar program with lower fees;
- The student is an under-18 student and has not provided:
 - written evidence that the student's parent or legal guardian supports the transfer; and
 - written confirmation that the new provider will accept responsibility for approving a student's accommodation, support and general welfare arrangements as per Standard 5 of the National Code 2007.

6. Letter of Release

- 6.1. Applications to transfer will be assessed under points 5.7, 5.8 and 5.9 of this policy. When assessing the request all circumstances will be taken into account and the student will be advised of the outcome of the request in writing within 10 working days from the receipt of the application.
- 6.2. If approved a letter of release will be issued to the student at no cost and in the letter of release the student will be advised to contact DIBP to find out what action, if any, they need to take in regard to their student visa.
- 6.3. If release is not granted a 'refusal' letter will be provided to the student advising them of the grounds in which the release was not granted.
- 6.4. Students who do not advise the College that they are intending to transfer provider and are terminated, withdraw or do not re-enrol will not be issued with a Letter of Release once the reporting process has been completed.
- 6.5. The following are to be provided to Curtin College, before the College will assess the application:
 - A valid letter of offer from another CRICOS registered provider;
 - A completed 'Transfer of Provider' form;
 - Supporting evidence if the student is citing compelling or compassionate reasons for transferring providers
 - Where the student is a sponsored student, a supporting letter from the sponsor is included
 - Where the student is under 18, the student's parent or legal guardian supports the transfer; or if the student is not being cared for in Australia by a parent or suitable nominated relative, the valid enrolment letter confirms that the registered provider will accept responsibility for approving the student's accommodation, support and general welfare arrangements.

For more information on a student's eligibility to transfer to another institution refer to DIBP's website <http://www.immi.gov.au/Study/Pages/changing-courses.aspx>.

7. Transferring to Curtin College from another Registered Provider

- 7.1. Students wishing to transfer to Curtin College from another provider before completing six months of their principal course, must provide the College with a 'Letter of Release' from their original provider before Curtin College will confirm their enrolment. However Curtin College will issue the Offer Letter prior to receiving the letter of release.

8. Administrative procedures

- 8.1. This policy and related documentation is accessible through the Curtin College website at: <http://www.curtincollege.edu.au>

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- 8.2. Academic notes via MAZE to be updated with any changes made to a student’s enrolment.
- 8.3. Completed forms to be placed on student’s file once all actions have been completed.
- 8.4. Copies of ‘Letters of Release’ will be maintained on the Student file and recorded in the student management system.

Version	Last changes:
V2.3	<ul style="list-style-type: none"> • Updated 5.4 and 5.8 • Updated Item 3 - Definitions • Added item 6.6 • Reflects the latest DIBP policy last reviewed 17 June 2014.
V2.2	<ul style="list-style-type: none"> • 2.1 – added • Updated Item 3 - Definitions • Updated Item 5.9
V2.1	<ul style="list-style-type: none"> • Updated item 5.5 • Updated item 5.9 to include additional circumstances where an approval for transfer will not be granted. • Added item 6.3 and 6.4
V2.0	<ul style="list-style-type: none"> • Added item 1.3 • Updated definitions table in Item 3 • Updated item 4.1 • Added Item 4.2 (e) • Updated policy content in Item 5 • Removed reference to Appeals Policy and replaced it with Complaints Policy • Added additional content in Item 5.11 regarding Visa’s under SVP • Updated information on “Letters of release” in Item 6 • Updated related documents.