

Transfer Between Registered Providers Policy (CC)

Colleges of Business and Technology (WA) Pty Ltd

Trading as Curtin College, a member of Navitas Pty Limited

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Document

Document Name	Transfer between Registered Providers Policy (CC)
Brief Description	The Policy outlines the conditions under which Curtin College will consider a student request for a transfer between registered providers.
Responsibility	Academic Director
Initial Issue Date	13/06/2007

Version Control

Date	Version No.	Summary of Changes	Reviewer Name and Department/Office
4/6/2024	3.0	New template. Major review	Student & Academic Services Manager and Quality and Compliance Manager

Related Documents

Name	Location
Deferral, Suspension and Cancellation Policy	Curtin College website
Enrolment Policy	Curtin College website
Refund Policy	Curtin College website
Student Complaints Policy	Curtin College website
Younger Student Management Policy	Curtin College website

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1 Purpose and Scope

1.1 Introduction

This Transfer between Registered Provider Policy sets out the approach of Curtin College relating to the management of students requesting for a transfer between registered providers.

1.2 Purpose

The purpose of this Policy is to outline the conditions under which Curtin College will consider a student request for release. In this policy, the term transfer between registered providers will also be referred to and known as a release.

1.3 Scope

This Policy applies to all commencing and current overseas students on an Australian student visa studying at Curtin College.

Where Curtin College has made an offer to enrol at Curtin University after completing studies at Curtin College, ***Curtin University is the provider of the principal program.***

Note: Curtin University has delegated authority to issue Letters of Release on its behalf to Curtin College, but Curtin University does retain the right to rescind this authority at any time. This policy takes reference from Curtin University's student release policy and other sources.

2 Policy Statement

2.1 Legislative Requirements

The [Education Services for Overseas Students Act 2000 \(Cth\)](#) ("ESOS Act") and Standard 7 of the associated [National Code of Practice 2018](#) require registered providers to assess requests from students for a transfer between registered providers before the student completes 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, usually the final program of study (Curtin University degree program). The first six months are 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.

Receiving providers must not knowingly enrol students in this situation, except where:

- a) the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered;
- b) the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS;
- c) 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, or
- d) 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.

Curtin College will not seek to enrol a student wishing to transfer from another registered provider's program prior to the student completing six months of their principal course of study except where the situation falls within the above parameters. Students considering transferring providers must ensure that they continue to meet the [conditions of their student visa](#). More information about changing providers can be found [here](#).

3 Request for Release

The College is an educational provider offering various academic programs. Students receive detailed information about program structures, requirements, and potential pathways before applying and enrolling. Therefore, requests for student transfers will be evaluated based on the comprehensive information provided to prospective students prior to their admission to the College as well as their time at the College.

Students who wish to undertake a transfer of provider must complete a Transfer of Provider form and outline the reasons for their transfer. Documentary evidence in support of the transfer must be attached to the application form and demonstrate how the transfer would be in the student's best interests.

To be eligible to apply to transfer providers, a student must:

- hold a valid 'unconditional' enrolment offer from the receiving CRICOS registered provider, with a future start date; and
- provide documentation to support their application; and
- have paid all fees outstanding to the College; and
- provide written confirmation of approval to transfer from legal guardian/parent, if under 18; or
- provide written confirmation of approval to transfer from government sponsor if a sponsored student.

4 Circumstances with Curtin College considers Sufficient Grounds to Release

A student must satisfy Curtin College that they have a genuine case to request a release. The College will consider the following circumstances as reasonable grounds for a release, provided they are accompanied by the required evidence:

- The student has received a direct offer for a Curtin University degree.
- Curtin College is unable to continue to provide the program.
- Curtin University is unable to provide the principal program.
- The student demonstrates they are experiencing threat to their physical or mental health or safety by remaining at the College and demonstrates clearly how this will be alleviated through a transfer.
- The government sponsor of a student considers the change to be in the student's best interest and has provided written, authorised support for that change.
- The student is genuinely unable to achieve satisfactory program progress, even after engaging with the College's intervention strategies and support systems and their academic performance has not improved.
- The student has compassionate or compelling circumstances that suggest transferring to another provider is in the student's best interest.
- There is evidence that the overseas students' reasonable expectations about their current program are not being met.
- Student can provide evidence that the College or an education or migration agent misled them regarding Curtin College or its programs, constituting a breach of the ESOS Act. In such cases, documentary evidence is to be provided to support the claim.
- A complaint (internal or external) on another matter results in a decision or recommendation to release the overseas student.

5 Circumstances Which Curtin College Considers Insufficient Grounds to Release

Curtin College considers the following circumstances will have a detrimental impact on the educational outcomes for which the student's visa was granted, and will result in a request for transfer of providers being refused:

- The student does not have a valid unconditional offer from another CRICOS registered provider.
- The student has only recently started studying and has not experienced the full range of academic and support services available at the College.

