

International Transfer Between Registered Providers Policy

Policy Information

Policy Name:	International Transfer Between Registered Providers
Policy Number:	664
Current Version:	7.1 – 03/11/2011
Purpose:	This document outlines the conditions under which SBIT will assess an international student's request for transfer between registered providers.
Scope:	This policy applies to all International students transferring to SBIT from another registered provider or those who wish to transfer their enrolment from SBIT to another registered provider. This policy also applies to all staff involved in assessing these requests.
Exceptions:	Nil
Policy Owner:	Institute Director & CEO
Policy Author:	Manager, International Administration, Gabrielle Milliner
Related policies and legislation:	<ul style="list-style-type: none"> ▪ Education Services for Overseas Students (ESOS) Act 2000 http://www.comlaw.gov.au/ComLaw/Legislation/ActCompilation1.nsf/\$file/EduSerforOverStud2000_WD02.pdf ▪ Migration Act 1958 http://www.austlii.edu.au/au/legis/cth/consol_act/ma1958118/ ▪ National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 – Standard 7 – Transfer between registered providers http://www.aei.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/Documents/National_Code_2007_pdf.pdf ▪ SBIT Policy No. 617 – International Student Appeals ▪ SBIT Policy No. 665 – International Students Under the Age of 18 Care Arrangements
Internal procedures guided by this policy:	<ul style="list-style-type: none"> ▪ SBIT Procedure No. 6017 – International Student Appeals ▪ SBIT Procedure No. 6064 – International Transfer Between Registered Providers • QF072 – SBIT Guidelines for Care Arrangements for International Students Under the age of 18

Policy

1.0 Accepting international students from another registered provider

(a) Prior to completing six months of their principal program of study

In accordance with the National Code 2007, SBIT will not seek to enrol a student wishing to transfer from another registered provider prior to the student completing six months of their principal program of study except where:

- (i) the original registered provider has ceased to be registered or the program in which the student is enrolled has ceased to be registered;
- (ii) the original registered provider has provided a written letter of release;
- (iii) 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 program; or
- (iv) 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.

(b) After completing six months of their principal program of study

If an international student accepts an offer to study with SBIT and does not have a letter of release from their original education provider, they will need to provide the following documentation for SBIT to approve their transfer:

- (i) Visa
- (ii) CoE (with other education provider)
- (iii) Academic Transcript
- (iv) Evidence of application of termination of enrolment from their current education provider

2.0 Transfer of enrolment from SBIT

(a) Within the First Six Months of a Principal Program

Requests to transfer to another registered provider are to be submitted to the Manager, International Sales. SBIT believes in supporting the interests of their international students and endeavours to ensure that any request to transfer to another provider allows them to exercise choice, whilst acknowledging that there may also be a group that requires support in their transition to study in Australia.

SBIT's assessment of such requests will take into consideration the individual circumstances of each student. SBIT will provide a letter of release in cases where one of the following can be clearly demonstrated:

- (i) If the student wishes to change course in order to get access to greater support (may be through the services offered by another provider, which SBIT are not able to provide. In such a case, the student must provide evidence of the support being provided by the alternate provider.
- (ii) If the student can provide evidence that his or her reasonable expectations about the current course are not being met;
- (iii) If the student demonstrates that they are experiencing a threat to their physical or mental health or safety by remaining at SBIT and demonstrates clearly how this will be alleviated through a transfer;
- (iv) The student is not coping in the program, despite having undertaken an individually tailored intervention strategy (refer to SBIT Policy No. [618](#) – International Student Academic Progression Monitoring) at SBIT with no sign of improvement in their academic performance;
- (v) The student is required to move interstate;
- (vi) The program of study is not consistent with the documented program requested on the student's application;
- (vii) The student can provide evidence that he or she was misled by the provider (SBIT) or an education or migration agent regarding SBIT or its program, which constitutes a breach of the ESOS Act
- (viii) An appeal (internal or external) on a matter that may reasonably result in the student wishing to seek a transfer supports the student.
- (ix) Compassionate/compelling circumstances (documented in writing and with any applicable supporting evidence supplied) which necessitate transfer to another provider.

