

# TUITION FEE AND REFUND POLICY

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<b>Approved by</b>	Executive Committee	14 August 2018
<b>Responsible Person</b>	Finance Director	
<b>Related Documents</b>	Records Management Policy; Grievances, Complaints and Appeals Policy; Grievances, Complaints and Appeals Procedure; Re-Crediting of HELP Balance Policy and Procedure	
<b>References and Legislation</b>	Tertiary Education Quality and Standards (TEQSA) Act 2011 (Cth); Higher Education Standards Framework (Threshold Standards) 2015; Education Services for Overseas Students Act 2000 (Cth); Education Services for Overseas Students Regulations 2001; National Vocational Education and Training Regulator Act 2011; Migration Act 1958 (Cth); National Code of Practice for Providers of Education and Training to Overseas Students 2018; the Higher Education Support Act 2003 (Cth); Privacy Act 1988 (Cth)	

## 1. Purpose:

The purpose of this document is to detail processes and policies by which VET and Higher Education tuition fees and refunds are managed at the Australian College of Applied Psychology (ACAP).

## 2. Scope:

This applies to domestic and international students.

## 3. Definitions:

Term	Definition
<i>Academic staff / teaching staff</i>	Permanent and casual employees engaged in teaching and assessment of courses at the institution.
<i>Census date</i>	The date when domestic students become liable for fees for the modules they are enrolled in. This is the last date domestic students can withdraw or change their enrolment without incurring a debt.
<i>College (the)</i>	The Australian College of Applied Psychology (ACAP).
<i>FEE-HELP</i>	A federal government loan to help eligible fee paying students to pay their tuition fees.
<i>International student/ Overseas student</i>	A student required to hold a student visa for study in Australia.
<i>Study period</i>	a discrete period of a year defined by its start date and end date where modules of study are offered. A study period may include one or more study breaks (lecture free period) during and/or at the end of a study period.
<i>Unit</i>	A unit of study in a higher education course or a unit of study, module and/or unit of competency in a vocational education and training course.
<i>VET Student Loans (VSL)</i>	A federal government loan program that helps eligible students enrolled in certain higher-level vocational education and training courses at approved course providers to pay their

Term	Definition
	tuition fees. VET Student Loans replaced the VET FEE-HELP loan scheme from 1 January 2017.
<i>VET FEE-HELP (VFH)</i>	A federal government loan that helped eligible students enrolled in higher-level vocational education and training courses at approved VET providers to pay their tuition fees. The VET FEE-HELP scheme ceased on 31 December 2016

#### 4. Policy

This policy outlines the basis on which ACAP charges students fees. It defines the types of fees and charges and provides the authorities to determine the types of fees; provisions for refunds; It implements the provisions of the Higher Education Support Act 2003 within the College.

The College offers different payment options such as FEE-HELP, VET FEE-HELP (VFH), VET Student Loan (VSL) and Full Upfront Payments. Payment options are selected by the student during the admission process and may be changed upon request by a student during his/her studies.

Fee collections are managed by the Student Experience Teams on campus. All financial transactions are reported to the Finance Director and are subject to standard control mechanisms and audit processes.

Fees are set annually and published in the Schedule of Fees available from the website.

Fees apply when a domestic student fails to withdraw from a module of study or program of study on or before the census date. There are no exemptions for poor attendance, claims of illness without supporting evidence, or a student not opting to use the ACAP’s facilities and resources. ACAP may re-credit or waive fees if special circumstances exist after reference to the HESA guidelines or the VET Student Loan Rules by the Campus Manager.

Re-enrolling students who withdraw from their studies after the relevant Census Date will be liable for their tuition fees paid upfront or will incur a FEE-HELP or VET FEE-HELP/VET Student Loans debt for their enrolment in that period, unless special circumstances apply.

##### 4.1 Communication of tuition fees and changes to fees

Domestic and international student fees for upcoming programs and current programs are published in the Schedule of Fees (supplied to prospective students upon initial enquiry). The Schedule of Fees is distributed with the Institution’s program registration documentation and made available online.

For FEE-HELP or VET Student Loan/VFH approved programs, ACAP sets and publishes a module fee schedule for the forthcoming study periods on or before the 1 April and 1 October in line with the requirements of the Higher Education Support Act 2003.

Fees are indicative, as module fees are charged according to the year the module of study is commenced and module fees are subject to annual adjustment.

##### 4.2 Student fees and GST

The College determines the GST status of its programs in line with the Australian Taxation Office Ruling GSTR 2001/1. GST is not currently applicable on tuition fees for accredited programs conducted by ACAP. Non-accredited programs eg: short courses are subject to GST.

