

## International Student Provider Transfer Request Policy and Procedure

<b>Approving authority</b>	Academic Committee
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<b>Advisor</b>	Deputy Director   Griffith International
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<b>Document URL</b>	<a href="http://policies.griffith.edu.au/pdf/Institutional Transfer Request Policy.pdf">http://policies.griffith.edu.au/pdf/Institutional Transfer Request Policy.pdf</a>
<b>TRIM document</b>	2019/0000034
<b>Description</b>	This policy describes the conditions under which international student visa holders are able to apply to transfer to other providers.
<b>Related documents</b>	
<a href="#">The Education Services for Overseas Students Act 2000 (ESOS) Act</a>	
<a href="#">National Code of Practice for Providers of Education and Training to Overseas Students 2018</a>	
Transfer Release Request	
<a href="#">Admission Policy</a>	
<a href="#">Student Review and Appeals Policy</a>	
<a href="#">Student Review and Appeals Procedures</a>	
<a href="#">Review of a Decision Form</a>	
<a href="#">Fees and Charges Procedure</a>	
<a href="#">Fees and Charges Schedules</a>	
<a href="#">International Refund Request Form</a>	
<a href="#">[Legislative Requirements]</a> <a href="#">[Provision of Release]</a> <a href="#">[Procedure]</a> <a href="#">[Review of Decision]</a> <a href="#">[Cancellation of Enrolment and Refunds]</a>	

### 1. LEGISLATIVE REQUIREMENTS

The Education Services for Overseas Students Act 2000 (ESOS Act) and Standard 7 of the associated National Code of Practice 2018 requires registered providers to assess requests from students for a transfer between registered providers prior to the student completing six months of their principal program. The principal program is the main program of study to be undertaken by an international student where the student visa has been issued for multiple courses, and is usually the final program of study. The first six months is calculated as six calendar months from the date an international student commences their principal program. This means that transfer restrictions apply to an international student during all programs they undertake prior to the principal program. No restrictions apply after the student has completed six months of their principal program.

For an international student to transfer before completing six months of their principal program, the international student must obtain a release from their registered provider by meeting one of the circumstances as set out in 2.1 for approving a release.

## 2. PROVISION OF A RELEASE

### 2.1 Circumstances for Approving a Release

The University may provide a release at no cost to an international student visa holder under the following circumstances:

Circumstances for Approving a Release Request	Supporting Documentation Required
The international student is currently studying at a Griffith University pathway provider and they support the student's transfer to another provider in accordance with this policy.	An approved release notification/written support from pathway provider.
The international student is unable to satisfy prescribed conditions stipulated in the University's letter of offer and the University determines the student made a genuine attempt to meet the conditions.	Evidence such as an IELTS certificate and/or attendance and academic results from pathway provider.
The international student's inability to begin studying on the program's commencement date due to a delay in receiving a student visa.	Evidence of student visa grant date.
<p>The transfer is considered beneficial to the student's academic progression. Circumstances considered beneficial include:</p> <ul style="list-style-type: none"> <li>a. the transfer represents an opportunity for the student to complete a higher level tertiary qualification.</li> <li>b. the student is currently enrolled in their Griffith University degree and is transferring to a qualification not offered at the University.</li> </ul>	<ul style="list-style-type: none"> <li>a. an unconditional offer letter</li> <li>b. an unconditional offer letter from the receiving University</li> </ul>
A PhD candidate's principal supervisor is moving institution and the Dean of Research supports a request to move with the supervisor to the new CRICOS registered institution.	A letter of recommendation from the Higher Degree Research (HDR) Convenor supported by the Dean of Research.
The student has previously completed a Griffith University degree as a principal program.	Griffith University academic transcript.
The University fails to deliver the program or support the research topic area in which the student is due to commence or has enrolled, as outlined in the initial letter of offer.	Nil
Evidence that the international student's reasonable expectations about their current program are not being met.	Evidence to support the international student's reasons why the program is not meeting their expectations.
Any government sponsor of the international student considers the change to be in the international student's best interests and has provided written support for the change. This usually applies where the international student's study in Australia is sponsored by the government of another country.	Written support/financial guarantee from government sponsor.
A parent or legal guardian of an international student under 18 years of age has provided written confirmation supporting the transfer. Where the international student is not being cared for in	Written support from parent/legal guardian and/or written support of accepted responsibility from new

Australia by a parent/legal guardian, the new CRICOS registered institution has accepted responsibility for the student's accommodation, support and general welfare arrangements in accordance with the National Code of Practice 2018, Standard 5.	provider, demonstrating that there is no gap in the welfare arrangements.
The international student is unable to achieve satisfactory progress in the program at the level they are studying, even after engaging with an intervention strategy.	Evidence that the student has accessed academic support services and an unconditional offer letter from the receiving provider.
Where the University is unable to offer a pre-requisite course, or the international student has failed a pre-requisite course and therefore faces a shortage of relevant courses for which they are eligible to enrol.	Griffith University academic transcript.
Compassionate or compelling circumstances which are beyond the student's control (e.g. serious illness or injury, bereavement of a close family member, a major political upheaval or natural disaster in the international student's home country, or a traumatic experience).	Evidence of medical certificates and records to support the compassionate or compelling circumstance.
Evidence that the international student has been misled by the University <u>or</u> the education agent regarding the University or the program and the program is therefore unsuitable to their needs and/or study objectives.	Evidence of the misleading information that has been provided by the University or education agent (eg. correspondence or marketing materials).
The University, or the program in which the international student is enrolled, has ceased to be registered.	Nil
The University has had a sanction imposed on its registration by TEQSA that prevents the international student from continuing their program with the University.	Nil
An appeal (internal or external) on another matter results in a decision or recommendation to release the international student.	Evidence of the appeal outcome.

