

Transfer between Providers Policy

1. PURPOSE/OBJECTIVE

To clarify the circumstances under which a student can request a transfer from NIC to another registered provider and vice-versa.

2. APPLICATION

This policy applies to all students seeking to transfer to NIC from another registered provider and from NIC to another registered provider.

3. POLICY STATEMENT

The policy is to ensure that NIC does not enrol any transferring international student prior to the 6 months of their principal program being completed unless that student has a valid letter of release agreeing to such a transfer.

The policy outlines the conditions for international students seeking to transfer from NIC within the first 6 months of their principal program who apply for a letter of release to transfer to another provider.

Where the student is under 18, NIC requires a letter supporting the transfer from a parent or legal guardian.

Overview

Requests to transfer from another provider to NIC

Students applying to transfer to NIC who have not completed 6 months of their principal course must provide an appropriate letter of release in support of their application. Students in receipt of a Government scholarship must provide written support from this Government agreeing to the change.

Students may be provided with a "conditional" offer which states that an offer for a place is dependent on their obtaining a letter of release and, if they are under 18, that NIC will accept responsibility for their welfare and accommodation when they enrol.

Students must have no outstanding fees to be paid to the prior institution or other outstanding matters.

If no satisfactory letter of release is obtained from such students, the admissions process will be halted and the student informed that they are unable to transfer at this time. They will be able to re-apply when the 6 month period has passed.

Requests to transfer from NIC to another provider

Where a student requests a transfer from NIC to another registered provider prior to completing six months of their principal course, the student must complete the NIC Application for Transfer to another Registered Provider and submit other relevant documentation including a letter outlining the reasons for requesting the transfer and a letter of offer from the proposed registered provider.

If a student is on a packaged offer (i.e. a Diploma at NIC and a University Degree), the student must first get approval from NIC to obtain a release letter prior to approaching the University.

Where the student is under 18, NIC also requires a letter supporting the transfer from a parent

or legal guardian. The new letter of offer must include a clause confirming that the proposed registered provider will accept responsibility for the student's accommodation, support and general welfare arrangements as per Standard 5 of the National Code 2007 (Younger students).

Requests for transfer will be assessed according to the criteria outlined below

Where a student is on a package offer, a request for transfer will need to be approved by both NIC and University of Newcastle as the transfer will impact on the duration of study in each program.

NIC will maintain records of all requests from a student for a transfer on the student's file, including the assessment of and the decision regarding the request.

Assessment Criteria

NIC considers the following circumstances as acceptable reasons for granting a student's request for transfer:

- genuine proven difficulty with current program
- uniqueness of the new program
- new program deemed to be in the best interest of the student's future career
- Compassionate and compelling circumstances including but not restricted to:
 - unexpected severe illness or death of a family member
 - involvement of custody proceedings for their child
 - the student or accompanying family member has an acute medical condition requiring treatment
 - the student has been involved in legal proceedings where the timing is beyond the student's control
 - the student has been caught up in a natural disaster, political uprising or other similar event
 - the student has an accident, falls seriously ill or contracts a serious medical condition after arriving in Australia
 - the student is pregnant
 - unavailability of courses as a result of a student failing a prerequisite course/s

NIC considers the following circumstances as providing reasonable grounds for **not** granting a student's request for transfer:

- Change of mind. Students are able to apply for transfer to other programs within NIC, but will not be granted a release on the basis of simply changing their mind
- Claims of homesickness. NIC considers students need some time to settle into their programs and the Australian education system and for the student to use and benefit from NIC's student support services
- If the student applies to transfer from a NIC package that was processed under Streamlines Visa Processing (SVP) to a provider that is not eligible for SVP
- Poor attendance
- Student claims difficulty with program but has not accessed the additional academic support available at NIC
- Student claims difficulty with program however NIC believes student is capable with extra support and effort
- Student has 25% or less of the program to complete
- The transfer will jeopardize the student's progress through a package of programs
- Poor application to course work
- Student attempts to avoid a 'Conditional 3' enrolment
- Student attempts to avoid being reported to the Department of Immigration and Border Protection (DIBP) for failing to meet NIC's attendance or academic progress requirements
- NIC deems the new program as being unsuitable for the student
- Claims of financial hardship
- Accommodation difficulties – distance; transport; living arrangements
- Distance from employment
- Education agents error

NIC reserves the right to take into consideration other factors, including individual circumstances of a student, which may not have been specified above.

Where a release is not granted, written reasons for the refusal will be provided to the student together with advice that he or she is able to access NIC's academic grievance procedures and that the student has 20 working days to do so.

Timeframe

A student will be informed of NIC's decision regarding their request for transfer to another registered provider within 15 working days of the submission of the completed application form.

Procedures

Where a student requests a transfer from NIC to another registered provider prior to completing six months of their principal course, the following steps are to be followed:

- Student will complete the NIC Application for Transfer to another Registered Provider available from NIC reception.
- Student provides supporting documents: Letter of Offer from the proposed registered provider; letter outlining the reasons for the request and other supporting documentation if relevant.
- A student under 18 requires the following additional documentation:
 - Written confirmation from a parent or legal guardian supporting the transfer, and
 - A letter from the proposed registered provider confirming that they accept responsibility for approving the student's accommodation, support and general welfare as per Standard 5 National Code 2007 (Younger students)
- The student then makes an appointment with a Student Adviser and submits their application together with the required documents.
- The Student Adviser determines whether the student is either on an NIC CoE or on a 'package offer' that includes a University of Newcastle CoE. The Student Adviser then completes the NIC Transfer Checklist and registers the application.
- A Student Adviser considers the application according to the criteria and provides a recommendation to the Student Administration staff.
- Student Administration staff then consult with the Principal on the outcome of the transfer assessment and a final decision is reached. The register is then updated.
- Where the transfer has been granted the student is then provided with a letter of release and is asked to complete the relevant forms to enable withdrawal from the NIC program.
- Where the request for transfer is not granted the student is notified in writing about the reasons for the refusal. Such advice will inform the student that they are able to access NIC's Academic Grievance Procedures within 20 working days (see <http://www.nic.nsw.edu.au/policies>). **Students are eligible to access the external appeals process as outlined in the Grievance Policies.**

4. DEFINITIONS

- **Packaged Offer**
A combined offer of two or more courses (i.e. English plus Diploma plus Degree).
- **Principal Course**
The end course of study or the highest qualification.
Note – The University of Newcastle will be determined as the principal course for those students who are on a packaged offer with NIC and the University.

5. RELATED DOCUMENTS

- National Code 2007, Standard 7
- Transfer to Another Provider Application Form

AMENDMENT HISTORY

Department:	Student Services	
Approval Authority:	SMT	
Approval Date:	18 August 2014	
Date for Next Review:	August 2017	
Revision Date	Version	Summary of changes
02/04/2011	1	Document developed and implemented.
27/02/2012	2	Formatting changes on document. Policy title changed from Transfer Request Policy to Transfer Between Providers Policy.
03/10/2012	3	Document updated to reflect UPD formatting. The relevant documents section has been updated to include the Transfer to Another Provider Application Form and the Standard 7 of the National Code.
21/05/2013	4	Clarified and defined Packaged Offer and Principal Course
01/07/2013	5	Added statement: If the student applies to transfer from a NIC package that was processed under Streamlines Visa Processing (SVP) to a provider that is not eligible for SVP
26/03/2014	6	Replaced DIBP for DIAC
18/08/2014	7	Policy Reviewed and Updated