

Student Refund Procedure

Document Owner	Chief Executive Officer		
Responsible Officer	Executive Principal		
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Related Documents	<i>Legislative and Regulatory Compliance Letter of Offer and Written Agreement National Code Compliance Student Fees Policy Student Refund Policy</i>		
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2.2	Chief Executive Officer	18/10/2019	1/01/2020

This Procedure implements Australian College of Business Intelligence's (ACBI's) *Student Refund Policy*.

1. Scope

This Procedure applies to all staff at ACBI with responsibility for the administration of refunds to students, and to commencing and continuing students.

2. Definitions

Census date: the date on which student enrolment is finalised, after which students are liable for all associated course and tuition fees. Census date is Friday of week 3 each term.

Commencing student: a student who has accepted an offer of a place at ACBI who has yet to commence their studies at ACBI.

Compassionate or compelling circumstances: circumstances beyond the control of the student which will have an impact upon the student's progress or wellbeing.

Continuing student: a student who has completed at least a term of study and is eligible to remain enrolled in the course.

Course: a course of study, comprising units of competency, the successful completion of which results in the awarding of a qualification, such as a Diploma.

Deferral: a delayed commencement by an applicant who has received an offer of a place in an ACBI course.

Domestic student: Australian citizens, New Zealand citizens, or holders of an Australian permanent visa (holders of all categories of permanent resident visas including Humanitarian Visas).

Overseas student: a student who is not a domestic student and who may hold a student visa and is protected by the *Education Services for Overseas Students Act 2000* legislative framework.

Leave of absence: an approved period during which a student is not enrolled in any subject.

Provider default: failure of a registered provider to provide or continue to provide a course.

Non-tuition fees: fees charged by ACBI that are not for tuition, such as reassessment of study outcomes, deferral, late payment of fees.

Tuition fees: fees received by ACBI that are directly related to the provision of a course that ACBI is providing, or offering to provide, to a student. These fees can be received either directly or indirectly from a commencing student or continuing student or from another person who pays the money on behalf of a commencing student or continuing student.

Tuition Protection Services (TPS): an initiative of the Australian Government to assist overseas students whose education providers are unable to fully deliver their course of study.

Withdrawal: the discontinuation of enrolment in a unit of competency or course by a student.

Withdrawal date: the date specified in the written notice as the date a student's withdrawal takes effect or when the student's enrolment was cancelled.

3. Procedure

3.1. Application to withdraw, defer, or leave of absence

If the student wishes to withdraw from an ACBI course or unit of competency, or defer the commencement of their studies at ACBI, or take leave, and receive a refund for unspent tuition fees, the student is to complete the following 2 forms and submit them to Student Services:

- *Application for Withdrawal or Application for Deferral or Application for Leave*; and
- *Refund Application Form*.

To assist the College, you must clearly state the reasons for the refund request and supporting documentation must be supplied where applicable.

The refund amount will be calculated by the Fees Officer in accordance with the *Student Refund Policy*, which can be accessed from the ACBI website. Refunds will be paid to the student, or to a person other than the student as specified in the *Letter of Offer and Written Agreement*, within 28 days from the date the applications were lodged. ACBI will also provide a statement that explains how the refund amount has been calculated.

3.2. Compelling and compassionate circumstances

If student have experienced exceptional circumstances that have prevented them from successfully completing the course or unit/s of competency, ACBI may, at its discretion, grant a full refund of tuition fees or a higher percentage than stated above. The student's application for a refund will need to include evidence of compelling and compassionate circumstances. These circumstances include medical and other special circumstances.

For further details of compelling or compassionate circumstances and evidence requirements, refer to the *ACBI Student Fees Policy*, which can be accessed from the ACBI website.

In determining the amount of the refund, if any, ACBI will take into consideration when the compelling or compassionate circumstances occurred i.e.:

- on or after the census date; or
- before the census date but worsened on or after that day.

