**International Students on student visas – Transfers between registered providers procedure**

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## Purpose

This procedure supports Canberra Institute of Technology’s (CIT) compliance with the Education Services for Overseas Students (ESOS) Framework, which includes the Education Services for Overseas Student Act 2000 (ESOS Act) and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (The National Code). These laws have been developed by the Australian Government to ensure overseas students in Australia have a safe, enjoyable and rewarding place to study. Australia's laws promote quality education and consumer protection for overseas students.

This procedure is to be read in conjunction with ***International Students on Student Visas Policy****.*

## Scope

This procedure applies to international students on Student Visas studying at the Canberra Institute of Technology.

## Procedure

## 3.1 Transfers between registered providers

Under Standard 7 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code), registered providers must not knowingly enrol a student seeking to transfer from another registered provider’s course prior to the student completing six months of their principal course\* (or for the school sector, until after the first six months of the first registered school sector course). The following exceptions apply:

* the releasing registered provider, or the course in which the 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 student from continuing their course at that registered provider
* the releasing registered provider has agreed to the student’s release and recorded the date of effect and reason for release on Provider Registration and International Students Management System (PRISMS)
* any government sponsor of the student considers the change to be in the student’s best interests and has provided written support for the change.

\*The principal course is the highest level of study in the student’s study path, i.e. if the student’s study path leads to the Diploma of Hospitality Management. the student’s study path may be Certificate III in Commercial Cookery, Certificate IV in Kitchen Management, Diploma of Hospitality Management. In this case the Diploma of Hospitality Management would be the principal course.

## Students transferring to CIT from another registered provider:

| Step | Action | Responsibility |
| --- | --- | --- |
| 1 | On receipt of the student’s application, a Letter of Offer (LOO) is issued if the student meets the entry requirements for the course and the Genuine Student requirements. The following checks will confirm if the student must provide evidence of being released from studies by their current registered provider:* checking the end date of the student’s visa and
* checking all Confirmation of Enrolments (COEs) relevant to the student’s visa.
 | Admissions Team – International Services Unit (ISU) |
| 2 | If the student should be released from studies, the LOO will be conditional upon evidence of one of the following being provided: * the releasing registered provider, or the course in which the student is enrolled, has ceased to be registered or
* the releasing registered provider has agreed to the student’s release and recorded the date of effect and reason for release on PRISMS or
* the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the student from continuing their course at that registered provider or
* any government sponsor of the student considers the change to be in the student’s best interest and has provided written support for that change.
 | Admissions Team – ISU |

## Students seeking release from studies at CIT to study with another registered provider:

| Step | Action | Responsibility |
| --- | --- | --- |
| 1 | The student must apply in writing to the International Student Advisors, International Services Unit at ISAdvisors@cit.edu.au for a release from studies at CIT including the circumstances or reasons for their request for release. The following must be provided with the written application: * the Letter of Offer from the new Institution
* the signed Study Variation form
* documented evidence supporting the circumstances or reasons for seeking a release from studies.

