

International Students Provider Transfer Procedure

Section 1 - Purpose

- (1) This procedure is designed to support the [Admissions Policy](#) and the [Enrolment Policy](#) by:
- a. stating the process and requirements for international students requesting permission to transfer to or from another registered education provider before completing six months of their principal course
 - b. outlining the circumstances in which Charles Sturt University (the University) will and will not approve a release for international students, granting them permission to transfer providers, and
 - c. ensuring release requests are processed in compliance with legislative requirements, including the [Education Services for Overseas Students Act \(ESOS\)](#) and the [National Code of Practice for Providers of Education and Training to Overseas Students](#).

Scope

- (2) This procedure applies to international students who are studying in Australia on a student visa and have not yet completed the first six months of their principal course, and are applying for:
- a. admission to study at Charles Sturt University (or one of its partner providers) before completing six months of their principal course with their current registered provider, or
 - b. an official release from the University granting them permission to transfer to another provider before completing the first six months of their principal course at Charles Sturt University (or one of its partner providers).

References

- (3) Where supporting documents are named in this procedure, they will be listed in the associated information tab.

Section 2 - Glossary

- (4) For the purposes of this procedure the following definitions apply:
- a. Census date – as defined in the policy library glossary.
 - b. Confirmation of enrolment (COE) – an official document issued to international students to confirm they have accepted a place and are eligible to enrol in a course at this University. The COE provides information about student enrolment status, course details, expected course duration, and enrolment start and end dates.
 - c. [Commonwealth Register of Institutions and Courses for Overseas Students \(CRICOS\)](#) - the official Government register of courses that are available for international students to apply for admission to study on an Australian student visa.
 - d. [Education Services for Overseas Students Act \(ESOS\)](#) – establishes legislative requirements and standards for the quality assurance of education and training institutions offering courses to international students who are in Australia on a student visa.
 - e. International/overseas student - a student who is not a domestic student at the time of the relevant study, who

will be studying within Australia on a temporary student visa.

- f. In writing - means to submit notification to the University by email, letter or correspondence in legible English.
- g. [National Code of Practice for Providers of Education and Training to Overseas Students](#) (National Code) - sets nationally consistent standards to support the effective administration of the ESOS legislative framework.
- h. Partner provider - an educational institution that has a partnership agreement with Charles Sturt University to deliver programs and courses on behalf of or in collaboration with the University, where the University remains responsible for quality assurance monitoring to ensure a high standard of academic and student outcomes.
- i. Principal course - this is the main or highest-level course of study for which a student visa has been granted to an international student. Where a student visa has been issued for multiple courses of study, the principal course is usually the final course in a nested or packaged set of multiple offers.
- j. [Provider Registration and International Student Management System \(PRISMS\)](#) - the Government's reporting system and records database for the administration of international students enrolled with education providers in Australia for managing COEs and monitoring compliance with [ESOS legislation](#) and student visa requirements.
- k. Registered provider - an Australian education institution registered with [TEQSA \(Tertiary Education Quality Standards Agency\)](#) and [CRICOS](#) to provide [AQF \(Australian Qualifications Framework\)](#)-registered courses to international/overseas students, in accordance with the requirements of [ESOS legislation](#) and the [National Code](#).
- l. Six months - means six calendar months to be counted from the date on which an international student first commences enrolment in their principal course.
- m. Teaching period - as defined in the policy library glossary.

Section 3 - Policy

(5) This procedure supports the [Admissions Policy](#) and the [Enrolment Policy](#) and should be read alongside these policies.

Section 4 - Procedures

Legislative requirements

(6) Under the [Education Services for Overseas Students Act \(ESOS\)](#) and its associated [National Code](#), international students studying in Australia on a student visa may not transfer to another education provider within the first six months of their principal course, unless:

- a. their original provider can no longer deliver the course that the student is enrolled in
- b. their original provider agrees to the provider transfer and approves their release, or
- c. they have a government sponsor, and that sponsor writes a letter in support of the change of provider.

(7) The principal course is the highest qualification covered by the student's visa, which means that international students who have been made multiple offers of admission to an articulated set of courses will not be able to transfer providers without a release until they have completed each prior course in the set, commenced their enrolment in the principal course, and completed six months of study in that course. See the [Admissions Procedure](#) for more information about articulated sets of courses.

(8) No restrictions apply once an international student has completed six months of their principal course, after which they may change education providers without needing to apply for a release from their current provider.

(9) No approval is required for any international student who withdraws from their current provider to return to their home country, where there are no plans to transfer providers or return to study in Australia under their current student visa arrangements (as this will not require a new COE to be issued after their current COE is cancelled as a result of the student withdrawing from their studies).

(10) Registered providers must record and assess all requests from international students seeking to transfer providers prior to completing six months of their principal course, and provide a written response to the student that explains the application outcome and includes advice to contact the [Department of Home Affairs](#) for information about how the requested change may affect their student visa.