3.3. Automatic refunds

If a refund of unspent tuition fees is decided for the following reasons, ACBI will automatically process the refund:

- **transfer** – when a student successfully applies to transfer their enrolment to another ACBI course, unspent tuition fees will be automatically transferred to the new enrolment; and

3.4. Overpayment

If a student has overpaid an invoice, the student can contact the Fees Officer and elect to credit the overpayment towards the following term or receive a refund of the value of the overpayment.

3.5. Refunds due to a complaint or appeal

If the outcome of a formal complaint or appeal under the *Student Complaints and Appeal Policy* involves a refund of tuition student fees, the refund will be automatically processed by ACBI. Refunds will be repaid to the student, or to a person other than the student as specified in the *Letter of Offer and Written Agreement*, within 28 days from the date the applications were lodged. ACBI will also provide a statement that explains how the refund amount has been calculated.

The Fees Officer will follow up unclaimed refunds within 28 days.

3.6. Refunds due to course cancellation (provider default) – overseas students

If ACBI cancels a course, it will notify:

- the Secretary of the Department of Education and Training and the Tuition Protection Service (TPS) Director within three working days; and
- overseas students enrolled the course in writing, and give the following options:
 - transfer their enrolment to another course offered by ACBI at no additional cost;
 - be offered a place in a similar course of study offered by another institution, leading to a comparable award, at no additional cost; or
 - receive a refund of all unspent portion of prepaid tuition fees within two weeks of the date of course cancellation. ACBI will also give the student a statement that explains how the refund amount has been calculated.

Within seven days of the alternative course or refund being offered to overseas students, ACBI will notify the Secretary of the Department of Education and Training and TPS Director of provider default outcomes.

- If ACBI is unable to provide a refund or place the student at an alternate course, the TPS Director will place the student in a suitable alternative course at no extra cost to the student.
- If a registered provider of an alternative course offers the student a place in the course, the student may accept the offer in writing within 30 days after the end of the provider obligations period unless the period is varied by the TPS Director.

- If TPS cannot place the student in a suitable alternative course, the student will be eligible for a refund as calculated by the TPS Fund Manager.

The TPS Director may recover from a provider as a debt the amount equal to the amount paid for a student under the TPS.

3.7. Refunds due to course cancellation (provider default) – domestic students

If ACBI cancels a course, it will notify domestic students enrolled the course in writing and give the following options:

- transfer their enrolment to another course offered by ACBI at no additional cost;
- be offered a place in a similar course of study offered by another institution, leading to a comparable award, at no additional cost; or
- receive a refund of all unspent portion of prepaid tuition fees within two weeks of the date of course cancellation. ACBI will also give the student a statement that explains how the refund amount has been calculated.

4. Breaches

If a student or staff member is found to be in breach of this Procedure, she or he may be subject to disciplinary action in accordance with the relevant *Code of Conduct* and *Misconduct Procedure*, which can be accessed from the ACBI website.

5. Appeals

Appeals concerning any decision taken in relation to this Procedure should be made under the relevant *Complaints and Appeals Policy*, which can be accessed from the ACBI website. Overseas students may lodge an appeal with the Overseas Students Ombudsman.

6. References

Education Services for Overseas Students Act 2000 (Cth)

Education Services for Overseas Students Regulations 2001 (Cth)

ESOS Legislation Amendment (Tuition Protection Services and Other Measures) Act 2012 (Cth)

Standards for Registered Training Organisations 2015, Standards 5.3, 7.3

National Code of Practice for Providers of Education and Training to Overseas Students 2018, Standard 3

7. Acknowledgements

In developing this Procedure, ACBI acknowledges:

- AIBI Higher Education's *Student Refund Procedure*

Document History:

Version	Date	Author	Reason	Sections
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1.0		Fabio Mejia	Original version	All
2.0	9/10/2019	Stephen Andrews	Initial draft of revised version	All
2.1	16/10/2019	Fabio Mejia	Reviewed and revised as required.	All
2.2	18/10/2019	-	CEO approval	All