Transfer of Provider - Overseas Students Procedure

Section 1 - Purpose and Scope

(1) This Procedure outlines the requirements for the assessment and approval of applications from overseas students seeking to transfer between The University of Queensland and other registered providers prior to completing six calendar months of their principal program of study, pursuant to:

a. Standard 7 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code 2018); and
b. the Commonwealth Government's Education Services for Overseas Students Act 2000 (ESOS Act).

(2) The six calendar months period is counted from the date the student commenced, or is due to commence, their principal program and does not include breaks from study due to deferment or suspension.

(3) Responsibilities, requirements and timelines relating to the applications are determined in the Procedure.

(4) This Procedure applies to all overseas students who:

a. hold a temporary student visa or intend to apply for a student visa; and
b. have accepted a UQ offer or an offer for a package of programs, including a pathway program, to study at the University.

Section 2 - Process and Key Controls

(5) Overseas students seeking to cease their enrolment at UQ and transfer to another registered provider prior to completion of six months of their principal program, and who meet the criteria under clauses 8-9, are required to advise the University.

(6) Overseas students seeking to cease their enrolment at UQ and transfer to another registered provider prior to completion of six months of their principal program, and who do not meet the criteria under clauses 8-9, must apply and be granted release by the University in accordance with clauses 13-15. Requests for release will be assessed under the criteria specified in clauses 10-12 .

(7) Overseas students seeking to transfer to UQ from another registered provider prior to completing six months of their principal program will be considered in accordance with the conditions specified in clauses 26-28.

Section 3 - Key Requirements

Students not Required to Request a Release

(8) The following overseas students are not required to request a release but must advise the University in writing of their cessation of studies at UQ by completing the International Student Withdrawal Request Form:

a. students holding a visa type that is not subject to the ESOS Act and the National Code 2018;
b. students who have completed six or more calendar months of their principal program;
c. government sponsored students where the sponsor considers the change to be in the student's best interests and has provided written support to the University for the transfer;
d. students wishing to return to their home country and who do not wish to continue studying in Australia;
e. students who are offshore and unable to commence their studies in Australia.

(9) The University will then cancel the Confirmation of Enrolment (CoE) and notify the relevant Australian Government departments that the student is no longer enrolled at UQ.

Request for Release Approval Criteria

Circumstances in Which a Release will be Granted

(10) Transfer to another provider will be permitted and a release granted where it is in the student's best interests to do so, including but not limited to where the University has assessed that:

a. The UQ program accepted by the student is no longer offered in the student's accepted intake or has ceased to be CRICOS-registered.
b. The student provides evidence that their reasonable expectations about the current program are not being met.
c. There is evidence that the overseas student was misled by the University or an education or migration agent regarding UQ or its program, and the program is therefore unsuitable to their needs and/or study objectives.
d. The student is involved in an appeal (internal or external) on another matter that results in a decision or recommendation to release the student.
e. There is evidence of compassionate or compelling grounds. These would normally be unexpected and out of the control of the student.
f. The student will be reported because they are unable to achieve satisfactory progress at the level at which they are studying, even after engaging with UQ's intervention strategy to assist the student in accordance with Standard 8 Overseas Student Visa Requirements of the National Code 2018.
g. The student has not met the conditions of their offer letter for the principal program. This includes the conditions of any pathway program, and offers involving packaged programs and articulations.

(11) Students under 18 years of age must also provide the following:

a. written confirmation from their parent or legal guardian of their support for the transfer; and
b. if the student is not being cared for in Australia by a parent or suitable nominated relative, the offer from the new registered provider must also confirm that the provider will accept responsibility for approving the student's accommodation, support and general welfare arrangements consistently with Standard 5 Younger Overseas Students of the National Code 2018.

Circumstances in Which a Release may not be Granted

(12) Despite clauses 10-11, the University has discretion to refuse a transfer on reasonable grounds. The University will therefore take the following circumstances into consideration when assessing a request for release:

a. no firm offer from another CRICOS-registered provider has been supplied;
b. the student has an outstanding debt to UQ;
c. the request is based on personal preference or change of mind only;
d. the student is not genuinely engaging with an intervention strategy; and/or
e. the student has not accessed the support or academic services offered by the University.

Application Process

(13) Students must request a release by applying to withdraw from the University and completing the relevant sections of the International Student Withdrawal Request Form. All applications must be accompanied by an unconditional letter of offer from the provider to which the student wishes to transfer, along with appropriate documentary evidence.

(14) Students completing a pathway program who have met the conditions for their UQ academic program should also apply in this way. Students who have not successfully completed their Foundation Program must also apply to the provider for a release at this time.

(15) Applicants asking to be released by the University will receive an acknowledgement that their request has been received.

Consideration and Outcome

(16) A student's application will be assessed by the Deputy Director, Academic Services or an Associate Director in Academic Services Division or the Senior Manager, Student Enrolments and Fees, with appeals to the Academic Registrar. During this time, the student may be asked to attend an interview to provide further information to assist with assessment of the request. Where a student is unable to attend an interview in person, a phone interview may be arranged. In the instances where a student has failed or not completed a pathway program, their attendance and performance in their program may be taken into account.

(17) Students will be notified of the outcome of their application in writing and within 10 working days of the receipt of the release request and supporting documents.

(18) There is no charge for a release.