(11) The University will retain records of all transfer requests and outcomes for at least two years after the student ceases to be enrolled, in accordance with ESOS legislation and any other relevant requirements such as the [State Records Act 1998 \(NSW\)](#), whichever is longer. These records will be kept confidential and maintained in accordance with relevant legislation under the University's [Privacy Management Plan](#) and the [Records Management Policy](#).

Principal responsibilities

(12) The Director, Student Administration (or delegate) is responsible for approving international student applications to transfer providers as specified in [Delegation Schedule E - Academic and Research](#).

(13) The Manager, International Enrolment and Partners (or delegate) is responsible for overseeing the processing and assessment of applications for a transfer in accordance with this procedure, under the delegated authority of the Director, Student Administration.

(14) The Senior Manager, International Admissions (or delegate) is responsible for overseeing the assessment of prospective international student applications for admission when transferring from another registered provider before completing six months of their principal course, which are processed by International Admissions in accordance with this procedure.

Applications for transfer into Charles Sturt University

(15) The University must not actively recruit or knowingly enrol an international student from another registered provider prior to that student completing six months of their principal course, except where:

- a. the other education provider has ceased to be registered, or the course in which the student is enrolled is no longer registered with CRICOS
- b. the other registered provider has had a sanction imposed on its registration by the ESOS Agency which prevents the student from continuing their studies with that provider
- c. the other registered provider has agreed to the student's release and has recorded the reason for release and date of effect in PRISMS, or
- d. a government sponsor considers the change to be in the student's best interest and has provided written support for that change.

(16) Where a prospective student has not completed the first six months of their principal course with another registered provider, their application will be assessed against the University's standard [admissions criteria](#) and any [course-specific entry requirements](#). However, they will not be eligible to enrol in study at this University without first being granted a release from their current provider.

(17) Prospective students who are assessed as meeting the admissions entry requirements for their intended study will be issued with a formal offer of admission by the University, which the student may submit to their current provider as part of their application for a release. The student is advised to contact the [Department of Home Affairs](#) for information about how this proposed change may affect their student visa.

(18) If the student is granted a release from their current provider, then they will be eligible to enrol with this University once the registered provider records the release outcome in PRISMS and cancels their previous confirmation of enrolment (COE), so that a new COE can be issued in its place.

(19) Where a prospective student's application does not meet the University's minimum entry requirements for admission, the applicant will be provided with a written outcome outlining the reasons for which their application was unsuccessful. See the [Admissions Policy](#) for more information about admissions entry requirements and application outcomes.

Applications to transfer to another provider

(20) International students who have a current COE issued by the University and have not yet completed six months of their principal course will only be permitted to transfer to another registered provider in a limited set of circumstances, as outlined below.

(21) Applications must include the following:

- a. a valid offer of admission from the other registered provider with the proposed course start date
- b. a statement detailing the reasons and circumstances for which the transfer is being requested, and
- c. appropriate [supporting documentation](#) and evidence of these circumstances.

(22) All students will receive a written response informing them of the outcome of their transfer application, which will include the reasons for the University's decision, details about appropriate appeal avenues, and state that the student needs to contact the [Department of Home Affairs](#) for advice on how a transfer may affect their student visa.

(23) Where a transfer is found to be in the student's best interests, the University will approve the request, record the release in PRISMS, and provide a written outcome at no cost to the student.

(24) The University normally processes applications and provides a written outcome to each student within 10 working days.

Circumstances for approving a transfer

(25) Circumstances in which a transfer application may be approved by the University include (but are not limited to) the following:

- a. Where the student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after actively engaging with the University's intervention strategies and support services, in accordance with the [Assessment - Academic Progress Procedure](#). However, the student's course progress outcomes will be reported in PRISMS even if the transfer request is granted.
- b. Where there is evidence of compassionate or compelling circumstances that are beyond the student's control which have an impact on their course progress or wellbeing.
- c. Where the University fails to deliver the course or support the research topic area as outlined in the offer letter (written agreement) provided to the student at their admission.
- d. Where there is evidence that the reasonable expectations of the student concerning their current course are not being met.
- e. Where there is evidence that the student was misled by the University or by an education or migration agent regarding the University or its course, and the course is therefore unsuitable to their needs and/or study objectives.
- f. Where the student is unable to satisfy the prescribed conditions set out in the offer letter for reasons beyond their control, and the University determines that the student has made a genuine attempt to meet these

conditions.

- g. Where an international higher degree by research student's principal supervisor is moving to another institution and the Dean, Graduate Studies supports a request from the student to move with the supervisor to another registered provider.
- h. Where an appeal (internal or external) on another matter results in a decision or recommendation to release the international student.

