International Student Transfer Request Assessment Policy

POLICY PURPOSE
UTS College will assess all requests from students applying to transfer to/from UTS College by a transparent process that ensures a transfer will only be granted if UTS College's academic criteria are met, all related legislation is complied with, and all relevant parties are informed of changes to the student's visa conditions.

SCOPE

This policy applies to staff required to deal with international student requests to transfer to or from other providers, specifically staff in the UTS College Student Centre, Admissions and Student Sponsorship, Compliance and Reporting teams.

DEFINITIONS are set out at the end of this policy.

POLICY PRINCIPLES

Principle	Responsible
TRANSFER FROM ANOTHER PROVIDER TO UTS COLLEGE	
1. UTS College will grant an onshore student's request to transfer from another institution to UTS College if the student meets UTS College's entry criteria, has complied with visa conditions (is compliant with the Department of Home Affairs visa conditions and therefore has not been reported to the Department of Home Affairs by their previous provider) and has successfully completed at least six months of their principal course, as evidenced by their student visa principal course start date or (where necessary) the student's data in the PRISMS system.	Student Centre/ Admissions/ SSCR
2. If the student has not completed six months of their principal course, transfer will be granted subject to the following conditions: ▪ The student's previous provider approves the student's release. OR ▪ There is evidence that the student is prevented from continuing their principal course of study due to sanctions on or deregistration of the original provider or original course of study. OR ▪ The student's sponsor or the body such as a Cultural Mission managing the sponsorship (Australian or other) considers the transfer to be in the student's best interest and provides written support for the transfer.	Student Centre/ Admissions/ SSCR

Principle	Responsible
3. Students transferring from another provider, must also comply with the Student Application, Admission and Enrolment Policy	Student Centre/ Admissions/ SSCR
4. If the student is under 18, transfer will be granted subject to the above conditions plus the following conditions: ▪ A letter from the student's parent or legal guardian agreeing to the transfer accompanies the application (or is received prior to admission to the UTS College course). AND ▪ A staff member from Student Admissions or the Student Centre confirms that the appropriate accommodation and welfare arrangements are in place and submits a CAAW (where the student moves into UTS College approved accommodation).	Student Centre/ Admissions/ SSCR
5. If an onshore student under the age of 18 transferring from another institution is to remain with a Department of Home Affairs approved carer they will need to provide documentation to confirm that the carer with whom they are living is a Department of Home Affairs approved carer. No UTS College CAAW is required in such cases. Where a student at time of application wishes to stay with their current carer where that carer was approved by the previous provider, UTS College is required to carry out an inspection as a special arrangement homestay and provide a CAAW if approved. As this special arrangement approval can take some time to complete, the student cannot be admitted to UTS College until the special arrangement is approved or if admitted, must move to a UTS College homestay until the special arrangement is approved. All international students under the age of 18 must be provided with a UTS College CAAW when staying in UTS College approved accommodation including special arrangement.	Student Centre/ Admissions/ SSCR
Circumstances in which a transfer to UTS College will not be granted: 6. UTS College will not grant a transfer to students who have not completed a minimum of six months of their principal course and whose previous provider has not approved the transfer to UTS College.	Student Centre/ Admissions/ SSCR
7. UTS College will not grant a transfer to students under the age of 18 who fail to provide written approval from their parents or legal guardian.	Student Centre/ Admissions/ SSCR