In order to be considered by SBIT, requests for transfer to another provider must adhere to the following conditions:

- i. International student requests for transfer must be in writing and provide detailed reasons for their transfer request (The onus is on the student to prove that it will be detrimental to them in some way to remain in the program);
- ii. A valid offer letter from the receiving provider must be attached to the request;
- iii. Where the student is under 18:
Written evidence must be provided that the student's parent or legal guardian supports the transfer AND, if appropriate, written confirmation that the new provider will accept responsibility for approving a student's accommodation, support and general welfare arrangements as per Standard 5 (Younger Students) of the National Code 2007;
- iv. If a student transfer is approved, a release letter will not be issued until all financial obligations/outstanding fees for the student's current study period with SBIT have been finalised.

(b) Prior to commencing the Principal Program

Prior to the student commencing their Principal Program with SBIT, requests for transfer to another provider will **only** be considered in cases where the student can provide **written documentary evidence of compassionate/compelling circumstances** which include, but are not limited to:

- serious illness or injury, where a medical certificate states that the student was/may be unable to attend classes;
- bereavement of close family members such as parents or grandparents;
- major political upheaval or natural disaster in the home country requiring emergency travel when this has impacted on the student's studies; or
- a traumatic experience which could include:
 - involvement in, or witnessing of a serious accident;
 - witnessing or being the victim of a serious crime (these cases should be supported by police or psychologists' reports)
- where SBIT was unable to offer a pre-requisite unit and as a result, this prevents the student's academic progression; or
- inability to begin studying on the course commencement date due to delay in receiving a student visa.

Applications are to be made via the Application for Transfer between Registered Providers Form ([QF075](#)) to the Manager, International Student Administration.

Here is an example of a case where student is studying with SBIT, but has not commenced their Principal Program:

A student has enrolled with SBIT in an ELICOS program, followed by a Certificate III Program, followed by a Diploma Program. This student then wishes to transfer to another provider during either their ELICOS program or the Certificate III. In this case, the above requirements for "prior to commencing the Principal Program" will apply.

Circumstances under which a transfer/letter of release will not be granted:

- i. The transfer may jeopardise the student's progression through a package of courses;
- ii. Student has simply changed their mind about their program of study. Due to the quality of the pre-enrolment information available from SBIT's registered Education Agents, SBIT International Sales team and the Institute website, it is expected that the student has made an informed decision prior to accepting their Offer of Place;
- iii. If the student has not accessed SBIT's support services for assistance with study or personal issues such as living a long distance away from campus, travel difficulties, difficulties adjusting to Brisbane life and the demands of academic work at SBIT;
- iv. SBIT forms the view that the student is trying to avoid being reported to DIAC for failure to meet the provider's academic progress and attendance requirements;
- v. The student does not have a valid enrolment offer from a CRICOS registered provider;
- vi. The student has outstanding fees for the current study period;
- vii. The course for which the student is intending to enrol in with the other provider, is similar to or the same as the course in which the student is currently enrolled at SBIT;
- viii. The student is experiencing home stay or other accommodation problems;
- ix. The student is experiencing course schedule conflict with personal, work, or other non-study commitments;

- x. The provisions of notwithstanding, where SBIT believes that the student has made decisions post-enrolment regarding accommodation, employment or travel that are not aligned with the requirements of their course;
- xi. When SBIT believes that a transfer at this time could be considered detrimental to the student;
- xii. When the Institute in good faith has processed the student's cancellation of enrolment due to their request to return to their home country and is then approached by another education provider to issue a letter of release.