This request must be submitted before the due date of fees, which is 14 days prior to the commencement of study period. If it is not submitted by this date, tuition fees for the following study period are payable. | International Student |
| 2 | The International Student Advisor will forward the request to the Senior Manager, International Services Unit, with a recommendation regarding the request. | International Student Advisor – ISU |
| 3 | The Senior Manager, International Services Unit, will assess if the requested transfer meets the requirements below.**CIT will provide a release from studies, at no cost to the student, when the student presents a valid LOO for entry in a CRICOS registered course from another registered provider, AND one of the following.** * + The student has been reported in PRISMS due to not achieving satisfactory course progress at the level they are studying, even after engaging with that registered provider’s Intervention Strategy to assist the student in accordance with Standard 8 of the National Code of Practice 2018.
	+ CIT is unable to deliver the course as outlined in the written agreement.
	+ There is evidence that the student was misled by CIT, or a CIT contracted Education Agent, about CIT or its course, and the course is therefore unsuitable to their needs and/or study objectives.
	+ An appeal (internal or external) on another matter results in a decision or recommendation to release the student.
	+ Documented evidence of compassionate and/or compelling personal or academic circumstances that impact the student’s welfare and/or ability to continue their current study plan has been provided. Compassionate and/or compelling circumstances are usually beyond the student’s control.
	+ Circumstances may include but are not limited to:
		- serious illness or injury
		- bereavement of a close family member, such as a parent or grandparent (where possible a death certificate should be provided)
		- major political upheaval or natural disaster in the home country requiring emergency travel that has negatively impacted the student’s studies
		- a traumatic experience, which could include:
			* involvement in or witnessing a serious accident, or
			* witnessing or being a victim of a serious crime and this has impacted the student (these cases should be supported by police or psychologist reports)
		- inability to study for a portion of a study period due to cultural reasons (e.g. arranged marriage)
		- a change to the student’s family circumstances, which affects the financial support provided to the student and places significant hardship on the student were they to continue studies with CIT (may include a letter from the support person).

**CIT will not provide a release from studies where the transfer would be considered detrimental to the student’s study plan.** These circumstances may include but are not limited to one of the below. * The student does not have a valid LOO for entry in a CRICOS registered course from another registered provider.
* The student has outstanding fees with CIT.
* The student’s study pathway will be affected, i.e. the student has a packaged offer with another provider on completion of studies with CIT (e.g. CIT plus University of Canberra).
* The student is transferring to a study path resulting in a lower AQF qualification.
* The student’s duration of studies in Australia will be increased.
* The student’s COE with CIT has been reported for the student not studying, e.g. non-commencement of studies, prior to the request for release being assessed.
* The student will be paying higher tuition fees.
* CIT considers the request for transfer is an attempt to prevent the student from being reported to the Department of Home Affairs for poor academic progress or attendance.
 | Senior Manager – ISU |
| 4 | If the application is successful:1. The release from studies will be recorded in PRISMS and evidence of this will be emailed to the student with the relevant student course variation/s.
2. The student will withdraw from the course if required.
3. The PCO will be advised of the outcome.

The process should be completed within 14 days of the application being received by the International Student Advisor. | International Student Advisors – ISU |
| 5 | If the application is unsuccessful:1. An email explaining why the application has been unsuccessful is provided to the student. The email should note the decision, the reasons for the decision, the factors taken into consideration and reflect the student's individual circumstances. The reasons for refusal should be sufficiently detailed to enable the student to make an informed decision as to whether to appeal the decision.
2. Information on applying for an appeal against the decision is forwarded to the student and a copy of this information is to be kept on the student’s record. The student has 20 working days from the date of the decision email to request an appeal.
3. Record the outcome in PRISMS.
4. Advise the PCO of the outcome.

The process should be completed within 14 days of the application being received by the International Student Advisor. | International Student Advisors – ISU |

## Non-academic decisions appeal - Release from studies

| Step | Action | Responsibility |
| --- | --- | --- |
| 1 | The student advises in writing that the original decision should be reviewed within the 20 working day timeline. This request must be emailed to ISAdvisors@cit.edu.au. | International Student |
| 2 | International Student Advisors forwards the request for appeal to the Senior Manager, ISU. | International Student Advisors – ISU |
| 3 | Senior Manager, ISU, prepares the briefing paper and emails this to the Student Experience and Academic Registrar Lead within five working days of receiving the request for appeal. The following documents are to be reviewed:* original request and outcome including reasons for the decision
* the National Code of Practice standard/s that impacts on the decision
* the student’s request for a review of the decision.
 | Senior Manager, ISU  |
| 4 | The Student Experience Lead/Academic Registrar assesses the appeal information and emails the outcome to the Senior Manager, ISU, copying the International Student Advisors, within five working days of receiving the appeal documentation. | The Student Experience Lead/ Academic Registrar  |
| 5 | When the decision has been received, a letter outlining the final decision is emailed to the student within 48 hours.  | Senior Manager, ISU |
| 6 | If the appeal is successful:* the release from studies will be recorded in PRISMS and evidence of this will be emailed to the student with the relevant student course variation/s
* the student will withdraw from the course if required
* the PCO will be advised of the outcome.