TRANSFER FROM UTS COLLEGE TO OTHER PROVIDERS	
8. Steps involved in requesting a release from UTS College a. Complete an Application to Transfer to Another Provider (International Student) form b. Attach a valid enrolment offer from another registered provider confirming that a valid enrolment offer has been made. c. submit these to the UTS College Student Centre. NB: No Release request will be considered where the student seeking release has outstanding fees.	Student
9. Students that have not completed six months of their principal course must have UTS College release approval (and also UTS approval where applicable), in order to be accepted by another provider. (Students that have completed six months or more of their principal course do not require an approved release).	SSCR
10. Students will not be given permission to transfer to another ELT provider's course unless the move is considered to be in the student's best interests by the Scholarship provider or the scholarship managing body e.g. Cultural Missions such as SACM.	SSCR
11. Where a student is doing a package course including one or more courses offered by UTS College and a course offered by UTS (at undergraduate or postgraduate level), the university course is considered the principal course of study, therefore all requests for transfers, if approved by UTS College, must also be approved by UTSI. If UTS College recommends release, UTS College will advise UTS of this and if also approved by UTS, UTS College will advise the student of this approval to transfer elsewhere and the need to check with the Department of Home Affairs regarding the need to obtain a new visa.	SSCR
12. Under the SSVF program students must not transfer to a course where the course or the last course in a package of courses package has a lower AQF than the course for which they were originally granted a student visa. Where students wish to transfer to a lower AQF program they will need to apply for a new visa offshore to undertake studies at the lower level.	SSCR
13. If the request to transfer is approved, the student's CoE on PRISMS will be cancelled within 15 days of the student ceasing study at UTS College.	SSCR

Student under the age of 18 14. If the student is under the age of 18, transfer will be approved subject to the above conditions plus the following: a. Parent/Carer's signature on the Request to terminate or transfer form AND b. If the student is not being cared for in Australia by a parent or suitable nominated relative, evidence that the valid enrolment offer from the new registered provider, also confirms that they will accept responsibility for the student's accommodation, support and general welfare arrangements from the day the student is released from UTS College, as per the National Code.	SSCR
15. **Circumstances in which a release will be granted:** ▪ UTS College's registration, or that of the UTS College program in which the student is enrolled, has been revoked. ▪ Sanctions imposed on UTS College by the Australian Government or state or territory government prevent the student from continuing the course. ▪ A government sponsor (Australian or other) deems that the transfer is in the best interest of the student and has provided written support for that change. ▪ In exceptional circumstances relating to the welfare of the student, at UTS College's discretion. ▪ There is evidence of compelling or compassionate circumstances ▪ UTS College fails to deliver the course as outlined in the written agreement ▪ There is evidence that the student's reasonable expectations about their current course are not being met. ▪ There is evidence that the student was misled by UTS College or one its education agents regarding UTS College. It's course and therefore the course is unsuitable to their study needs and / or study objectives ▪ Where a student is unable to achieve satisfactory course progress at the level they are studying even after engaging with UTS College's intervention strategy in accordance with Standard 8 (Overseas Student Visa Requirements) ▪ An appeal (internal or external) on another matter results in a decision or recommendation to release the student. Where a release is granted, UTS College will provide this at no cost to the student and will advise the student (in writing) that they must contact the Department of Home Affairs to find out whether they require a new student visa. Students on packaged courses must seek release from any subsequent courses covered by their visas.	SSCR

16. Circumstances in which a release <u>will not be granted:</u> ▪ A release request has no valid enrolment offer from the receivinginstitution. ▪ A release request lodged by a student under the age of 18 where there is no written evidence that the student's parent or legal guardian supports the transfer AND, if appropriate, there is no written confirmation that the new provider will accept responsibility for approving the student's accommodation, support and generalwelfare arrangements. ▪ Any circumstances in which a transfer may be considered to be not in the student's best interests. ▪ Within the first five weeks of an ELT program, or the first eight weeks of the UTS Foundation Studies program or UTS College diploma course. ▪ If UTS College forms the view that the student is trying to avoid being reported to the Department of Home Affairs for failure to meet attendance requirements, failure to meet academic progress requirements, failure to pay fees or for any other matter. This includes but is not limited to students who have been warned for non-attendance or students on academic caution. ▪ Where a student is unable to achieve satisfactory course progress at the level they are studying or expresses difficultywith the program of study but ○ has not sought assistance from Study Success Advisers or ○ has failed to engage with UTS College's interventionstrategy to assist students. ▪ If the student intends to study at a lower Australian QualificationsFramework (AQF) level. ▪ A desire to change to a course with lower fees ▪ Minor illness or homesickness ▪ Difficulties in adjusting to living in Australia or academic life ▪ Failure to enrol or re-enrol in a course by the enrolment date ▪ Failure to understand or seek clarification of key dates or withdrawal procedures ▪ Distance of a student's accommodation from the campus ▪ If the student is experiencing homestay or other accommodation problems ▪ Financial problems ▪ A desire to move to another institution to be with friends ▪ Matters unrelated to your studies at UTS College such as where a student is experiencing program schedule conflict with personal,work, or other non-study commitments.	SSCR
17. In all cases SSCR staff reserve the right to determine whether a release (and therefore a student request to transfer) will be granted.	SSCR

