

## 5.4.16 – Tuition Fee Refunds and Removal of FEE-HELP Debts

### Operating Policy and Procedures

#### 1. **Policy**

It is the policy of the Navitas College of Public Safety that all applicable refunds for tuition fees are paid to students who pay tuition fees directly to the College and who cancel their enrolment, withdraw from any NCPS Higher Education program or course, defer, suspend their studies or take Leave of Absence, and that appropriate charges are levied. This policy also applies to removing FEE-HELP debts for students who have FEE-HELP loans.

#### 2. **Purpose**

The purpose of this policy is to ensure the efficient, accurate and timely processing of fee refunds, removal of FEE-HELP debts and levying of associated charges.

#### 3 **Responsibility**

The College Director is responsible for compliance with this procedure.

#### 4. **Guidelines**

- 4.1 Once an applicant accepts a place offered by NCPS and pays fees, or submits a Request for FEE-HELP, a binding contract is created between the student and NCPS.
- 4.2 NCPS defines a Course as a single unit of study which is completed in one teaching period (e.g. semester, trimester). A Program is comprised of a number of courses which make a qualification (e.g. Diploma, Degree). Refunds are calculated per Course – unit of study.
- 4.3 As a provider of education services to international students in Australia, NCPS must comply with the *Education Services for Overseas Students Act* (ESOS Act) 2000 and the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (The National Code).
- 4.4 A student may cancel their enrolment in a course or a program at any time but will be subject to cancellation charges determined by the point when cancellation occurs, before or after census date.
- 4.5 Census dates are calculated no earlier than 20% after commencement of any teaching period. This period must include any normal study breaks, assessment or examination periods (except supplementary exams as these are not normally undertaken by all students in the unit of study). These dates are widely publicised to all current and prospective students and it is a requirement of the Department of Education, Employment and Workplace Relations that these Census dates are made available on the College's website by October 1 of the preceding year.
- 4.6 Notification of withdrawal from a course or program must be made in writing via submission of an appropriate form - Leave of Absence (domestic), Program Withdrawal (domestic), Course Withdrawal (domestic), Deferral or Suspension of Studies Notification (international) form and should be done so in consultation with the relevant course co-ordinator. The date which the College receives this notification is the date at which such Withdrawal, Deferral, Suspension or Leave of Absence takes effect for the purposes of calculating the refund to be paid.
- 4.7 Where a student is entitled to a refund of fees under this policy, the refund will be paid within (4) weeks of receiving the withdrawal in writing. As all fees are paid in Australian dollars, refunds will be paid in Australian dollars, unless payment in that currency is impracticable. Refunds will be paid to the person who enters into the contract with NCPS (normally the student) unless the person gives written direction to NCPS to pay to another person. International Students will have their refunds sent to the overseas student's permanent home country address, unless otherwise specified in writing. Where a refund is to be paid to a third party, this should be specified in the letter of request for a refund.

Where the tuition fee has been paid by a sponsoring body or scholarship agency, any refund payable will be made to the sponsoring body or scholarship agency.

Where an overseas student is transferring to another institution, the refund will be paid direct to the new institution, if requested in writing under the applicant's signature and supported by production of an offer letter.

4.8 For circumstances where the Navitas College of Public Safety is in default all refunds will be paid within 2 weeks.

4.8.1 The College will be in default if:

- The course does not commence on the agreed starting date; or
- The course ceases to be provided after it commences but before it is completed.

## **5. International Students**

5.1 For the purpose of calculating cancellation charges relating to this section of the policy, an International Student is defined as one who is not an Australian citizen or New Zealand citizen or the holder of a permanent residency visa and is a holder of a valid student visa

### **5.2 Full refunds**

5.2.1 Full refunds of course tuition fees will be paid in the following circumstances:

5.2.2 The College is unable to provide the course.

5.2.3 An offer of a place is withdrawn. If however, the offer was made on the basis of incorrect or incomplete information supplied by the international student or their representative, the College reserves the right to retain 10% of the teaching period fee.

5.2.4 The student fails to meet course progression requirements and is subsequently not permitted to re enrol. The student is eligible for a full refund of pre paid tuition fees for subjects not yet attempted.

5.2.5 The student does not meet the condition(s) stated in the offer letter.

5.2.6 Cancellation of enrolment prior to commencement of the course due to exceptional circumstances (compassionate and compelling circumstances as defined by NCPS) may be accepted as grounds for a full refund of any pre paid fees, subject to provision of acceptable documentation supporting the application for a refund prior to the census date in that teaching period. Exceptional circumstances (compassionate and compelling circumstances as defined by NCPS) include:

- inability to obtain a student visa;
- illness or disability;
- death of the student or a close family member (parent, sibling, spouse, partner or child);
- a political, civil or natural event which prevents a student commencing their studies; or
- other special extenuating circumstances, at the discretion of the College.