This process should be completed within 48 hours of the appeal decision being received.  | International Student Advisors – ISU |
| 7 | If the application is unsuccessful:* record the outcome in PRISMS
* emailed the student with evidence of the record in PRISMS and the relevant student course variation/s
* advise the PCO of the outcome.

This process should be completed within 48 hours of the appeal decision being received. | International Student Advisors – ISU |
| 8 | The International Services Unit’s Project and Administration Officer conducts a Student and Institute COE/default audit within the first week of every month to ensure PRISMS reporting is up to date for the previous month. The current enrolment data is compared with the current PRISMS data to ensure all reporting has been finalised.  | Project and Administration Officer - ISU |

## 4. Documentation

## 4.1 Related Legislation/Regulation

* *CIT Act 1987*
* *Education Services for Overseas Students (ESOS) Act 2000*
* *National Code of Practice for Providers of Education and Training to Overseas Students (the National Code) 2018*
* *Standards for Registered Training Organisations 2015*
* [*Human Rights Act 2004*](https://www.legislation.act.gov.au/a/2004-5)
* [*Australian Standard Classification of Education (ASCED) 2001*](https://www.abs.gov.au/ausstats/ABS%40.nsf/0/978AE3662A869350CA256AAF001FCA59?opendocument)

## 4.2 Related Policy and Procedures

* *International students on student visas Policy*
* *International students on student visas – Course progression procedure*
* *International students on student visas – Course deferral, suspension or cancelation procedure*
* *International students Admissions and Fees Policy*
* *CIT Admissions and Enrolment Policy and Procedure*
* *Fees and Refunds Policy*
* *Student and Community Members Complaint Policy*
* *Managing Third party Arrangements Policy and Procedure*
* *Academic Appeals*

## 4.3 Related Documents

* *International student request form*
* *Student Support Guides on SIS (internal access only)*
* *International Student Gide Teacher (internal access only)*
* *International Student Guide ELC and Year 12 Pastoral Care Officer (internal access only)*
* *International Students Guide ELC and Year 12 Teacher (internal access only)*
* *International Students Guide Pastoral Care Officer Mainstream Courses (internal access only)*
* *International Students Guide Head of Department (internal access only)*
* *International Students Guide College Director (internal access only)*

**5. Definitions**

All terminology used in this procedure is consistent with definitions in the CIT Definition of Terms. The following definitions are provided in the context of this policy.

|  |  |
| --- | --- |
| **CRICOS registered course** | A course registered on the Commonwealth Register of Institutions and Courses for Overseas Students**.**  |
| **International Student** | An international student is:* a person studying in Australia on a student visa
* a person on a diplomatic visa
* a person whose visa is included in the non-eligible visas list as maintained by Skills Canberra at https://www.act.gov.au/skills/students/australian-apprenticeships/eligible-visa-holders.
 |
| **Confirmation of enrolment (COE)** | The Confirmation of enrolment is the document produced by CIT International (International Services Unit) via PRISMS and is used by the applicant to apply for a student visa. |

## 6. Policy Contact Officer

For more information about this procedure contact Senior Manager, International Services Unit.

Contact CIT Student Services on (02) 6207 3188 or email infoline@cit.edu.au.

## 7. Version Control

|  |  |  |  |
| --- | --- | --- | --- |
| Item | Summary of Update | Version | Review Date |
| 1 | Original Document  | 1.0 |  |
| 2 | Updated Dec 2024 | 2.0 | 4 February 2025 |
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## 8. Appendices

Nil