

# International On-Shore Students - Provider Transfer Policy

## Section 1 - Purpose

(1) This Policy sets out how requests made by international on-shore students of Charles Sturt University (the University) to transfer to a new provider within the first six months of their enrolment will be treated. An international on-shore student has the right to transfer automatically after a six month period if they can provide a copy of a new Confirmation of Enrolment (CoE) from another provider.

(2) The objectives of this Policy are to:

- a. provide international on-shore students with an understanding of when and how they make this transfer application; and
- b. comply with the requirements of the Commonwealth [Education Services for Overseas Students \(ESOS\) Act 2000](#).

## Scope

(3) This Policy applies to:

- a. Course Director;
- b. the University's partner institutions;
- c. Division of Student Administration;
- d. International students studying in Australia, i.e. On-Shore;
- e. Student Services Office; and
- f. International Student Service Officers.

## Section 2 - Glossary

(4) For the purposes of this Policy the following definitions apply:

- a. CRICOS - means Commonwealth Register of International Courses for Overseas Students.
- b. GTE - means Genuine Temporary Entrant.
- c. International student - means a student who doesn't have Australian or New Zealand citizenship, Australian Permanent Residency or a Permanent Humanitarian Visa and is studying at the University within Australia or Overseas.
- d. In writing - means to submit notification to the University by email, letter or correspondence in legible English.
- e. Letter of Release - means a letter, provided to an international student by the institution at which they currently study, which gives permission to leave their currently enrolled course to take up another course at another institution.
- f. Partner institution - means another provider who has an agreement with the University to offer a University

course of study, e.g. Study Group Australia, Northern Sydney Institute of TAFE, Holmesglen Institute of TAFE, etc.

g. Provider - means an institution registered with CRICOS to provide study courses to international students.

## Section 3 - Policy

(5) The [ESOS Act](#) requires providers of education and training courses to international students studying in Australia to be registered, and sets out other requirements with which the University and its staff must comply. These include obligations under Standard 7, Part D of the ESOS Act which specifically addresses a student transferring between registered providers.

(6) The University will assess, through a documented student transfer, requests from international on-shore students for a transfer between registered providers within the first six months of the commencement date of a student's principal course of study.

(7) In receiving an application it is acknowledged that a second study session could be underway and the census date passed before the end of the six months period. A Student has the right to transfer automatically after a six month period if they can provide a copy of a new Confirmation of Enrolment (CoE) from another provider.

### Part A - Applications for Transfer from the University to another Provider

#### Consideration of Applications

(8) An application for transfer will be considered by the University's Student Administration Claims Committee.

(9) The application will be considered:

- a. against the documentation lodged by the student and the original application for study;
- b. to determine whether the transfer request is in the best interests of the student; and
- c. to assess whether there is potential for a successful transfer request to lead to a breach of student visa conditions.

#### Grounds for Acceptance

(10) An application will be accepted and a Letter of Release provided where in the view of the Student Administration Claims Committee:

- a. the applicant has provided evidence of compelling and compassionate reasons for seeking the transfer; or
- b. there is a "Transfer Directive" provided by the Executive Director, Division of Student Administration allowing an automatic acceptance of transfer in specified cases/cohorts for a particular period.

#### Successful Applications

(11) Successful applicants:

- a. may apply for a refund of tuition fees in the terms laid out in the original letter of offer; and
- b. will not be levied a fee for the Letter of Release.

## Grounds for Refusal

(12) An application will be refused:

- a. unless the student has a valid enrolment offer from the receiving provider; or
- b. in cases where the student is under 18 years old:
  - i. unless there is written evidence that the student's parent or legal guardian supports the transfer; and
  - ii. written confirmation that the new provider will accept responsibility for approving a student's accommodation, support and general welfare arrangements (in line with Standard 5 of the National Code).

(13) An application maybe refused:

- a. if the application is made within three months of the commencement of a course; or
- b. where the applicant's transfer may jeopardise the student's progression through a package of courses.

## Unsuccessful Applications

(14) Where an application is refused and the University does not grant a Letter of Release:

- a. written reasons for refusing the request must be provided to the student; and
- b. the student must be advised of his or her right to appeal the Universities decision in accordance with [ESOS Act, Standard 8 \(Complaints and Appeals\)](#).

## Part B - Application for Transfer from another Provider to the University

(15) An Application for transfer into the University by an international student will be received and processed by the Admissions Office in the usual way (i.e. an [Application for Admission Form](#) must be lodged) subject to Clauses 19 and 20.

(16) Where a student seeks to transfer from another provider into a University course the provisions of [Standard 7 of the ESOS Act](#) apply.

(17) The University will not actively recruit international students who are within the initial six month period of their study in Australia. Consequently an application for transfer will not be considered within six months of commencing at another provider unless the student furnishes a Letter of Release from the initial provider.

(18) The applicant must complete and lodge as part of the assessment, the University [Genuine Temporary Entrant](#) (GTE) and the GTE Financial Certificate.

## Section 4 - Procedures

### Application Process

(19) Applications for transfer from a student must:

- a. be in writing however there is no prescribed form. Students at the Universities Partner Institution, Study Group Australia are advised to use International On-Shore Student Provider Transfer Request Form be used;
- b. relate to and provide details about the student's individual circumstances - generic applications will not be

considered;

- c. include appropriate evidence/documentation (note: this is the Applicant's responsibility); and
- d. provide details as to the reasons why the application should be approved.

(20) When an application for transfer is received from a student, the University must:

- a. acknowledge the completed application within three working days of receipt;
- b. consider applications within 30 working days of the application lodgement. This period may be extended if the applicant fails to provide all relevant information/documentation, however in such instances the University will advise the student of the additional information/documentation required to make the decision;
- c. if refused, provide reasons for transfer refusal (see Clause 14);
- d. if accepted, provide:
  - i. a Letter of Release to the student (transfers to another provider); or
  - ii. a letter of offer (transfers to the University from another provider); and
- e. refer applications to the Executive Director, Division of Student Administration where an appeal has been lodged about a decision.

## Section 5 - Guidelines

(21) Information about entry requirements for international students and forms are available on the University [International Student website](#).

## Status and Details

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