### 4.3 Tuition fees payment options

Tuition fee payment options for domestic students include the following:

- Upfront payment of fees due on commencement date of a program or course.
- Payment of remaining fees as outlined in the Tuition Fee Invoice issued each trimester, is due by the first day of that study period.
- FEE-HELP and VET Student Loan/VFH (for approved programs and eligible students only).

Tuition fee payment options for international students include the following:

- First Trimester Tuition Fees should be paid at time of lodging the Student Admission Agreement. An eCoE will then be issued on receipt of this first instalment;
- Payment of Remaining Fees as Outlined in the Tuition Fee Invoice issued each study period, is due by the first day of that study period.

### 4.4 Packaged Programs

International students who satisfactorily complete the pre-requisite course of a packaged program and have received a Confirmation of Enrolment, but choose not to enrol in the principal College course will not receive a refund.

International students who fail to satisfactorily fulfil requirements and/or conditions for admission to the offered course (including failure to complete the pre-requisite course in a packaged program) and fail to gain admission to another course, will receive a refund of 80% of the initial deposit upon written application

For all non-FEE-HELP and VET Student Loans programs:

Tuition Fees are due on the first day of each module of study, program of study, course or program. Where an instalment payment option has been selected, fees are due on the due dates published in the Letter of Offer. The Institutions may set and publish separate administrative dates on which tuition fees have to be paid.

### 4.5 Commonwealth Assistance Notice

The College will issue a Commonwealth Assistance Notice (CAN) to each student that requested FEE-HELP or a VET Student Loan/VFH after each census date in accordance with the Higher Education Support Act 2003.

ACAP will send students a VET Student Loans Statement of Covered Fees for each fee period, for the program(s) enrolled in for that fee period. This is sent to the student's nominated personal email or postal address at least 14 days before the census day.

### 4.6 Fee refunds with regards to withdrawal from a program or module of study

For the purposes of this policy, withdrawal includes cessation or deferment of studies:

If a student withdraws after census date and requests a refund due to special circumstances, as defined in this policy and relevant acts, the request must be made in writing using the Application for Special Circumstances form available from the website.

The Application for Special Circumstances should be forwarded to the Campus Administration and should include all supporting documents as requested by Campus Administration. Where refunds are granted, students can request a statement showing how the refund amount was calculated. All refunds, if approved, will be transferred to the student within 4 weeks of receipt of the written request.

A refund can only be deposited to the account from which the original payment was made (excluding cash, cheque or Australian Money Order).

Refunds will be paid in Australian dollars, unless payment in that currency is impracticable.

### Domestic Students

In the event of a student withdrawing from a module of study on or before the census date for that module of study:

- 100% of tuition fees paid for that module will be refunded to the student; or
- the student will not incur a FEE-HELP or VET Student Loan/VFH debt.

In the event of a student withdrawing from a module of study after the census date for that module of study:

- no refund is applicable; or
- the student will incur a FEE-HELP or VET Student Loan/VFH debt.

A student may apply for re-crediting a FEE-HELP or VET Student Loan/VFH balance or any other occurred debt based on special circumstances in line with the HESA Guidelines. The application must be made on the designated form and accompanied by independent supporting documentation to the Campus Administration within twelve months from the date of withdrawal or in the case of VET Student Loans 12 months of the relevant census date.

For the College to be satisfied that special circumstances apply, the student will need to demonstrate that the circumstances:

- were beyond their control;
- did not make their full impact on them until on or after the census date(s) of the module(s) in question; and
- were such that they made it impracticable for the student to complete the requirements for the module(s).

The situation must be unusual, uncommon or abnormal to be considered as a special circumstance.

For circumstances to be considered by the College to be beyond a person's control, a reasonable person would consider that the affected person was not responsible either directly or indirectly for the circumstances, or as a result of the affected person's actions or inactions,

Special circumstances which would make it impracticable for the student to complete the requirements for the unit of study would include:

- Medical circumstances: where a student's medical condition has changed to such an extent that he or she is unable to continue studying; or
- Family/Personal circumstances: death or severe medical problems within a family, or unforeseen family financial difficulties, so that it is unreasonable to expect a student to continue studies; or
- Employment related circumstances: where a person's employment status or arrangements have changed so that the person is unable to continue his or her studies, and this change is beyond the person's control; or
- Course related circumstances: where the College has changed the unit it had offered and the person is disadvantaged by either not being able to complete the unit, or not being given credit towards other units or courses.

