

International Student Transfer Request Procedure

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Purpose

This Procedure outlines the process by which the University assesses requests from international students wishing to transfer to or from a University of Tasmania course, prior to students completing 6 months of their principal course of study as specified in their Confirmation of Enrolment (CoE).

Applicable governance instruments

Instrument	Section	Principles
<i>National Code of Practice for Providers of Education and Training to Overseas Students, 2018 (Cth)</i>	Standard 7: Overseas Students Transfers Standard 8: Overseas Student Visa Requirements	N/A

Procedure

1. Introduction

This Procedure is in accordance with the Education Services for Overseas Students [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#).

It applies to:

- a) all prospective international onshore students requesting to transfer to the University of Tasmania; and

- b) all University of Tasmania international students studying on a student visa, who request to transfer to another registered education provider prior to completion of the first 6 months of their principal course of study.

2. Request to Transfer In (to the University of Tasmania from another provider)

2.1. Requirements

In accordance with the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#), the University will not knowingly enrol an overseas student wishing to transfer from another registered provider's course prior to the overseas student completing the Restricted Period of study (6 calendar months) from commencement of their principal course of study, except where any of the following apply:

- a) the releasing registered provider, or the course in which the international student is enrolled, has ceased to be registered; or
- b) the releasing registered provider has had a sanction imposed on its registration that prevents the international student from continuing his or her course at that registered provider; or
- c) the releasing registered provider has agreed to the international student's release and recorded the date of effect and reason for release in Provider Registration International Students Management System (PRISMS); or
- d) any government sponsor of the overseas student considers the change to be in the overseas student's best interests and has provided written support for the change.

2.2. Assessment of requests

Students coming to the University of Tasmania from another registered provider are required to provide documentation supporting their transfer during the admissions process.

Admissions staff validate students' eligibility to transfer to the University of Tasmania via PRISMS.

The Executive Director Student Services or the Director, Academic Quality Standards or their nominee will review all applications from international students requesting to transfer to the University within the Restricted Period to determine their eligibility to transfer to the University.

The review must:

- a) establish whether the student is enrolled at another education provider, and if so determine, using the Visa Entitlement Verification Online (VEVO) system, whether the student is the holder of a visa. If so, documentation will be sought from the student confirming the visa status; and
- b) establish whether the original education provider has agreed to the student's release and record the date of effect and reason for release on PRISMS; and
- c) assess the student's time spent in Australia to ensure there has been proper disclosure of previous studies (including any gaps in study) with all other Australian education providers.

For students under the age of 18, applications will only be approved where:

- a) the student's parent or guardian has approved the transfer in writing; and
- b) if the student is not being cared for in Australia by a parent or suitable nominated relative, the University is willing to accept responsibility for the student's accommodation, support and general welfare arrangements; and
- c) if the student is on scholarship, the sponsoring organisation has approved the transfer in writing.

Where the University accepts responsibility for a student's welfare, the University will:

- a) negotiate the transfer date for welfare arrangements with the original education provider to ensure there is no gap; and
- b) inform the student, and their parent or guardian where the student is under the age of 18, of their visa obligation to:
 - i. maintain their current welfare arrangements until the transfer date; and
 - ii. have alternate welfare arrangements approved and, if necessary, return to their home country until the new approved welfare arrangements take effect; and
 - iii. acknowledge this assumption of responsibility in any letter of offer provided by the University to the student.

Where it is determined that an applicant is enrolled with another education provider, the letter of offer must state that enrolment will be conditional on the student being released by their current provider and a copy of their passport and visa being submitted.

Where a University staff member is alerted by PRISMS, while in the process of raising a Confirmation of Enrolment (CoE), that a student is enrolled at another education provider the staff member must:

- a) not proceed with the CoE; and
- b) notify the applicant in writing that the CoE will only proceed once the University has confirmed that the original education provider has agreed to the student's release and recorded the date of effect and reason for release on PRISMS.

The staff member responsible for processing the application should ensure that the date of effect and the reason for release recorded on PRISMS by the releasing education provider is copied and placed on the student's file.

3. Request to Transfer Out (from the University of Tasmania to another provider)

3.1. Situations where requests are not required

A transfer request is not required for an international student to change registered providers in the following circumstances:

- a) the student has completed at least 6 calendar months from the commencement of their principal course of study at the University of Tasmania; or
- b) the University of Tasmania has ceased to be registered, or the course in which the student is enrolled has ceased to be registered; or
- c) the University of Tasmania has had a sanction imposed on it by the Australian Government or State or Territory Government that prevents the student from continuing their principal course.

In all other circumstances a transfer request will be required.

3.2. Restricted period (6 month requirement)

If a student is studying on a student visa and has not yet completed 6 months of their principal course at the University, they must request a transfer and be approved for release from the University before they can enrol at another Australian institution.

