International Student Provider Transfer Request Policy and Procedure

<table>
<thead>
<tr>
<th>Approving authority</th>
<th>Academic Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval date</td>
<td>16 July 2015 (5/2015 meeting)</td>
</tr>
<tr>
<td>Advisor</td>
<td>Associate Director, International Administration</td>
</tr>
<tr>
<td>Next scheduled review</td>
<td>2020</td>
</tr>
<tr>
<td>TRIM document</td>
<td>2017/8006035</td>
</tr>
<tr>
<td>Description</td>
<td>This policy describes the conditions under which international student visa holders are able to apply to transfer to other providers.</td>
</tr>
</tbody>
</table>

Related documents

- The Education Services for Overseas Students Act 2000 (ESOS) Act
- The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 Standard 7
- Letter of Release Request
- Student Administration Policy
- Student Review and Appeals Policy
- Student Review and Appeals Procedures
- Review of a Decision Form
- Fees and Charges Policy
- International Refund Request Form

1. **LEGISLATIVE REQUIREMENTS**

The Education Services for Overseas Students Act 2000 (ESOS Act) and associated National Code of Practice 2007 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 highest qualification covered by the student’s visa. No restrictions apply after the student has completed six months of their principal program.
2. **PROVISION OF A LETTER OF RELEASE**

2.1 **Circumstances for Approving a Letter of Release**

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

<table>
<thead>
<tr>
<th>Circumstances for Approving a Letter of Release Request</th>
<th>Supporting Documentation Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>The 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.</td>
<td>An approved letter of release/written support from pathway provider.</td>
</tr>
<tr>
<td>The 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.</td>
<td>Evidence such as an IELTS certificate and/or attendance and academic results from pathway provider.</td>
</tr>
<tr>
<td>The transfer is considered beneficial to the student's academic progression. Circumstances considered beneficial include:</td>
<td></td>
</tr>
<tr>
<td>a. the transfer represents an opportunity for the student to complete a higher level tertiary qualification.</td>
<td>a. an unconditional offer letter</td>
</tr>
<tr>
<td>b. the student is currently enrolled in their Griffith University degree and is transferring to a qualification not offered at the University, due to inability to cope academically and upon proving that they made a genuine effort with their studies.</td>
<td>b. an unconditional offer letter and evidence that the student has accessed academic support services</td>
</tr>
<tr>
<td>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.</td>
<td>A letter of recommendation from the Higher Degree Research (HDR) Convenor supported by the Dean of Research.</td>
</tr>
<tr>
<td>The student has successfully completed a Griffith University degree program prior to the principal program.</td>
<td>Griffith University academic transcript.</td>
</tr>
<tr>
<td>The University is no longer able to provide the program or support the research topic area in which the student is due to commence or has enrolled.</td>
<td>Nil</td>
</tr>
<tr>
<td>The government sponsor of a student considers the change to be in the student's best interest and has provided written support for that change.</td>
<td>Written support/financial guarantee from government sponsor.</td>
</tr>
<tr>
<td>A parent or legal guardian of a student under 18 years of age has provided written confirmation supporting the transfer. Where the student is not being cared for in 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 2007, Standard 5.</td>
<td>Written support from parent/legal guardian and/or written support of accepted responsibility from new provider.</td>
</tr>
</tbody>
</table>
2.2 Circumstances for Denying a Letter of Release Request

The following circumstances are considered to have a detrimental impact on the student’s educational outcomes for which their student visa was granted and will result in a letter of release request being denied.

a) The student has changed his or her 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:
   a. 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.
   b. 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 Immigration and Citizenship (DIBP) 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 Letter of 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 and signed Letter of 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 letter of 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.

3. PROCEDURE

3.1 Application for a Letter of Release

a. GELI students - students currently enrolled or who have recently completed a GELI program and have not yet commenced their degree program must submit their completed letter of release request to a GELI Student Centre.
b. Degree students – pathway students who are not required to complete a GELI program and direct students must submit their completed letter of release request to one of the University’s Student Centres.

GELI students and students enrolled in their degree program will be asked to meet with a GELI Student Centre Manager or an International Student Advisor (ISA) to discuss their reasons for wishing to transfer. It is compulsory that a student meets with a GELI Student Centre Manager or ISA when requested as they will assist to identify any support services, alternative pathways or programs within the University which will be relevant to the student’s academic progression. Consideration of the student’s compassionate and compelling circumstances will be taken into account when assessing the student’s letter of release request.

3.2 Outcome

3.2.1 An International Compliance Officer will assess the letter of release request in accordance with this policy and will communicate the outcome of the application to the student via their student email account. A written outcome 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 letter of 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 accepted.

3.2.2 If the letter of release request is approved, the student will be issued with a Letter of Release.

3.2.3 If the letter of release request is denied, the student will be provided with the reason(s) for the decision and the process for applying for a review of the decision.

4. REVIEW OF DECISION

4.1 Students have a right to apply for review of the decision to deny a letter of 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 Letter of Release will be provided to the student as outlined in 3.2.2.

5. CANCELLATION OF ENROLMENT AND REFUNDS

5.1 Students receiving a Letter of 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.