

# International Student Transfer Procedure

## Section 1 - Summary

(1) This Procedure outlines the process by which the University assesses requests from overseas students wishing to transfer to or from a Victoria University (VU) course, prior to students completing six (6) months of their principal course of study. 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](#).

## Section 2 - Accountability

Accountable/Responsible Officer	Role
Accountable Officer	Associate Provost, Students
Responsible Officer	Director, Student Administration

## Section 3 - Scope

(2) This Procedure applies to overseas onshore students studying on a student visa and whom request a transfer between Registered Education Providers prior to completing six (6) months of their principal course of study:

- To VU from another Registered Education Provider.
- From VU to another Registered Education Provider.

## Section 4 - Definitions

(3) Confirmation of Enrolment (CoE) (CoE)

## Section 5 - Policy/Regulation

(4) See [International Student Transfer Policy](#).

## Section 6 - Procedures

### Part A - Summary or Roles and Responsibilities

Roles	Responsibilities
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Director, Student Administration	Final determination of reviews of international student transfer requests, if necessary.
International Students	<p>Read and understand this Procedure prior to lodging a Transfer Request form.</p> <p>Complete the Transfer Request form and provide all necessary documentation in support of the Transfer Request.</p> <p>Submit the Transfer Request form.</p> <p>Co-operate with VU staff and attend any interviews or appointments directed by VU staff.</p>
International Enrolments Team	<p>VU International Enrolments Team are the decision makers who are responsible for the primary assessment of all transfer requests.</p> <p>Read and understand this Procedure prior to making a transfer request decision.</p> <p>Acknowledge the receipt of the submission of the Transfer Request form by email or letter within 5 university business days.</p> <p>Assess the transfer request and determine the circumstances in which a transfer request will be denied or approved in line with regulatory guidelines and related policies.</p> <p>Record the outcome of the transfer request.</p> <p>Respond to the student when a transfer request decision has been made.</p> <p>Record all information in relation to this Procedure in accordance with VU Records Management Policy and associated procedures.</p>
International Student Advisers	<p>Read and understand this Procedure prior to advising international students on transfer requests.</p> <p>Provide assistance and support to international students regarding student transfer requests.</p>
International Admissions	Validate students' eligibility to transfer to VU via PRISMS.

## Part B - To VU from another Registered Education Provider

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

- the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered;
- the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course at that registered provider;
- the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in Provider Registration International Students Management System (PRISMS);
- 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.

(6) Students coming to VU from another registered provider are required to provide their documentation during the admissions process. Admissions staff validate students' eligibility to transfer to VU via PRISMS.

# Part C - Request to Transfer from VU to another Registered Education Provider

## Situations when Transfer Requests are not Required

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

- a. The international student has completed at least six calendar months from the commencement of their principal course of study at VU; or
- b. VU has ceased to be registered, or the course in which the student is enrolled has ceased to be registered; or
- c. VU 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.

(8) In all other circumstances a transfer request will be required.

## What to do when a Transfer Request is Required

### How to Request a Transfer

(9) Information for Students on how to request a transfer is available at this website

[<https://www.vu.edu.au/current-students/your-course/enrolment/change-your-enrolment/transfer-to-another-course#goto-transfer-from-victoria-university=1>].

### The Grounds upon which a Transfer request will be Granted

(10) VU will grant the transfer request when the transfer to another registered provider is in the overseas student's best interests, including but not limited to where VU has assessed that:

- a. the overseas student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with VU's intervention strategy ([Academic Progress Regulations 2016](#), [Academic Progress - Academic Progress Procedure \(HE\)](#)) to assist the overseas student in accordance with Standard 8 (Overseas student visa requirements);
- b. there is evidence of compassionate or compelling circumstances;
- c. VU fails to deliver the course as outlined in the written agreement;
- d. there is evidence that the overseas student's reasonable expectations about their current course are not being met;
- e. there is evidence that the overseas student was misled by the University or an education or migration agent regarding VU or its course and the course is therefore unsuitable to their needs and/or study objectives;
- f. an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student;
- g. the international 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.

### Evidence to be Provided with Transfer Requests

(11) All transfer requests must include the following attachments:

- a. Evidence of a letter of a valid enrolment offer from a registered provider; and
- b. Evidence to support claims made by the international student in the Transfer Request.
- c. Evidence to support any claims where the client was misled regarding VU or the course the student is

undertaking.

(12) Evidence to support claims for transfer requests may include documents from qualified counsellors, psychologists or medical practitioners to support cases citing compassionate or compelling circumstances.

### **Students Under Eighteen Years of Age**

(13) If the overseas student is under 18 years of age:

- a. VU must have written confirmation the overseas student's parent or legal guardian supports the transfer.
- b. If the overseas student is not being cared for in Australia by a parent or suitable nominated relative, the receiving provider must confirm it accepts responsibility for approving the student's accommodation, support and general welfare arrangements in accordance with [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#), Standard 5 (Younger Overseas Students).

### **Timeframe for Assessment**

(14) Transfer requests will be assessed within five university business days of receipt.