The 6 month requirement refers to 6 calendar months exactly from the start date of the principal course, and *not* one study period. Therefore, even if the student has completed one semester of the course, they may not satisfy the 6 month requirement and will therefore require release approval from the University to transfer to another Australian institution.

3.3. Maintaining attendance and enrolment

In accordance with their visa conditions, ELICOS and Foundation students must satisfy attendance requirements until a final decision on the transfer request is made.

All students must remain enrolled and engaged in their course until a final decision is made.

If the student does not maintain attendance (ELICOS and Foundation students) and/or enrolment, their CoE will be cancelled for that reason. The transfer request is considered separately and may still be refused.

3.4. Circumstances in which requests will generally be approved

The University will grant the transfer request when the transfer is in the student's best interests, including but not limited to where the University has assessed that:

- a) the student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, despite engaging with the University's intervention and support strategies to assist the student; or
- b) there is evidence of compassionate or compelling circumstances that are beyond the student's control and which emerged after accepting the current offer from the University (see section 4.3); or
- c) the University has failed to deliver the course as outlined in the written agreement with the student; or
- d) there is evidence that the student's reasonable expectations about their current course are not being met; or
- e) there is evidence that the student was misled by the University of Tasmania or an education or migration agent regarding the University or its course, and the course is therefore unsuitable to their needs or study objectives; or
- f) an appeal on another matter results in a decision or recommendation to release the student; or
- g) the student has a government sponsor and the government sponsor considers the change to be in the best interests of the student and the government sponsor has provided written support for that change.

A release will only be provided to a student claiming financial hardship where the student can reasonably demonstrate deterioration in their financial position from that which prevailed at the time the student was assessed as a Genuine Student and accepted the offer of enrolment from the University.

A release will only be provided to a student claiming a failure by the University to meet expectations or of being misled by agent representations, where the student can provide evidence of being misled. All students are advised in the letter of offer from the University to refer to the University's website before accepting the offer as information provided from other third party sources, and relied on in choosing the University, should be verified from the University web resources.

3.5. Circumstances in which requests may be denied

Requests for transfer will generally be denied in cases where:

- a) the student has not commenced study in their admitted/enrolled course;
- b) the University considers the change of course to detrimental to the student;
- c) the student has not provided the necessary documentation and supporting evidence required;
- d) the student provides, false or misleading information with their transfer release request;

- e) the student has recently started studying the course and the full range of support services are yet to be provided or offered to the student;
- f) the student has not genuinely engaged with a University intervention strategy with the intention of failing and being released;
- g) the transfer may jeopardise a student's progression through a package of courses;
- h) the student applies to transfer to another provider in a different education sector, or another course level and the University determines that the transfer will not be in the student's best interests;
- i) the University forms the view that the student is deliberately trying to manipulate the Australian student visa system;
- j) the University forms the view that the student is deliberately trying to avoid being reported to the Department of Home Affairs for failure to meet the University's academic progress requirements;
- k) the student is studying at the University of Tasmania because of the Simplified Student Visa Framework and attempts to transfer to another registered provider that does not have the Simplified Student Visa Framework arrangements with the Department of Home Affairs;
- l) the student has made decisions post their enrolment regarding accommodation, travel and employment that are not aligned with the student's course requirements;
- m) the proposed transfer is demonstrably unlikely to deliver the career qualification or work outcomes the student aims to achieve;
- n) the request is received after the census date for that semester;
- o) the student wishes to change to a similar program with lower fees;
- p) the student has a tuition fee or other debt owing to the University.

4. How to a Request a Transfer

4.1. Documents required

When requesting a transfer from the University, students must submit the following documents:

- a) a completed [Transfer Education Provider and Release Request Application Form](#);
- b) a written statement detailing the compelling reasons for transferring to an alternate education provider explaining how the student expects to benefit from the transfer. Students may also attach additional documents in support of their request;
- c) a copy of a valid offer letter from the other institution confirming that the student has been offered an unconditional place;
- d) if the student is on scholarship, written advice from the sponsoring organisation approving the transfer.

Under 18 students must include additional documents:

- a) written confirmation that the parent or legal guardian supports the transfer; and
- b) confirmation from the new provider that they will provide an accommodation and welfare guarantee, where applicable, without any gaps.

Applications should be emailed to U.Connect@utas.edu.au

4.2. Acceptable evidence in support of claims

Types of acceptable evidence in support of claims may include, but are not limited to:

- a) evidence to support claims that the student was misled regarding the University or the course the student is undertaking;
- b) documents from qualified counsellors, psychologists or medical practitioners stating any compassionate and compelling circumstances as to why a transfer release is required;
- c) evidence of a medical treatment plan or details of medical treatment if a medical condition is listed in a transfer release request;
- d) a letter from the University academic unit to demonstrate genuine efforts to engage with a College-managed support plan.