## 2.2 Circumstances for Denying a Release Request

The following circumstances are considered to be reasonable grounds on which to refuse the transfer request.

- a) The student has changed their mind about the program, including students enrolled in a preparatory/pathway program.
- b) The student wants to live somewhere else.
- c) A Griffith English Language Institute (GELI) student is wanting to transfer to another English language centre.
- d) The transfer is considered detrimental to the student's academic progression. Circumstances considered detrimental include:
  - i. the student has not started studying, or has only recently started studying, and has not experienced the full range of academic and support services available at the University;
  - ii. the student is transferring to a lower level qualification or different subject area, not offered at the University, for reasons other than academic ability.

- e) The University considers that the student is trying to avoid being reported to the Department of Home Affairs (HA) for failing to meet attendance or academic progress requirements.
- f) The University considers the student has taken advantage of its Simplified Student Visa Framework (SSVF) arrangements to obtain a student visa and enter Australia and has requested to transfer to another provider without making a genuine effort to commence their study at Griffith University.
- g) The student wants to transfer to a provider with lower fees.

### **2.3 To be eligible to apply for a Release the student must:**

- a) have been granted a student visa based on the student being issued with a Confirmation of Enrolment (CoE) to study their principal program at the University; and
- b) have not completed six months of their principal program; and
- c) submit a fully completed online Release Request form; and
- d) provide an unconditional offer letter from the CRICOS registered provider they wish to transfer to, with a future start date; and
- e) provide documentation to support their release request as outlined in [section 2.1](#) of this policy; or
- f) provide written confirmation of approval to transfer from legal guardian/parent, if under 18; or
- g) provide written confirmation of approval to transfer from government sponsor if a sponsored student; and
- h) have paid all fees outstanding to the University.

### **2.4 When enrolling a student who has welfare arrangements approved by another registered provider Griffith University must:**

- a) negotiate the transfer date for welfare arrangements with the releasing registered provider to ensure there is no gap; and
- b) inform the student of their visa obligation to:
  - (i) maintain their current welfare arrangements until the transfer date; or
  - (ii) have alternate welfare arrangements approved; or
  - (iii) return to their home country until the new welfare arrangements take effect.

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## **3. PROCEDURE**

### **3.1 Application for a Release**

- a. GELI students – commencing and enrolled GELI students must submit their completed release request to a GELI Student Centre. Enrolled students will be required to meet with the GELI Student Centre Manager to discuss their reasons for wishing to transfer and to identify any support services that may assist.
- b. Pathway students – commencing and enrolled students at a Griffith University pathway provider must submit their completed release request to the pathway provider student centre.
- c. Degree students – commencing and enrolled degree students must submit their completed online release request to Griffith International. Enrolled students will be required to meet with an International Student Advisor (ISA) to discuss their reasons for wishing to transfer. It is a mandatory requirement that students meet with the ISA as they will assist to identify any support services, alternative pathways or programs within the University which may be relevant to the student's academic progression.

### 3.2 Outcome

- 3.2.1 An International Compliance Officer will assess the release request in accordance with this policy and will communicate the outcome of the application in writing to the student via their student email account. A notification will be provided to the student within 10 working days of a complete application being received by the International Compliance Office. Students who submit a release request that does not meet the eligibility requirements outlined in [section 2.3](#) of this policy will be advised why their application can't be approved.
  - 3.2.2 If the release request is approved, the student will be notified in writing, via their student email account, and the release approved on the Provider Registration International Students Management System (PRISMS).
  - 3.2.3 If the release request is refused, the student will be provided with the reason(s) for the decision and the process for applying for a review of the decision. The outcome will not be finalised in PRISMS until:
    - 3.2.3.1 Any review of decision request against the refusal lodged by the international student is finalised and upholds the University's decision not to release the student; or
    - 3.2.3.2 The matter is finalised as the international student did not access the University's review of decision process within 20 working days of being notified of the refusal; or
    - 3.2.3.3 The international student withdraws their review of decision request against the refusal.
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## 4. REVIEW OF DECISION

- 4.1 Students have a right to apply for review of the decision to a refusal outcome of a release request within 10 working days of notification of the decision. The application for review is to be made using the *Review of a Decision* form in accordance with the University's *Student Review and Appeals Policy* and *Student Review and Appeals Procedures*.
  - 4.2 For degree students and students with a GELI pathway into their degree program, the application for review is directed to the Associate Director, International Administration. The decision of the Associate Director, International Administration is final. For English language students studying only at GELI, the application for review is directed to the Director, GELI. The decision of the Director, GELI is final.
  - 4.3 If the review outcome is successful, a release will be provided to the student as outlined in [3.2.2](#).
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## 5. CANCELLATION OF ENROLMENT AND REFUNDS

- 5.1 Students receiving a release, approving transfer to another institution, will have their enrolment cancelled by the University.
- 5.2 Students with credit in their student fees account will be required to apply for a refund of fees.
- 5.3 Students are subject to academic or financial penalties which may apply to cancellation of enrolment. Academic penalties associated with enrolment changes are outlined in the *Student Administration Policy*. The University's policy on fees and procedure for refund and transfer of fees is outlined in Section 3: Fees for International Students of the *Fees and Charges Policy* and in the *GELI Enrolment Policy*.