The College would decide, at its own discretion, that a student is unable to complete the requirements for a unit of study if the student is unable to:

- undertake the necessary private study required; or
- attend sufficient lectures or tutorials; or
- meet other compulsory attendance requirements in order to meet their compulsory course requirements; or
- complete the required assessable work; or
- sit the required examinations; or
- complete any other course requirements because of their inability to meet the above

The date of withdrawal is the date specified by the Campus as the date the application for withdrawal is received, or the last day of the period for which the student were enrolled in the module.

If a student is not satisfied with the decision made by ACAP, the student may apply, within 20 working days of the receipt of the original decision, apply for a review of the decision in accordance with the grievance policy and procedure published on ACAP's website.

If a student is unsatisfied with the outcome of ACAP's grievance process, the student can apply to have the matter resolved by the Administrative Appeals Tribunal in their state or territory.

Note that successful completion of a module means that the student cannot have the module cost re-credited.

For some programs (e.g. short programs and workshops) special withdrawal and refund rules apply. These rules are outlined in the registration documents and apply in addition to this refund policy.

The Australian Government implemented interim tuition assurance arrangements for the 2018 calendar year, for FEE-HELP, VET Student Loans and remaining grandfathered VET FEE-HELP students, while it considers tuition assurance beyond 2018.

Additional information about how to cancel your HELP debt under 'Special Circumstances' can be found at <https://www.studyassist.gov.au/paying-back-your-loan/cancel-your-help-debt-under-special-circumstances>.

#### **4.7 VET FEE-HELP student redress**

VET FEE-HELP debt incurred because of inappropriate conduct by a VET FEE HELP provider or their agent can be removed by the Department of Education and Training.

Students who believe they have incurred a debt because of inappropriate conduct by the College's RTO should be advised to contact the VET Student Loan Ombudsman (VSLO) at <https://vet.ombudsman.gov.au/> to seek redress.

#### **4.8 All other students including International Students**

In the event of the Department of Home Affairs refusing a student visa, all tuition fees received by the College are refunded in full. This excludes any enrolment or other administrative fees paid at enrolment.

Any prepaid Overseas Student Health Cover may be fully or partially refunded.

In the event of the Department of Home Affairs refusing a student visa, all tuition fees are refunded in full. This excludes any enrolment or other administrative fees paid at enrolment.

Any prepaid Overseas Student Health Cover may be fully or partially refunded in the event of your student visa being rejected or cancelled.

Time of cancellation	Amount refunded
<b>More than 10 weeks before trimester commencement date</b>	a full refund (less 10% or \$1000, whichever is the lesser for administration fees)
<b>More than 4 weeks and up to 10 weeks before trimester commencement date</b>	70% of the trimester's fees will be refunded
<b>4 weeks or less before trimester commencement date</b>	40% of the trimester's fees will be refunded (less a maximum of 10% or \$1000, whichever is the lesser, for administration fees).
<b>After a trimester commencement date but before the census date,</b>	30% of the trimester's fees will be refunded (less a maximum of 10% or \$1000, whichever is the lesser, for administration fees).
<b>Post census date</b>	No refund for the trimester fee

In the event that the student remains in credit following the payment of the cancellation fee, a refund to the value of the credit will be given.

If a student defers a program prior to the 30th day before commencement, the full amount paid will be held for a maximum period of one year and credited towards the student's future re-enrolment within that period.

This refund policy, and the availability of complaints and appeals processes, does not remove the right of a student to take action under Australia's consumer protection laws. Furthermore, the Institution's dispute resolution processes do not circumscribe the student's right to pursue other legal remedies.

**4.9 In the event that ACAP withdraws an International student from a program**

If ACAP withdraws a student from a program because the student has seriously breached international student visa conditions or the ACAP rules or code of conduct, no refund of the current trimester's fees will be made. Students will be formally notified when they are at risk of termination due to non-compliance with student visa conditions or ACAP's policies and procedures.

**4.10 In the event that ACAP does not provide a student's program in full**

If ACAP is unable to deliver a program in full for any reason, the student will be refunded the amount of their unexpended tuition fees. The refund will be paid to the student within 14 days from the day on which the program ceased being provided or did not commence.

In the unlikely event that ACAP does not start a student's program on the scheduled date, the student will be offered alternative program options on a case-by-case basis, and if none are suitable, at the discretion of the College, a refund of 100% of tuition fees will be paid to the student for that part of the program not delivered.