4.3. Examples of 'compassionate or compelling circumstances'

A compassionate or compelling circumstance is one that is beyond the student's control and has had an impact upon their wellbeing or progress in a program of study. For transfer requests, students must supply documentation (such as from a health professional, government body or agency) that demonstrates how these circumstances have impacted on their ability to continue to study at the University of Tasmania and why changing to another provider will be in the student's best interest.

Compassionate or compelling circumstances may include, but are not limited to:

- a) serious illness or injury where relocation is in the best interests of the student;
- b) caring responsibilities for a close family member requiring the student to relocate;
- c) a traumatic experience where a student has been a victim of, or a witness to, a serious accident or crime, and this experience has adversely impacted on the student in a way that they need to relocate and transfer to another provider.

Circumstances that are within the control of the student and/or will not have an impact on the student's capacity to progress with their planned course of study will not be considered as compassionate or compelling. These include, but are not limited to:

- a) any delay by the student in checking correspondence sent by the University;
- b) difficulties in adjusting to living in Australia or academic life
- c) minor illness.

5. Assessment and Notification of Request Outcome

The Executive Director Student Services or the Director, Academic Quality Standards or their nominee will review the request and make a determination based on the contents of the application and the listed criteria.

A student who requests a transfer may be asked to meet with University staff to discuss the reasons for their request and to review all options to resolve any problems or issues the student may have that are impacting on the decision to pursue a transfer.

Upon the submission of a complete application, the student will be notified of the outcome of their request within 10 working days.

The student is deemed to have received the transfer request decision on the day the email was sent notifying the student of the decision.

5.1. Successful outcome

If the request is granted, the University will:

- a) advise the student to contact the Department of Home Affairs to seek advice on whether a new student visa is required; and
- b) within 5 days of the date the transfer request is granted, report the release and then cancel the student's CoE in PRISMS.

Any refunds of course fees paid to the University will be made in accordance with the *International Student Fee Refund Procedure* and the Tuition Protection provisions of the [Education Services for Overseas Students Act, 2000](#).

There will be no cost to the student in relation to the request for transfer.

5.2. Unsuccessful outcome

Where a request is refused, the University's written response will detail the reasons for the refusal. These reasons should be sufficiently detailed to enable the student to make an informed decision with respect to the submission of an appeal.

The notification of refusal will also advise the student:

- a) of the University's review processes and avenues for appeal; and
- b) that any appeal must be lodged within 20 working days of the date of the notification

The University will not report the student's Transfer Release refusal in PRISMS until:

- c) 20 working days have passed after the date of notification of refusal and the student has not accessed the review and appeals processes; or
- d) If the student lodges an appeal, the appeal is heard and the University's decision to refuse the request for release is upheld; or
- e) the student withdraws from the appeal process.

6. Recordkeeping

University staff will document in a decision-record the outcome of the transfer release request. This decision-record will include the outcome and reasons that substantiate the decision. Transfer release requests and outcomes will be recorded on the student's file.

University staff must ensure that all transfer requests, any associated correspondence, and a copy of the notification of the decision are retained on the student's file for at least two years after the student ceases to be a student at the University.

7. Appeals Process

If a transfer request is refused, the student has 20 working days to appeal the decision made.

A student can appeal by sending an email to International.Compliance@utas.edu.au with the following:

- a) A statement outlining the basis of the appeal, specifically addressing the grounds the original transfer request was refused
- b) Any additional supporting documentation that was not considered or available with the initial transfer request application

Appeals are assessed by the International Compliance Coordinator and the student will be notified of the outcome within 10 working days.

The appeal decision is final. If the student continues to be dissatisfied with the outcome, they may refer the matter to an external agency, for example the [Tasmanian State Ombudsman](#).

Related Procedures

International Student Fee Refund Procedure

Versions

<u>Version</u>	Action	Approved by	Business Owner/s	Approval Date
1	Approved	Chief Marketing Officer	Executive Director Student Operations	21 Dec 2020
2	Approved	Vice President, Strategy, Finance, and Marketing	Director, Student Systems and Administration Director, Academic Quality Standards	18 May 2022
3	Approved	Head Student Services and Operations	Executive Director Student Services Director, Academic Quality Standards	21 May 2023
4	Approved	Deputy Vice-Chancellor (Student Services and Operations)	Executive Director Student Services Director, Academic Quality Standards	10 May 2024

Definitions

[census date](#) | [Confirmation of Enrolment \(CoE\)](#) | [principal course of study](#) | [study period](#) | [tuition fee](#) |