

Domestic Students Withdrawal and Refund Policy and Procedure

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1. Purpose

This policy is designed to assist the College in assessing domestic student applications for a full or partial refund of tuition fees paid in advance following their withdrawals from a course or unit of study. It also provides clear information to domestic students regarding refund terms and conditions.

2. Scope

The policy applies to all commencing and re-enrolling domestic students and to students seeking to withdraw from a course or courses they have already enrolled in. This policy excludes the onshore overseas students who are on a student visa covered in a separate policy and procedure.

This policy does not affect a student's right to submit an internal complaint and or external complaint nor does it affect a student's right to take action under Australia's consumer protection laws.

3. Definitions

Item	Definition
<i>Appeal</i>	The review of a decision made by CHS under this policy.
<i>Applicant</i>	The student making an application to CHS under this policy.
<i>Assessor</i>	The designated CHS staff member assessing a refund application in special circumstances in accordance with the CHS Refund Policy and Procedure.
<i>Census date</i>	The final day for withdrawal from a course or unit of study without incurring academic penalty. A domestic student cannot enrol or withdraw from units after census date without significant academic and/or financial penalties.
<i>CHS</i>	ECA Higher Education Institute trading as ECA College of Health Sciences
<i>Course</i>	A program of study leading to a formal CHS qualification.
<i>Exceptional and Special Circumstances (Compassionate and compelling circumstances)</i>	<p>Situations which are generally beyond the control of the student and which have an adverse impact on the student's capacity and/or ability to commence their course on the scheduled start date, but within two weeks of that date; or to attend scheduled classes for a significant period of time during the enrolment period.</p> <p>Such circumstances include, but are not limited to: inability to begin studying at the scheduled date due to serious illness or injury, where a verified medical certificate states that the student was unable to attend on the commencement date and/or for a significant time through the course bereavement of close family members such as parents, siblings or grandparents (where possible a death certificate should be provided) the student recently giving birth or a student's partner recently giving birth, thus preventing commencement on the published start date or attendance for some time through the course (with supporting documentation) major natural disaster directly impacting the student or student family, or requiring their emergency travel to their home town; and a traumatic experience.</p>
<i>Credit</i>	The positive balance of a student account, being a balance greater than zero, as a result of an over-payment of fees to CHS.
<i>Critical incident</i>	A traumatic event, or the threat of such (within or outside Australia), which causes extreme stress, fear or injury.

Item	Definition
<i>Defer/Deferment</i>	To temporarily delay or postpone the commencement of studies.
<i>Domestic Student</i>	Any person who is enrolled in any course or program offered at, or in conjunction with, CHS who is a citizen of Australia or a permanent resident of Australia or a citizen of New Zealand or a person on a permanent humanitarian visa.
<i>EFTSL</i>	One Equivalent Full Time Student Load (EFTSL) denotes a student undertaking the full time study load over the year in an award course. Note that there are only 2 compulsory semesters in a given year.
<i>Evidence</i>	Will vary with regard to the specific circumstances, but could include: relevant Immigration visa documents; relevant travel documents; relevant media reports relating to a natural disaster impacting on a student's area of residence; a relevant medical, death or birth certificate; a police incident report; a social worker's report; and/or a psychologist's report. Certificates not written in English must be translated into English by approved NAATI translators.
<i>FEE-HELP</i>	A loan scheme to help eligible non Commonwealth supported (fee paying) students pay their tuition fees.
<i>HECS HELP</i>	The loan scheme offered by the Government to help eligible Commonwealth supported students pay their student contribution amount. A student may decide to pay their fees upfront in which case a discount of 10% applies.
<i>LoO</i>	Letter of Offer - a written offer made by CHS to a prospective student offering them an enrolment place in a course.
<i>Non-tuition fees</i>	Includes: Enrolment Fee Change of Course Fee Other administrative fees
<i>Principal course</i>	The final course providing the highest qualification in a student's sequenced package of courses
<i>Principal course provider</i>	The registered provider delivering the final or principal course in a student's sequenced package of courses.
<i>Prospective student</i>	A student who intends to enrol in a course offered by CHS.
<i>Refund</i>	An overpayment of fees or charges which is reimbursed to the payee.
<i>Study Period</i>	Refers to a semester or a trimester
<i>Tuition fees</i>	The total tuition fees for study in an applicable Course or Study Period of an applicable Course. This includes the Initial Course Tuition Fees paid upfront as a condition of securing an offer of a place in the applicable course/s; and any remaining fees due to be paid for the applicable Course or Study period in the applicable Course/s.
<i>Unit of Study</i>	A component of an award course that is normally completed over a study period.

4. Contractual Relationship

If a prospective student applies for and accepts a place offered by CHS, pays the stipulated amount or applies for and is eligible for FEE-HELP or HECS-HELP (when offered by CHS) and signs the Agreement attached to the letter of offer, a binding contract has been created between the student and CHS.