Circumstances where a transfer will not be approved

(26) Circumstances in which an international student's transfer application will not be approved by the University include (but are not limited to) the following:

- a. Where the application was insufficient or incomplete, as it did not contain:
 - i. a valid letter of offer from another registered provider with a proposed future course starting date
 - ii. the reasons or circumstances for which the student is requesting a release, or the reasons were insufficient, or
 - iii. relevant supporting documentation or evidence of the circumstances for which the release is being requested.
- b. Where the student has not complied with the University's conditions of enrolment and course progress requirements as stated in policy and referred to within the student's offer letter, for example:
 - i. non-payment of tuition fees or non-tuition fees owed to the University or to one of its partner organisations
 - ii. failing to engage with the University's academic progress intervention strategies and support services while not making satisfactory course progress
 - iii. failing to enrol or re-enrol in any compulsory teaching period as required for the particular course, or
 - iv. failing to meet the minimum study load or study mode requirements for enrolment in any teaching period.
- c. Where the student has changed their mind about their course, provider, location, field of study, future goals, financial situation, capabilities, work and living arrangements, or any other aspect of their studies within Australia for reasons other than compassionate or compelling circumstances that were beyond their control.
- d. Where the student has not started studying or has only recently started studying and has not accessed the full range of academic and support services available at the University, and is trying to avoid being reported to the [Department of Home Affairs](#) for failing to meet one or more of the following conditions:
 - i. course progress requirements
 - ii. financial obligations, or
 - iii. minimum enrolment requirements.
- e. Where the University is reasonably concerned the student is attempting to use the student visa program to enter Australia for reasons other than obtaining an education, such as the student requesting to transfer to another provider without making any genuine effort to commence or engage with their studies at this University and/or providing contradictory information in their transfer application that conflicts with the statements made as part of their original application for admission to study in Australia.
- f. Where the University reasonably believes that the student has been deliberately recruited by another provider/agent.
- g. Where the student has submitted fraudulent documentation with their application, such as the offer letter or supporting evidence. Such incidents will be investigated in line with the [Student Misconduct Rule](#).

Cancellation of enrolment for approved release requests

(27) Once an international student has been notified that their transfer has been approved and the student has accepted the outcome, their current course enrolment will be cancelled by the University. The cancellation will take effect from the date of submission noted on the original transfer application. This includes the cancellation of any subject enrolments in current and future teaching periods, as well as any pending supplementary, special, or additional exams and assessments from ongoing incomplete subjects that were commenced in previous teaching periods.

(28) The student's current COE will be cancelled in PRISMS and the student will be notified to contact the [Department of Home Affairs](#) to understand the effect this cancellation may have on their student visa.

(29) International students are liable for any academic or financial penalties which may apply to the cancellation of subjects in current or previous teaching periods after the [census date](#) has passed, where the student submitted their transfer application after the relevant census date.

(30) Academic results for incomplete subjects cancelled after their census dates may revert to a fail grade (such as Fail (FL), Failed No Submission (FNS), or Fail Withdrawn (FW)) unless the student has sought and received approval for an Approved Withdrawal (AW grade) from each subject. See the [Assessment Policy](#) for more information.

(31) Students will be referred to the University's [International Student Fee Refund Procedure](#) for information about refunds.

Appeals and complaints

(32) Where a student wishes to appeal a decision made under this procedure, or has a complaint about the quality of service or the conduct of staff, the following policies apply:

- a. [University Student Appeals Policy](#) and [University Student Appeals Procedure](#)
- b. [Complaints Management Policy](#) and [Complaints Management Procedure](#)

(33) Should a student not be satisfied with the outcome of their transfer request, they may access the University's complaints and appeals process within 20 working days of the date noted on the outcome of their original application.

(34) If the student is not satisfied with the outcome of their internal appeal or complaint, they have the right to lodge an external appeal or complaint with the NSW Ombudsman. An external appeal or complaint must be lodged within 10 working days of the outcome of their internal appeal or complaint and the student must provide the University with evidence of lodgement.

(35) The University will maintain the student's enrolment until the final outcome of the appeal has been determined, unless the student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

(36) Where the internal or external appeals process finds in favour of the student's application, the University will immediately approve the student's release by cancelling their enrolment and reporting the release outcome in PRISMS to allow the student to accept their offer with the other registered provider as soon as is practicable.

(37) The University will not finalise a release refusal in PRISMS until:

- a. the 20 working day internal appeal period has ended and the student has not accessed the University's internal appeal or complaints processes, or
- b. the 10 working day external appeal period has ended and the student has not provided evidence of lodging an external appeal or complaint with the NSW Ombudsman, or
- c. the internal and external appeals processes have been completed in full and the original decision has been

upheld, or

- d. the student has withdrawn from their internal or external appeals process, by notifying the University in writing.

Section 5 - Guidelines

(38) Nil.

Status and Details

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Unit Head	Sandra Sharpham Executive Director, Student Experience
Author	Diana Bayly Compliance and Policy Officer +61 2 6933 4053
Enquiries Contact	Student Administration

Glossary Terms and Definitions

"Census date" - the deadline by which all students must finalise their subject enrolments for each teaching period, after which they are financially and academically liable for each subject that remains on their enrolment.

"Teaching period" - each formal period of study during which a subject is delivered, including sessions, terms, micro-sessions, year-long periods and ADPP periods.