### **Situations when VU may Refuse a Transfer Request**

(15) VU may refuse a transfer request when the international student:

- a. does not meet a stated requirement; or
- b. does not provide adequate evidence; or
- c. has not commenced study in their enrolled course; or
- d. has not accessed, utilised or experienced the full range of VU support services available to them; or
- e. has applied for a course with another registered provider that has lower fees; or
- f. is attempting to avoid being reported to the Department of Home Affairs for failure to meet VU attendance or academic progress requirements, or
- g. is applying to transfer to a program or course with a lower level of qualification, or
- h. has outstanding debts owed to VU, or
- i. changes their mind about the course they want to study, or
- j. has made decisions post their enrolment regarding accommodation, travel and employment that are not aligned with the international student's course requirements.
- k. Is studying at VU as a result of Streamlined Visa Processing and attempts to transfer to another registered provider that does not have Streamlined Visa Processing arrangements with the Department of Home Affairs.

### **Enrolling and Attendance**

(16) The submission of a Transfer Request by an international student does not preclude the international student from enrolling at the time specified by VU, and thus meeting visa conditions. VU will report students who do not enrol and this may have implications for a student's visa status.

(17) The submission of a Transfer Request by an international student does not preclude the international student from maintaining adequate course attendance, and thus meeting visa conditions.

### **Provider Registration International Students Management System**

(18) International Enrolments Team will record all transfer requests in the Provider Registration International Students Management System (PRISMS).

## **Actions following Transfer Request decision**

### **Successful**

(19) VU International Enrolments officers will:

- a. Provide the international student with a successful outcome letter via email.
- b. Cancel/report the students CoE via PRISMS.
- c. Change the status of the international students CoE in form ADMF32T0: Maintain E-Confirmation of Enrolment in VU Connect.
- d. Notes are entered into form ENRF3080: Maintain Student Course Attempt Notes in VU Connect
- e. The students release application, evidence and outcome are recorded on the international student's file by VU International Enrolments officers.
- f. Record transfer outcome in PRISMS

### **Unsuccessful**

(20) VU International Enrolments officers will provide the international student with an unsuccessful outcome letter via email which includes the following:

- a. The reason(s) the international students application for a release has been deemed unsuccessful.
- b. The options that are available to the international student.
- c. The appeal process including how to submit an appeal application and the period associated with the appeal application.
- d. Once the appeal period of 20 university business days has past, the unsuccessful release outcome can be recorded in PRISMS.
- e. Notes are entered into form ENRF3080: Maintain Student Course Attempt Notes on VU Connect.
- f. The students release application, evidence and outcome are recorded on the international student's file by VU International Enrolments officers.

## **Reviews and Appeals Process**

(21) If a transfer request is refused, the student has the right to request a review of the decision made.

### **Review**

(22) A student can request a review of a decision by sending an email to the [International Enrolments Team](#).

(23) A review of the decision made takes place at the local level, by the Director, Student Administration, who manages the International enrolments area.

(24) The Director, Student Administration will review the decision made and the student will be notified of the outcome within five university business days.

(25) If an issue cannot be resolved at the local level or where a student is dissatisfied with the local level determination or decision, they may lodge an appeal in accordance with the [Student Appeals Regulations 2019](#).

### **Appeals**

(26) If a student wishes to lodge an appeal about the decision made they should do so using the [Student Appeals Regulations 2019](#) and the [Student Appeals Procedure](#), within 20 university business days of the initial decision.

## **Refusal Status in PRISMS**

(27) The student's refusal status in PRISMS must not be finalised unless the appeal finds in favour of the registered provider or the overseas student has chosen to not access the appeals process within the 20 university business day period or the overseas student withdraws from the process.

## **External Appeal**

(28) Students or other eligible persons may seek an external review of a University decision, including an appeal decision, from an appropriate, independent external body such as the Victorian Ombudsman.

(29) Student visa holders who wish to make a complaint to an external body must provide evidence of the lodgement of their complaint to the Manager, Governance and Secretariat within 20 university business days from the date of the Appeal Panel decision.

## **Cancellation of Enrolment and Refunds**

(30) Students receiving a release, approving transfer to another institution, will have their enrolment cancelled by the University.

(31) Students with credit in their student fees account will be required to apply for a refund of fees, see [<https://www.vu.edu.au/current-students/your-course/fees/refunds/international-refunds>].

## **Students under 18 Years of Age**

(32) For students under 18 years of age, please see the University's obligations under the ESOS Act, National Standard 5.6, outlined in Part G of the [Safety and Welfare of Children and Young People - International Student Welfare Procedure](#).

# **Section 7 - Guidelines**

(33) Nil

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	28th February 2018
<b>Review Date</b>	28th February 2021
<b>Approval Authority</b>	Vice-Chancellor
<b>Approval Date</b>	27th February 2018
<b>Expiry Date</b>	18th May 2021
<b>Accountable Officer</b>	Lisa Line Deputy Vice-Chancellor Enterprise and Digital Lisa.Line@vu.edu.au
<b>Responsible Officer</b>	Darrel Caulfield Chief Student Officer and Registrar darrel.caulfield@vu.edu.au
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## Glossary Terms and Definitions

**"Confirmation of Enrolment (CoE)"** - A document, provided electronically, which is issued by the registered provider to intending overseas students and which must accompany their application for a student visa. It confirms the overseas student's eligibility to enrol in the particular course of the registered provider (definition from National Code 2018).

**"Compassionate or Compelling Circumstances"** - 'Compassionate or compelling' circumstances are generally those beyond the control of the overseas student and which have an impact upon the overseas student's course progress or wellbeing. These could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes;
- bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
- major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies; or
- a traumatic experience, which could include:
  - o involvement in, or witnessing of a serious accident; or
  - o witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be supported by police or psychologists' reports);
- where the registered provider was unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol; or
- inability to begin studying on the course commencement date due to delay in receiving a student visa.