18. Where a release is not granted, UTS College will provide the student with written reasons for refusal and will inform the student of their right to appeal, directing them to UTS College's Student Complaints and Appeals Policy.	SSCR
19. Students wishing to appeal this decision must lodge an appeal with UTS College within 20 days of receiving the notification.	
20. A refusal to grant a release in PRISMS is not finalised until either: • The student has decided not to access the complaints and appeals process within 20 days of receiving the release rejection or • Until the appeal finds in favour of UTS College	
21. The staff member processing the request must ensure a copy of all records related to the transfer request (i.e. the original request, UTS College's written response, etc) are stored on the student's file in iRecords. NOTE: Standard 7.7 requires that UTS College maintains a record of all transfer requests from overseas students for a period of two years after the student ceases to be an accepted student.	SSCR
22. Timeframe for Response: All requests to transfer to other providers must be assessed and a written response given to the student requesting the transfer within ten (10) working days of receiving the transfer request at the UTS College Student Centre.	SSCR

DEFINITIONS

Affiliates	Insearch Limited Board members, honorary appointees, contractors, labour hire personnel, volunteers, agency staff and any other person appointed or engaged by UTS College to perform work or functions for UTS College.
CAAW	Confirmation of Accommodation and Welfare (issued through the PRISMS system)
ELT	English Language Teaching programs as registered on UTS College's CRICOS
iRecords	UTS College's electronic student filing system
Onshore Student	An international student already holding an Australian student visa who is currently in Australia.
Package course	Where two or more courses are offered as a package covered by one visa duration

Principal course	The final course within a package of courses e.g. for an English/ Diploma package the principal course is the Diploma, for a Diploma/ degree package the principal course is the degree, for an English/ degree package the principal course is the degree
PRISMS	Provider Registration and International Student Management System
Release	A provider's permission for an international student to move to another provider
Special Arrangement	Arrangement other than UTS College approved accommodation,whether homestay ort Urbanest
SSCR	Student Sponsorship, Compliance and Reporting
SSVF	Simplified Student Visa Framework
Staff	People employed to work on an ongoing, fixed term, sessional or casual basis under the terms and conditions of an employment agreement (contract) issued by UTS College.
Student's best interests	Factors that affect the student's progression in reaching their ultimate study goal. Factors include academic and English qualifications held by the student, level of study to which the student would like to move, entry requirements of proposed course to which the student would like to transfer, reasons given for the transfer.
UTS College	Insearch Limited, its representative offices and its controlled entities.
VET	Vocational Education and Training

SUPPORTING DOCUMENTS

Include the title of supporting documents such as legislation, associated policies, related procedures and other UTS College resources.

- ESOS Act 2000
- Student Application, Admission and Enrolment Policy
- Student Application, Admission and Enrolment Procedure
- Under 18 Policy
- Request to Withdraw/Transfer FTE form
- Application to Transfer to Another Provider (International Student) form
- Student Complaints and Appeals Policy
- Student Complaints and Appeals Procedure
- National Code 2018
- International Student Transfer Request from UTS College to another Provider Procedure

APPROVAL		
Signature:		
Position title:	**Managing Director**	Date: 7/06/2022
Policy Title	International Student Transfer Request Assessment Policy	
Executive	Chief Operating Officer	
Manager	Registrar	
Policy ID	PO/OPS/08/19a	
Effective Date	7/06/2022	
Approved by	**Executive**	**Date: 7/6/2022**