Successful Outcome

(19) The student will be advised that the University has approved their request to transfer to another institution, their UQ CoE will be cancelled and that their release from the University, along with the effective date and reason for the release, will be recorded in PRISMS. The student will be prompted to contact the Department of Home Affairs (previously the Department of Immigration and Border Protection) to check whether a new student visa is required.

(20) In addition, the student's enrolment (if applicable) will be cancelled and the student may be asked to submit a refund request. Any refund of fees will be made in accordance with UQ's Student Refunds Procedure.

Unsuccessful Outcome

(21) The student will be informed in writing of the following:

a. the reasons for this decision, including the factors taken into consideration, which will reflect the student's individual circumstances;
b. that they may freely transfer between registered providers after they have completed six calendar months of their principal UQ program; and
c. that they may appeal the decision, within 20 working days, in accordance with clauses 24-25 (Review and Appeals) of this Procedure.

(22) The reasons for refusal of the request will be sufficiently detailed to enable the student to make an informed decision as to whether to appeal the decision.

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(23) In all instances where a release is refused, the University will not finalise the student's refusal status in PRISMS until the student has had the opportunity to appeal or, if the student has submitted an appeal, the appeal finds in favour of the University.

Review and Appeals

(24) Where a transfer request from UQ has not been approved, and the student is not satisfied with the decision, they may appeal the decision within 20 working days of receipt of the application outcome in accordance with the Student Grievance Resolution Procedure. The student will be notified in writing of the outcome.

(25) A student who is not satisfied with the outcome of an internal appeal may refer the matter to the National Student Ombudsman.

Transfer to UQ from Another Provider

(26) UQ will not enrol a student seeking to transfer from another registered provider prior to the student completing six calendar months of their principal program of study, except where a release is not required, as indicated in clauses 8-9, and in the circumstances where the provider from where the student is transferring:

a. has ceased to be registered, or the program in which the student is enrolled has ceased to be registered; or
b. has a sanction imposed on it that prevents the student from continuing their principal program.

(27) Students seeking to transfer to UQ from another registered provider prior to completing six months of their principal program will be issued with a UQ CoE only if:

a. the student completes the required admissions processes; and
b. the student has been granted a release by the existing provider and this is evidenced in PRISMS (or they provide evidence that they have not met the entry requirements for their principal program with the other provider and so no longer hold an active CoE); and
c. if the student is under the age of 18, they provide written evidence that the student's parent or legal guardian supports the transfer. If the student is not being cared for in Australia by a parent or suitable nominated relative, UQ will confirm it accepts responsibility for approving the student's accommodation, support and general welfare in accordance with Standard 5 Younger Overseas Students of the National Code 2018.

(28) Students must apply to UQ following the usual admissions processes for the University's overseas applicants.

Section 4 - Roles, Responsibilities and Accountabilities

Deputy Director, Academic Services

(29) The Deputy Director, Academic Services or an Associate Director in Academic Services Division or the Senior Manager, Student Enrolments and Fees is responsible for the administration, assessment and approval of Transfer of Provider applications from overseas students prior to completing six months of their principal program.

Academic Registrar

(30) The Academic Registrar considers and assesses appeals against decisions made by the Deputy Director, Academic Services or an Associate Director in Academic Services Division or the Senior Manager, Student Enrolments and Fees.

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Section 5 - Monitoring, Review and Assurance

(31) The Deputy Director, Academic Services or an Associate Director in Academic Services Division or the Senior Manager, Student Enrolments and Fees shall monitor and provide reports to the Academic Registrar to demonstrate and provide assurance of compliance with this Procedure.

Section 6 - Recording and Reporting

(32) The request for release and supporting documents, the reasons for the University's decision and all communications concerning the application and outcome will be filed in the student's record in TRIM. The reasons for the University's decision will be adequately supported and documented in accordance with the Information Management Policy.

Section 7 - Appendix

Definitions, Terms and Acronyms

Term	Definition
Compassionate	Family, medical or 'wellbeing' reasons for supporting a transfer.
Compelling	Circumstances that are involuntary and such that the applicant has little or no alternative.
CoE	Electronic Confirmation of Enrolment.
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students.
Enrolled	Where a student is enrolled in courses or programs approved by an authorised officer and after fees and charges have been paid.
ESOS	Education Services for Overseas Students Act 2000 (ESOS Act).
Foundation Program	The Foundation Program guarantees graduates admission to a range of UQ programs, provided requirements including quota restrictions, grade point average, subject prerequisite and English language proficiency are met.
Government Sponsored	A student sponsored by an Australian or foreign Government for study in Australia.
National Code 2018	National Code of Practice for Providers of Education and Training to Overseas Students 2018. The National Code is made under the ESOS Act.
Overseas Student	A student who is not a domestic student (also known as an international student).
Principal Program of Study	The main program of study to be undertaken by an overseas student where a student visa has been issued for multiple programs. The principal program of study is normally the final program of study covered by that student visa.
PRISMS	The Department of Education and Training's Provider Registration and International Student Management System through which providers issue Confirmation of Enrolments (CoEs) to overseas students.
Registered Provider	An approved provider that is registered on CRICOS as a provider for the program.
Release	Where a provider has agreed to the transfer of an overseas student to another provider, and has recorded the date of effect and the reason for the release in PRISMS.
Student Visa	Student Visa (Subclass 500) is a temporary visa which allows an overseas student to stay in Australia to study full-time in a recognised education institution.
Transfer between registered providers	An overseas student who applies to transfer to or from another CRICOS-registered provider.

Term	Definition
TRIM	The University’s electronic document and records management system (EDRMS).

Status and Details

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