- The student applies to transfer after accepting their offer (signed Letter of Acceptance), but before starting classes, will not be approved except in extreme circumstances such as:
 - Inability to secure an Australian visa.
 - Compassionate and compelling circumstances.
- The transfer may jeopardise the student's progression through a package of programs or is not likely to provide adequate preparation for further study (e.g. the new program does not articulate into the principal program).
- The student is downgrading to a lower-level qualification or vocational qualification, for reasons other than academic ability.
- The student has been warned for non-attendance.
- Where the primary reason for the request is based on a personal preference, such as wishing to experience living in another city in Australia or wishing to live and/or study with friends enrolled at another registered provider.
- Where the student has not made a genuine attempt to participate in the program, including accessing support programs to achieve academic success.
- Where the student expresses difficulty with the Program material but has failed to submit assessments that would have provided formative feedback to support the student.
- The student has not provided sufficient evidence to support their stated reason/s for transferring.
- The student has a change of mind. Students can apply to transfer to other programs within Curtin College or Curtin but will not be granted a release to enrol with another provider on the basis of a change of mind.
- The College considers the student has taken advantage of the 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 undertake their study at Curtin College.
- Where the student's visa application included information that is inconsistent to the claim made in a Transfer of Provider application.
- The program for which the student is intending to enrol in with the other provider, is similar to or the same as the programs offered at Curtin College.
- The student is experiencing homestay or other accommodation problems.
- The student is experiencing program schedule conflict with personal, work, or other non-study commitments.
- The student is a sponsored student and has not provided a letter of support from the sponsor.
- Claims financial hardship, which is contrary to evidence supplied for their visa application or transferring to a provider with lower tuition fees.
- The student has outstanding debts or fines to Curtin College or Curtin University.
- Where the student does not meet the entry requirements for the program with the new provider.
- Where the College forms the view that the student is deliberately trying to work around the Australian student visa system.
- The College forms the view that the student is trying to avoid being reported to Department of Home Affairs (DoHA) for failure to meet attendance or academic progress requirements.
- The student is under the age of 18 and has not provided parental approval to support the transfer.

6 Students under the age of 18

- 6.1. Written confirmation from their parents or legal guardian supporting the transfer.
- 6.2. Where 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 Standard 5 of the National Code of Practice 2018 ([Younger overseas students](#)).
- 6.3. Where a student under the age of 18 has had a request for Transfer of Provider approved, Curtin College will liaise with the other provider regarding the transfer of care arrangements.

- 6.4. As a guide, Curtin College will only continue care arrangements for the student for seven (7) days after the date of the Transfer of Provider was approved.
- 6.5. Where 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 Standard 5 (Younger overseas students).
- 6.6. Further information regarding care arrangements for students under 18 years of age please refer to the [Younger Student Management Policy](#).

7 Request for Release Outcomes

- 7.1. Students will be notified of the outcome of their request within ten working days of submitting their request.
- 7.2. Where a request for Transfer of Provider has been refused, the student's enrolment will remain current and the student will be advised in writing of the reasons for the refusal of the request, via their student e-mail account. Students have the right to complain about the refusal.

Note: It is a student visa condition that students maintain their enrolment (visa condition 8202). If you do not maintain your enrolment, your CoE will be cancelled for that reason. Your release request will be considered separately and may still be refused. Do not risk your student visa by ceasing enrolment.

8 Complaint Against Refusal of Transfer

Where a student's request for transfer has not been supported, the student can lodge a complaint in accordance with the College's Complaints Policy - located on www.curtincollege.edu.au. Students will have 20 working days from the outcome date, to submit their complaint. Curtin College will not finalise the student's refusal status in PRISMS until the complaint finds in favour of the registered provider, or the overseas student has chosen not to access the complaints process within the 20-working day period, or the overseas student withdraws from the process.

- The complaint should address the reason(s) noted in the refusal letter and be submitted on the Complaint form and sent to complaints@curtincollege.edu.au
- The Quality and Compliance Manager or nominee, will consider the request and advise the student of the outcome within 10 working days.

9 Transfer Request Records

Curtin College maintains a register of transfer requests and records of all requests from overseas students for a release and the assessment of, and decision regarding, the request for two years after the overseas student ceases to be an accepted student.

10 Compliance

- The Quality and Compliance Manager will ensure staff are informed about this Policy and that it is published on the College's website.
- The Student & Academic Services Manager will ensure international students are made aware of this Policy at Orientation and via the Student Handbook on the Student Portal.
- The Director of Marketing and Admissions will ensure that agents who recruit international students are advised of any updates to policy and respective information.

11 Review

This Policy is reviewed at least every 2 years and at the time of any changes to the regulatory compliance requirements, legislation, regulation, and guidelines. This review process aims to ensure alignment to appropriate strategic direction of Curtin College and continued relevance to Navitas' current and planned operations.

12 Records Management

All records in relation to this document will be managed as follows:

Record type	Owner	Location	Retention	Disposal
Policy	Manager Quality and Compliance	Policy HUB	Permanently	Archived once updated or reviewed