

International Student Transfer Policy



1. POLICY STATUS AND DETAILS

Policy Number	NAC_06
Approving Authority	NIDA Executive
Date Implemented	August 2022
Current Version	1.0
Date of Review	January 2025
Contact Officer	Director Learning and Innovation
Related Policies, Procedures and Documents	<ul style="list-style-type: none">• Student Handbook• NIDA Student Charter, including the NIDA Code of Conduct• Grievances, Complaints, Misconduct and Appeals Procedure – Non-Academic• Fee Policy (Domestic Students)• Fee Policy (International Students)• Credit Transfer and Recognition of Prior Learning Policy and Procedure• Course Regulation Documents

2. DEFINITIONS

Term	Definition
Accredited Program	A program that is recognized under the Australian Quality Framework (AQF) and is registered with one of the two main regulatory agencies, being TEQSA (Tertiary Education Quality Standards Authority) for Higher Education and ASQA (Australian Skills Quality Authority) for Vocational programs. An accredited course is one that leads to the conferral of a degree or the award of a certificate or diploma.
Critical Incident	<p>A Critical Incident is a traumatic event or situation (within or outside Australia), the threat of a traumatic event, or a series of escalating events, which affects, or has the potential to affect a student, his/her family members and/or other persons including staff and friends, in a traumatic way, including extreme stress, fear, injury or death or that may have impact on NIDA's people, business operations, assets or reputation.</p> <p>Student Critical Incidents include any situation deemed to be a "critical incident" under the provisions of the National Code Critical Incidents can include, but are not limited to:</p>

	<ul style="list-style-type: none"> - Death, serious injury or serious threat of these - Death of a student - Missing student - Attempted suicide - Serious injury or health problem which prevents the student continuing with or completing the course - Medical emergencies involving a student or staff, - Mental health episode requiring hospitalization - Natural disaster located away from NIDA - Student arrested or detained - Assault, including sexual assault, domestic violence or robbery, severe verbal, or psychological aggression - Drug or alcohol abuse - Campus disturbance - Other serious events
DFAT	Department of Foreign Affairs and Trade.
DHA	Department of Home Affairs.
Emergency	An unplanned or imminent situation generated internally or externally that may: cause harm to people; result in significant damage or loss to NIDA property, including intellectual property; and/or result in major disruption to normal operations.
ESOS Act	Education Services for Overseas Students Act 2000 (Cth).
HES Framework	Higher Education Standards Framework (Threshold Standards) 2021.
National Code	The National Code of Practice for Providers of Education and Training to Overseas Students 2018 established under the Education Services for Overseas Students Act 2000.
NIDA activities	all activities both on and offshore undertaken by staff, students or third parties within the management and control of NIDA.
NCIMT	Critical Incident Management Team.
NIDA Code of Conduct	Framework outlining the rights and responsibilities of all members of the NIDA community in terms of behavior whilst at NIDA, working for NIDA or involved in NIDA related activities offsite
NIDA property	Any premises, facilities, machinery, or equipment leased, owned, operated, or supervised by NIDA, including NIDA vehicles and any location at which NIDA activities occur.
NIDA Student Charter	A document that establishes the expectations for student conduct for the duration of their enrolment. It includes the NIDA Code of Conduct.
Offer	The written advice to an applicant that NIDA is offering them a place in an accredited program of study.
PRISMS	Provider Registration and International Students Management System (PRISMS). A government portal for providing education providers with the

Confirmation-of-Enrolment (CoE) and reporting facilities required for compliance with the Education Services for Overseas Students (ESOS) Legislation.

Recognition of Prior Learning

The assessment process that involves assessment of an individual's relevant prior learning (including formal, informal, and non-formal learning) to determine the credit outcomes of an individual application for credit.

3. SCOPE OF POLICY

This policy provides the framework for managing the transfer of international students from another provider to NIDA or from NIDA to another provider.

Director Learning and Innovation is responsible for:

- ensuring the accessibility of this policy by staff and students.
- implementation of this policy.

4. PRINCIPLES

NIDA is committed to supporting students to achieve their learning goals.

