

Student Refund Policy

Policy Category	Management		
Document Owner	Chief Executive Officer		
Responsible Officer	Head of Finance		
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Related Documents	<i>Admissions Policy</i> <i>Admissions Procedure</i> <i>Legislative and Regulatory Compliance</i> <i>Letter of Offer and Written Agreement</i> <i>National Code Compliance</i> <i>Student Fees Policy</i> <i>Student Refund Procedure</i>		
Version	Authorised by	Approved	Effective Date
1.1	Executive Management Committee	11/07/2019	11/07/2019

1. Context

This Policy supports AIBI Higher Education (AIBI HE)'s commitment to fair trading practices.

This Policy sets out the expectations and requirements of AIBI HE with respect to the administration of refunds to students, in accordance with relevant legislation and regulations, and the payment of fees.

2. Definitions

Australian Student Tuition Assurance Scheme (ASTAS): protection for domestic students in the event that AIBI HE ceases to provide the course in which they are enrolled, ensuring they are able to complete their studies in another program or with another education provider or receive a refund of their unspent tuition fees.

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

Commencement date: the first day of a trimester.

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

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 trimester of study and is eligible to remain enrolled in the program.

Deferral: a delayed commencement by an applicant who has received an offer of a place in an AIBI HE program.

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).

Higher Education Standards Framework (Threshold Standards) 2015: these standards are the basis for the regulation of higher education providers and courses in Australia by the Tertiary Education Quality and Standards Agency (TEQSA).

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 program.

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

Program: a course of study, comprising units of study, the successful completion of which results in the awarding of a qualification, such as a bachelor's degree.

Tuition fees: fees received by AIBI HE that are directly related to the provision of a program that AIBI HE 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.

Unit: a separate subject of study which, in combination with other units, make up a program.

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 or program 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. Scope

This Policy applies to all staff at AIBI HE with responsibility for the administration of refunds to students, and to commencing and continuing students.

4. Principles

The key principles informing this Policy are:

- transparency – information regarding refunds is to be accurate, comprehensive, easily accessible, and written in plain English;
- equity – all students will be treated fairly and equally;
- timely – all matters relating to student refunds are to be addressed in a timely manner; and
- consistency – students will be provided with consistent information regarding fees.

5. Policy details

5.1. Commencing students

Students who have accepted an AIBI HE *Letter of Offer and Written Agreement* may be entitled to a refund of tuition fees paid if their application to withdraw from the program or defer the commencement of their studies is approved. The amount of tuition fees refunded is dependent on when the application was lodged, with the details as follows:

- 28 calendar days prior to commencement date: 100%
- 14 calendar days prior to commencement date: 50%
- After commencement date but before census date: 25%
- After census date: 0%

Regardless when a commencing student applies to withdraw, enrolment fees are non-refundable.

Under the following circumstances, the student will be granted a refund of 100% of tuition fees paid:

- AIBI HE is unable to provide the program for which a student has accepted an offer;
- the student is unable to meet the conditions of the offer;
- the student has not achieved the required results to proceed on a packaged offer pathway.

If a student has provided incorrect, incomplete, false or misleading information, 0% of fees will be refunded.

If a student advises AIBI HE in writing prior to the census date of their intention to defer the commencement of their studies until the next, and this is approved, AIBI HE will transfer the associated tuition fees to that intake.

For overseas students unable to obtain a visa, the refund will be calculated as the amount of tuition and non-tuition fees received by AIBI HE, minus the lesser of the following amounts:

- 5% of the amount of tuition and non-tuition fees received by AIBI HE; or
- AUD\$500.

5.2. Continuing students

Continuing students may be entitled to a refund of unspent tuition fees if their application to withdraw from the program or a unit of study or leave of absence is approved. The amount of tuition fees refunded is dependent on when the application was lodged, with the details as follows:

- 28 calendar days prior to commencement date: 100%
- 14 calendar days prior to commencement date: 50%
- After commencement date but before census date: 25%
- After census date: 0%

5.3. Compelling and compassionate circumstances

If a student has experienced exceptional circumstances that have prevented them from successfully completing the program or unit/s of study, AIBI HE 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 AIBI HE *Assessment Policy*, which can be accessed from the AIBI HE website.

In determining the amount of the refund, if any, AIBI HE 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.

5.4. Transfer

Once a student has commenced a program and successfully applies to transfer their enrolment to another AIBI HE program, unspent tuition fees will be automatically transferred to the new enrolment.

5.5. Program cancellation (provider default)

If an AIBI HE program is cancelled, AIBI HE will mitigate disadvantage to:

- **overseas students** by meeting the statutory obligations regarding tuition protection as set out in the Tuition Protection Services framework;
- **domestic students** by meeting the regulatory obligations regarding tuition protection requirements of the *Higher Education Standards Framework 2015* through adequately resourced financial and tuition safeguards. These safeguards are made available to AIBI HE through Australian Student Tuition Assurance Scheme.

If a program is cancelled, students will be notified in writing and given the option to:

- transfer their enrolment to another program offered by AIBI HE at no additional cost; or
- be offered a place in a similar program 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 program cancellation. AIBI HE will also give the student a statement that explains how the refund amount has been calculated.

5.6. Variation in residency status

Overseas students who are granted permanent residency in Australia and notify AIBI HE:

- **prior to a commencement date** will be defined as a domestic student and are therefore eligible to pay domestic tuition fees. Passport evidence must be provided to AIBI HE prior to the commencement date. Additional tuition fees paid as an overseas student for the forthcoming session will automatically be refunded;
- **prior to the trimester's census date** will immediately be defined as a domestic student and will be entitled to a re-credit of any difference between the tuition fee applied to domestic students and overseas students; or
- **after the trimester's census date** will be classified as an overseas student for the remainder of the study period and will continue to be liable for overseas tuition fees for the current period. From the subsequent study period, the student will then be categorised as a domestic student and will be invoiced for domestic tuition fees.

5.7. Overpayment

If a student has overpaid an invoice, the student will be able to elect to credit the overpayment towards the following trimester or receive a refund of the value of the overpayment.

5.8. Payment of refunds

Payment of refunds will be made within four weeks of receiving the *Application for Refund* form or a written complaint. Payment will be made by electronic funds transfer (EFT) and will be made in Australian Dollars (AUD) or its foreign exchange equivalent.

5.9. Non-refundable fees

Administrative fees (e.g. late fees) are non-refundable.

6. Breaches

If a student or staff member is found to be in breach of this Policy, 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 AIBI HE website.

7. Appeals

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

8. References

Education Services for Overseas Students Act 2000 (Cth)

Education Services for Overseas Students Regulations 2001 (Cth)

Education Services for Overseas Students (Calculation of Refund) Specification 2014 (Cth)

Education Services for Overseas Students Legislation Amendment (Tuition Protection Services and Other Measures) Act 2012 (Cth)

Higher Education Standards Framework (Threshold Standards) 2015 – Part A, Standards 1.1, 6.2, 7.2

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

Document History:

Version	Date	Author	Reason	Sections
0.1	5/6/18	Stephen Andrews	Revised in response to Executive Management Committee feedback 22/5/18, and approved Policy Development and Review Framework	All
1.0	22/6/18	Julien Marechal	Revised in response to Executive Management Committee feedback 19/6/18	Definitions, 5.3
1.1	16/7/19	Stephen Andrews	EMC decision 11/7/19 re timing of census date.	Definition of 'census date'