### 5.3 **Partial Refunds**

- 5.3.1 Partial refunds apply to both commencing and continuing international students. Students withdrawing or suspending their studies may be entitled to partial refunds and only if they are withdrawing or suspending studies prior to the census date.
- 5.3.2 Refunds are only available if:
- an application for withdrawing or suspending is accompanied by the applicable form;
  - the application is submitted with appropriate and acceptable supporting documentation, such as a medical report or the offer letter from another course; and
  - submitted within the specified time frames.
- 5.3.3 Partial refunds will be available in the following circumstances:
- 5.3.4 The student obtains permanent residency status prior to the census dates for that teaching period. Such students become local students for the purposes of fee payments and are eligible for a refund of the difference between international and local fees. When permanent residency is granted after the census dates, the student will remain an international student for the purposes of fee payments for the remainder of the teaching period in which the residency status changes.
- 5.3.5 Where a student is in default ie:
- The student withdraws from the course either before or after the agreed starting date; or
  - The course that the student is enrolled in starts on the agreed starting date, but the student does not start the course on that day and has not previously withdrawn from the course.
- 5.3.6 The student withdraws from the course to take up an offer at another institution. Proof of this offer must accompany the withdrawal application and the withdrawal must meet NCPS guidelines for withdrawal or cancellation of enrolment.
- 5.3.7 Where a student cancels their enrolment prior to the commencement of classes, and without exceptional circumstances, all tuition fees paid up-front will be refunded, minus a 5% cancellation penalty per enrolled unit of study will be levied.
- 5.3.8 Where a student withdraws, is offered a place in another course or suspends their studies after classes have commenced but prior to the census dates in each teaching period, a 10% withdrawal penalty will be levied per enrolled unit of study, and the balance of fees paid will be refunded.
- 5.3.9 An overseas student who wishes to dispute the decision made regarding their refund should submit an appeal in writing using NF166 – Client Complaint Form to the Program Director, Navitas College of Public Safety.

#### 5.4 **Other Conditions**

- 5.4.1 In the unlikely event that NCPS is no longer able to offer the course in which the student is enrolled, they will be entitled to the choice of either a full refund (within 2 week timeframe from the default day) or placement in a suitable alternative course through the Tuition Assurance Scheme, as specified in the *Education Services for Overseas Students Act 2000 (ESOS Act)* at no further expense to the student. If a suitable alternative course cannot be found and for some reason NCPS is unable to refund the course fees, the ESOS Assurance Fund will refund the course fees. ACPET will usually manage this process and advise all students accordingly.
- 5.4.2 This agreement, and the availability of complaints and appeals processes, does not remove the right of the student to take action under Australia's consumer protection laws.
- 5.4.3 A student whose enrolment is terminated by NCPS during the course of a semester or trimester as a result of seriously breaching NCPS rules will not be entitled to any refund of fees with respect to that semester or trimester.
- 5.4.4 A student whose enrolment is terminated at the end of a semester or trimester will be charged a cancellation penalty of \$500.
- 5.4.5 A student who fails to re-enrol in a semester or trimester by the last day to enrol will be deemed to have withdrawn from their program. Cancellation penalties will be applied effective of that date.

#### 6. **Domestic Students**

- 6.1 A domestic student is defined as one who is an Australian citizen or New Zealand citizen or the holder of a permanent residency visa.
- 6.2 **Program withdrawal or deferment after enrolment and prior to the commencement of the teaching period.**
- 6.2.1 When a student withdraws (cancellation of enrolment) or defers from the program after enrolment or re-enrolment but prior to the commencement of the course for their academic year (refer to Policies 5.2.10 – *Cancellation of Enrolment*, 5.4.20 – *Course Withdrawal* and 5.4.17 – *Deferment during the Program*).

In this circumstance all tuition fees paid up-front will be refunded, minus a 5% cancellation charge per enrolled unit of study is levied. If a FEE-HELP loan has been applied for, no FEE-HELP debt will be incurred. A cancellation fee of 5% per enrolled unit of study is payable to the College at the time the Cancellation of Enrolment or Deferral is applied for.