The principles that underpin the transfer of international students are:

- Compliance with legislation.
- Equity and fairness.
- The safety and wellbeing of NIDA community members is fundamental in decision making.

5. POLICY

5.1 NIDA will manage transfers to or from NIDA by international students only in line with Standard 7 of the National Code

5.2 Transfer from another provider to NIDA:

NIDA will not knowingly enrol an international student wishing to transfer from another registered education provider (the principal provider) before the student has completed six calendar months of their course with the principal provider, except where:

- The principal education provider has supplied a written letter of release; or
- The principal education provider loses registration and or the course of enrolment is deregistered; or
- Government sanctions on the principal provider prevent the student from continuing their studies; or
- There is written support from a government sponsor that the change of provider is in the best interests of the student.

5.3 Transfer from NIDA as principal education provider to another educational provider.

5.3.1 Transfer before the completion of 6 months in the principal NIDA course.

5.3.1.1

International students may request to transfer from NIDA to another provider before they have completed 6 months of their enrolled course.

5.3.1.2 Requests to transfer must be made via the NIDA "Letter of Release Application Form"

5.3.1.3 Requests to transfer within the first six months of an enrolled course will be considered by the Director Learning and Innovation and a determination will be made within ten (10) working days of the request being

submitted, where:

- The student has provided verifiable evidence of a valid enrolment offer from another registered education provider; and
- NIDA is satisfied on the evidence submitted that the NIDA course is not in the best interests of the student or there are compassionate and compelling circumstances to support the student to transfer to another provider.

5.3.1.4 Students who are granted permission to transfer within the first six months of their enrolled course will be provided with a letter of release at no cost to the student. The letter will inform the student of the student's obligation to contact the Department of Home Affairs to get advice on whether or not a new student visa is required.

5.3.1.5 The granting of a release letter within the first six months of a course is not automatic as students granted a student visa to study at NIDA are assessed as genuine temporary entrants for the purpose of studying at NIDA. The student's informed decision in choosing their course and choosing NIDA as their provider when applying for a visa is understood to be genuine.

5.3.1.6 Transfers within the first six months of a course are not likely to be granted where NIDA considers:

- The student has not accessed or engaged with all the support services available to assist with academic and personal issues.
- The student's actions have led to the opinion that they are not a genuine student; or
- The course the student seeking to transfer to is a lower Australian Qualifications Framework (AQF) level than the one into which they are enrolled at NIDA; or
- The reason given is financial hardship and the student is seeking a course where they pay lower fees; or
- It is believed that the student is seeking to avoid visa cancellation for breach of a visa condition, such as NIDA attendance or academic progress requirements.

5.3.1.7 Where a request to transfer is not granted NIDA will provide the student with a letter stating the reasons why the request was refused and will information about the right of the student to appeal and the process by which to appeal, this being the NIDA Grievance and Appeals – Academic Policy and Procedure.

5.3.2 Transfer after the completion of six months in the principal NIDA course.

5.3.2.1 Students may transfer to another educational provider as long as they have completed six months of their principal course at NIDA, and have a valid enrolment offer from the provider they intend to study with.

5.4 Record Keeping

Records of all transfer requests from students, assessments of requests and decisions regarding a request will kept on the student's file.

5.5 Support

Students seeking guidance on this policy or advice as to how to submit a request for a release letter can wither visit Student Services between 9am and 5pm Monday -Friday or email for assistance via education@nida.edu.au

6. CHANGE HISTORY

Date	Change Description	Reason for Change	Author	Version
July 2022	New policy	Policy requirements	Learning and Innovation	Draft

7. CONSULTATION/BENCHMARKING

Benchmarked against policies and practice from a number of higher education providers and other sources.

Relevant policy documents from the following are gratefully acknowledged:

- Avondale University
- Macquarie University
- UNSW

Legislation and Regulatory Frameworks	Australian Qualifications Framework Higher Education Threshold Standards 2021 Education Services for Overseas Students (ESOS) Act 2000 National Code of Practice for Providers of Education and Training to Overseas Students 2018 Privacy and Personal Information Protection Act 1998
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