Factors that may be considered to the student's detriment, but which should be considered in the light of the student's individual circumstances and a broader range of factors, such as those outlined above, include, but are not limited to:

- i. If the transfer may jeopardise the student's progression through a package of courses
- ii. If 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; and
- iii. If the student has recently had an intervention strategy put in place and there has been insufficient time to assess whether or not this will be an effective solution for the student.

You do not need a letter of release, either prior to **or** in the first six months of your principal **program if**:

- i. You do not meet the conditions on your letter of offer and therefore cannot commence your program and an alternative program at SBIT is not available.
- ii. You are sponsored by your home government and they have written to SBIT to support the transfer.
- iii. The program for which your CoE was issued has discontinued and a similar substitute program is not available
- iv. You wish to return to your home country and do not wish to continue studying in Australia. In this case, you are required to first meet with International Administration to advise them of your circumstances.

You should allow at least 10 working days for your application to be processed. You will be notified in writing (to the mailing and email address entered on your Application for Transfer between Registered Providers Form-[QF075](#)) of the outcome of your request.

Where SBIT has not approved a transfer request the student must be provided with written reasons for refusing the request. The student will also be advised that they have the right to appeal the decision in accordance with the International appeals process. The appeal must be lodged within 5 business days of the date the decision was communicated to the student in writing.

When a letter of release is provided, it will be at no cost to the student and will advise the student to seek the permission of the Department of Immigration and Citizenship.

3.0 Transfer of enrolment from SBIT after six months of study in the principal program

If requested by the new provider, at the time of transfer to another provider and after a student has completed six months of study in their principal program, SBIT will provide information on the following to the new provider:

- (i) Program/s studied, progress with each program and length of time with the institute
- (ii) Payment of fees for the program.

Glossary of Terms/Definitions

Terms	Definitions
Appeal	Request by a student to have a matter heard and/or re-considered after receiving an unfavourable decision.
CRICOS	Commonwealth Register for Institutions and Courses for Overseas Students
DIAC	Department of Immigration and Citizenship
ELICOS	English Language Intensive Courses for Overseas Students
Intervention Strategy	An individual plan to provide academic support and/or assistance to an international student identified as being "at risk" of not achieving satisfactory academic progression
Principal course of study	The principal course of study refers to the main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study. The principal course of study would normally be the final course or study where the overseas student arrives in Australia with a student visa that covers multiple courses.
Registered provider	As defined in section 5 of the ESOS Act, the registered provider for a course for a state, means an approved provider that is registered on CRICOS as a provider for the course for the state
Registration (International)	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 overseas students; and the provider is registered by the DETA on CRICOS. Registration includes re-registration
Release letter	A letter supplied by a current provider of education indicating their agreement to release a student, who is 1) on a student visa and 2) within the first six months of their principal program, to transfer to study at another institution.

Revision History

Revision Date:	Status: (Draft/Final)	Summary of Changes	Prepared/Approved By:	Revision #:
09/10/2008	Final	Initial document	International Policy and Process Officer	01
03/11/2008	Final	Changed policy owner & minor revisions to the related policies and legislations section	International Policy and Process Officer	02
19/12/2008	Final	Inserted another sub-heading under section 2.0	International Policy and Process Officer	03
19/11/2009	Final	Minor changes to the policy author and next revision date	International Policy and Process officer	04
08/04/2010	Final	Additional terms/definitions, changes to distribution list, made minor revisions in section 2.0 (a) & (b).	Business Planning and Policy Officer	05
11/06/2010	Final	Additional information added to 2.0 (b)	Business Planning and Policy Officer	06
18/10/2010	Final	Additional information added to Sections 1.0 (a) & (b) and 2.0 (a) & (b)	Business Planning and Policy Officer/Manager, International Administration	07
03/11/2011	Final	Minor changes to wording. Updated Policy owner and author	Manager, International Administration	7.1

Distribution

- Director, Market and Business Development
- All International Sales staff
- All International Administration staff
- All international students
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