#### 6.3 **Program withdrawal or deferment on prior to Census Date**

- 6.3.1 When a student withdraws or defers from the program after the commencement of the relevant trimester but on or prior to the Census date in that trimester. In this circumstance, for students paying up-front fees to the College, a 10% withdrawal penalty is levied per enrolled unit of study, and the balance of fees paid is refunded. If a FEE-HELP loan has been applied for, no FEE-HELP debt will be incurred. A cancellation penalty of 10% per enrolled unit of study is payable to the College at the time the Withdrawal or Deferral is applied for.

#### 6.4 **Program withdrawal after Census Date**

- 6.4.1 If a student withdraws from the course after the Census date in any trimester, no refund of the relevant trimester's fees is available. A FEE-HELP debt will be incurred for all enrolled units of study.

Refer to Policy 5.4.16.1 for the exception to this rule.

Deferment is not permitted after the Census date in any trimester.

#### 6.5 **Withdrawing From One or More Subjects**

- 6.5.1 If a student does not withdraw from the entire program, but withdraws from one or more subjects prior to the Census date, a refund of tuition fees for that subject is payable, less a 10% withdrawal penalty per enrolled unit of study applies. If a FEE-HELP loan has been applied for, no debt will be incurred. A cancellation penalty of 10% per enrolled unit of study is payable to the College at the time the Subject Withdrawal is applied for.

If a student withdraws from one or more subjects after the Census date, no refund for tuition fees paid up-front is payable. For FEE-HELP loans, a debt is incurred

#### 7. **Procedure**

- 7.1 The student must cancel their enrolment using form NF574, withdraw from the course using Form NF505, withdraw from one or more subjects using Form NF513, defer using Form NF506 or apply for Leave of Absence using Form NF525.
- 7.1.1 In the case of tuition fees paid up-front to the College, this written advice must be accompanied by the receipt issued to the student at the time of payment of fees. In the absence of the original receipt, Student Administration will accept a signed Statutory Declaration. In the case of a FEE-HELP debt, the form must be accompanied by the required payment (refer to Guidelines above).
- 7.1.2 Upon receipt of the written advice and receipt or payment, the Student Administration Officer will either calculate the appropriate refund and complete an Office Use Only Fee Refund Form or, in the case of a FEE-HELP debt, amend the relevant administrative records to reflect the cancellation of the debt.
- 7.1.3 In the case of up-front fees, this refund form is to be processed by the Accounts Officer and the refund sent by Accounts to the student. The original refund form is sent to the student, together with written confirmation (see 5.5 below) and a copy is kept in the student's file. In the case of a FEE-HELP debt, the payment is processed by the Accounts Officer.
- 7.1.4 Confirmation of the withdrawal or acceptance of the deferment or Leave of Absence must be communicated by the Course Coordinator to the student in writing, outlining the refund and charges policy that applies in the particular situation. The student's status is upgraded on PRISMS by the International Student Coordinator.

8. **Authority**

Authorised by the General Manager (Public Safety) to take effect in January 2005

9. **Approved**

Approved by the Higher Education Board on 3 August 2004

Refer also to:

Policy 5.2.10 – *Cancellation of Enrolment*;

Policy 5.4.17 – *Deferment during the Program*;

Policy 5.4.18 – *Leave of Absence*;

Policy 5.4.19 – *Subject Withdrawal*;

Policy 5.4.20 – *Course Withdrawal*; and

Policy 5.4.16.1 – *Tuition Fee Refunds and re-crediting the FEE-HELP Balance after Census Dates. Special Circumstances Exception*

**Amendments**

Date	Modified by	Sections amended/added	Approved by HEB (if required)
7/12/07	Christine Ashton	4.1 – removal of full year subject due to the restructuring of the course.  All references to semesters replaced with trimester.	
15/08/08	Christine Ashton	Change to title General Manager (formerly CEO)	Minor change
20/02/09	Christine Ashton	Changes to policy to include all refunds for International Students. All administration charges are now represented as a percentage rather than dollar value.	Approved by HEB 19/02/09.
22/05/09	Jodie Reeve	Logo changed	Minor change
30/07/09	Christine Ashton	Section 5.4.1 reworded no new content added. Section 7.1.4 addition of “The student’s status is upgraded on PRISMS by the International Student Coordinator”	Minor change
30/07/09	Jodie Reeve	Document reference changed from MF138 to AF166.	Minor change
24/08/09	Jodie Reeve	Formatting change	Minor change
09/11/09	Christine Ashton	Change of name and logo	Minor change
27/11/09	Jodie Reeve	Amended document references	Minor change
17/05/10	Rajni Sharma	Additional information added to section 5.4.1	Minor change