ACAP may arrange for another program, or part of a program, to be provided to students, at no extra cost to the student, as an alternative to refunding program money. Where the student agrees to this arrangement, ACAP will not be liable to refund the money owed for the original enrolment.

If ACAP is unable to provide a refund, or place an international student in an alternative program, the Australian Government Tuition Protection Services (TPS) will assist the student to find a suitable alternative program through the TPS on-line placement facility. After 30 days, if the student has not been able to source a suitable alternative program, they can apply for a refund which will be calculated by the TPS Administrator. If a refund is issued to the student, they have the option of

enrolling in a completely different program (without TPS assistance) or they must make alternative visa arrangements or return home.

As having a Confirmation of Enrolment is a condition of a student visa, the TPS Director would inform Department of Home Affairs of any student that has received a refund rather than a placement.

#### **4.11 Outstanding Fees**

VET Payment plans and account statements:

Tuition fees are due for payment upon the commencement of term. Due dates are distributed to students with their initial Letter of Offer. This means that a student must have selected a method of payment for their fees by this time.

If funding is via FEE HELP or VET Students must have completed all necessary paperwork and have loan funding confirmed.

Upfront payments are all due to be paid upon commencement of term. Students can request details of their outstanding Tuition

Fees from student administration or through the student portal. Students can also request an account statement stating all Tuition Fees charged and payments made at any time during their program.

#### **4.12 Collection of outstanding fees:**

In the event that a student's fees fall into arrears or, in the case of a student electing to pay their fees through FEE-HELP/VSL/VFH, failing to complete the Electronic Commonwealth Assistance Form (eCAF)) via the portal at <https://secure.navitas-professional.edu.au/feehelp/acap/he/form> ) once the student has commenced a program, the following procedure applies:

- Students will be notified in writing of outstanding fees /missing documentation for FEE-HELP/ VSL/VFH loan funding.
- A final reminder of outstanding fees / missing documentation for FEE-HELP/ VSL/VFH is sent whereupon the Campus will revoke access to the portal and withhold results for all assessments;
- A notification of force deferral of the program can be issued based on outstanding fees.
- The matter may be referred for debt collection. Without affecting any other right or remedy available to us, we may recover from the student, in addition to the outstanding amount, all reasonable costs incurred by us in collection of the outstanding amount;
- VET Student Loan (VSL) students who haven't applied for VSL will be force deferred prior to census under new VSL rules
- FEE-HELP/VSL/VFH students who have not completed the Electronic Commonwealth Assistance Form (eCAF) will be advised that their enrolment will be cancelled or deferred;
- Once the process of the debt collection agency has been exhausted, legal action to reclaim the debt may be instituted;
- Once the collection of debt has entered this phase, the matter is to be dealt with under jurisdiction of the Courts and in accordance with applicable legislation.

In the event that fees are not paid by the due dates, and subject to reasonable communication and attempts to resolve the issue following the steps listed above, the Institution reserves the right to cancel the student's enrolment.

All outstanding fees must be paid to ACAP prior to the release of official academic records and/or qualifications.

## 5. Procedure

### 5.1 Refund/Withdrawal Forms

Students applying for a refund of upfront tuition fees and/or a remission of FEE-HELP/VSL/VFH tuition should use the form listed below as applicable. All forms are available from the 'forms' section of the College website: <http://www.acap.edu.au/current-students/managing-my-course/a-z-forms/>

Students applying for a refund or remission of tuition fees should also ensure they have read the Student Rules on Enrolment provided on the College website. These can be found at <http://www.acap.edu.au/current-students/managing-my-course/enrolment/>.

### 5.2 Lodging a Refund Related Grievance/Complaint or Appeal

For information about lodging a grievance/complaint or appeal concerning the refund of upfront tuition fees refer to the College's *Grievances, Complaints and Appeals Policy and Procedures*. These can be found at:

<https://www.acap.edu.au/current-students/managing-my-course/a-z-policies/>

The availability of these complaints and appeals processes does not remove the right of the student to take action under Australia's consumer protection laws.

## 6. Document Management Control

Date	Summary of Changes	Author
2003	Initial approval (effective from 1/01/2004)	Business Manager, Finance
1/07/2012	Review and major amendment	Business Manager, Finance
1/03/2014	Template change	Business Manager, Finance
1/12/2014	Minor amendment	Business Manager, Finance
11/07/2016	Transition to new policy template	Business Manager, Finance
14/08/2018	Review and significant amendments	Finance Director
12/10/2018	Change of template	VET Compliance Manager
4/03/2019	Insert 'VET FEE-HELP student redress'	Dean