The terms for the refund of tuition fees adopted by CHS are in line with the Higher Education Support Act 2003 (HESA) where appropriate.

5. Refund Terms and Conditions

This policy, terms and conditions, the associated procedure and templates form part of the binding contract between CHS as the provider and student.

5.1 Responsibilities

CHS's Director of Administration and Student Services/Registrar is responsible for the implementation of this Policy at CHS. He or she may designate a Student Services Officer as point of contact for receiving and timely processing of the applications for refund from domestic students.

Students need to make themselves aware of the formal process for withdrawal from a course or a unit of study or variations to their enrolment in the study period under consideration.

Where applying for withdrawal and refund on grounds of exceptional circumstances, students are responsible for providing valid supporting documentation with their application. Failure to do so may impact the College's ability to make a full, fair and reasonable assessment of the impact of the exceptional or special circumstances on which the application is based.

The College must advise students of the type of evidence required from a student in order to enable the College to assess his or her application in exceptional circumstances (see the definition given above for *exceptional and special circumstances*).

5.2 Refund Rules

If a domestic student withdraws formally from a course or a unit of study prior to the applicable census date he or she is entitled to receive a full refund for all units enrolled in and paid in advance.

If a domestic student withdraws formally from a course or a unit of study after the applicable census date he or she will not be entitled to receive a refund except where there are exceptional or special circumstances. Applications received formally from domestic students applying for refund after the census date under exceptional or special circumstances are assessed based on the following considerations:

- There is evidence that proves exceptional and or special circumstances beyond the student's control;
- These circumstances had or will have a material impact on the student's ability to pursue his or her course or unit of study in the prescribed period; and
- There is no likelihood that the student will be in a position to complete the course requirements even when special arrangements are made for the student by the College.

Domestic students subjected to exceptional and/ or special circumstances may be offered the option to defer their studies or to receive a refund pursuant to this Policy.

Offshore and online students are subject to the same refund rules as the domestic students. This excludes students studying onshore on a student visa and completing part of their studies offshore under exceptional or special circumstances. The refund rules applicable to overseas students onshore on an

overseas student visa shall apply to those completing part of their studies offshore. Enrolment and or other administrative fees and charges are not normally refundable.

5.3 Procedures

5.3.1 Applications

All applications should be in writing, using the signed application form which can be downloaded from the College website or online through the student portal.

Domestic students applying for withdrawal from a unit of study or a course before the census are normally entitled to a full refund of the tuition fees. A written and signed application from the students shall be sufficient for refund purposes.

The Registrar shall acknowledge receipt of the application within 5 business days and advise students of the process that shall be applied to assess and determine the application outcome. If a student is applying under exceptional or special circumstances the Registrar shall check the adequacy of documentary evidence supplied and advise the student of the need for additional documents. The refund process shall be kept on hold until the student supplies the requested documentary evidence.

Domestic students withdrawing from a unit or a course have up to 12 months from the time they originally enrolled in that unit or course to lodge an application for refund.

5.3.2 Assessment and Outcomes

The Registrar or the nominee shall assess an application for refund and determine if the student is eligible for a refund under this Policy. This is generally completed within 15 business days from the time an application for refund is lodged with full supporting documentation. The assessment outcomes are then sent to the Finance Officer who shall determine the full amount due to the student. The Registrar shall send an outcome letter to the student within 20 business days from the date the application and the supporting documents have been received.

The Outcome Letter shall explain the process followed and the basis for the decision as well as the student's right to request an internal review of the decision.

The applicant may appeal the refund decision within 10 business days from receiving the outcome letter. The Appeal Committee shall review the decision and respond to the applicant through the Registrar within 10 business days from the date that the appeal lodged with the College. Domestic students have the right to external review and/ or are entitled to lodge a claim through courts under the Australian consumer laws.

Refunds cannot be made to third parties on a student's behalf and must be made directly to the applicant.

5.3.3 Academic Records

If a domestic student withdraws from a course or a unit of study before the census date it is considered as a withdrawal without penalty. If a student withdraws from a course or a unit of study after the census date the academic records shall show '*Absent Fail*' (AF) for units that the student was enrolled in but withdrew from after the census date. The notation 'W' shall be used for situations where a student withdraws after the census date but upon successful application is deemed to have met the criteria for exceptional or special circumstances.

If a student withdraws from a unit or a course after the census date and is assessed as failing to meet the exceptional or special circumstances test, then the academic records shall show '*Absent Fail*' (AF) for units that the student was enrolled in.

Students who are assessed as Absent Fail may apply to the Dean to request their grades be changed to W. The Dean may approve such requests based on consideration of the history and academic performance of student prior to withdrawing from the course or unit of study. The appeal for change of grade if successful does not reduce or eliminate student's financial liability to the College for default.

