

## FEES AND REFUNDS POLICY

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\* Unless otherwise indicated, this Policy will still apply beyond the review date.

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### Document Control

Version #	Date	Key changes
1.0	23/02/2018	Approved by Council
1.0a	6/05/2019	Format updated
1.1	27/05/2020	Removed Fee Refund Schedule to Fees and Refunds Procedure per approval Council Mtg 2/20
1.2	3/08/2020	Minor grammatical error addressed in 5.3.1
1.3	16/09/2021	Removed clauses 4.3.4 and 4.3.5 to remove reference to capping increases to tuition fees. Updated reference to Higher Education Standards Framework (Threshold Standards) 2021

## 1. PURPOSE

1.1 The Fees and Refunds Policy explains how Adelaide Institute of Higher Education (AIHE) determines and administers student fees and charges. This includes the collection and refund of student fees.

## 2. SCOPE

2.1 The Fees and Refunds Policy applies to applicants and currently enrolled domestic and international AIHE students, and staff involved in the provision of education and services for students and clients.

## 3. POLICY STATEMENT

3.1 AIHE provides a fair, transparent, effective, and efficient approach to the determination and administration of student fees and charges.

3.2 AIHE sets student fees in accordance with relevant legislation.

## 4. POLICY PRINCIPLES

4.1 Fees are payable by domestic and international students. Once a student accepts an offered place and pays fees, a binding contract is created between the student and AIHE. The person signing the acceptance forms is liable for payment of all fees.

4.2 AIHE will determine:

- tuition fees for each course in which students are enrolled;
- administrative charges; and
- incidental fees for goods and services that are provided in conjunction with a subject or course in compliance with the Higher Education Support Act (2003).

4.3 Council annually sets and approves tuition fees and administrative charges for international and domestic students in accordance with relevant legislation as set out in the annual AIHE Schedule of Fees and Charges.

4.3.1 Annual tuition fees are based upon standard or average load and normal progression, with pro-rata fees applying to non-standard loads.

4.3.2 The fees charged to international students must be greater than or equal to a minimum indicative fee specified by the Commonwealth. All AIHE fees will be set above these minimum requirements.

4.3.3 AIHE reserves the right to annually adjust course tuition fees. Changes to course tuition fees will be applied at the beginning of each calendar year.

4.4 Council may set and approve incidental fees for goods and services provided to students that are not essential to their program of study, or where the goods/services are also made available to students in an alternate form, free of charge. They may also include fines or penalties, provided that they are levied principally as a disincentive and not in order to raise revenue or cover administrative costs. Incidental fees are payable by students based on use and are not generally refundable.

4.5 AIHE will publish accurate and timely information on student fees for prospective and current students. AIHE will ensure that:

- accurate and accessible information is available about all fees and charges, including tuition fees, invoice due dates and payment methods;
- fees are clearly stated on the Letter of Offer;
- information about student tuition fees is available to students, by the publication of the fees on the AIHE website on or before the earliest enrolment date for the course of study as determined by AIHE;
- the published fees include sufficient information to enable a pro-rata calculation of the fee for each subject in a course;
- multiple payment options are available for students;
- due dates for payment of invoices are communicated through the student portal;
- fees and charges that are not included in the annually approved AIHE Schedule of Fees and Charges are not levied against students;
- incidental fees are levied at the time of consumption;
- fee statements, which include tuition fees are available to students approximately two (2) weeks prior to the start of the relevant semester; and
- processes are in place for managing student grievances, disputes and administrative errors in relation to student fees and refunds.

4.6 Students must pay fees by the due date or clear any outstanding debts to be entitled to services and privileges of AIHE. Hence, students are responsible for ensuring that:

- their enrolment record is correct by the census date for each study period in which they enrol;
- their personal contact details are accurate;
- correspondence related to student fees and due dates for payment are read and acted upon in accordance with the relevant timelines;
- tuition fees are paid by the due date; and
- all other charges accrued are paid by the due date.

4.7 Students experiencing difficulties in paying fees can apply for assistance.

4.8 AIHE Scholarships may be available for all or part of a student's tuition fees.

4.9 Students can have fees refunded in certain circumstances. Refunds will be assessed in accordance with the refund policy that applies at the time the completed Refund Request Form is submitted. The refund will be calculated in accordance with the conditions set out in the Fee Refund Schedule (refer Appendix 1).

4.9.1 If a student requests a refund, the request must be made in writing in English on the Refund Request Form. A copy of the refund request will be recorded against the student's record.

4.9.2 A student who withdraws from one subject prior to the census date will not be liable for tuition fees for that subject.

4.9.3 A student who withdraws after the census date may apply for a refund of tuition fees paid in accordance with the Fee Refund Schedule.

4.9.4 In cases where a student has been suspended or excluded due to misconduct, the student will not be eligible to apply for a repayment of fees by demonstrating that special circumstances apply.

4.9.5 Where a student is being investigated for misconduct, refunds (where applicable) will not be made, pending the outcome of the investigation.

4.9.6 Administration or transaction fees charged by a financial institution are not refunded unless the refund arises from a decision or action by AIHE.

4.9.7 AIHE will charge an administration fee in relation to refund requests as detailed in the Schedule of Fees and Charges.

4.9.8 Allowed refunds will be paid within four (4) weeks of receiving the completed Refund Request Form.

4.10 Approved refunds will be paid to the entity or individual who made the initial payment by bank transfer or international transfer where an international student is located overseas.

#### **4.11 Australian Consumer Law**

This Refund Policy, and the availability of a complaints and appeals process, does not remove the right of a student to take action under Australia's consumer protection laws.

### **5. REFUND CONDITIONS**

#### **5.1 Census date**

5.1.1 Any amendments to study received after the census date does not change the liability for the payment of fees.

#### **5.2 Deferral**

5.2.1 Where a student wishes to defer the start of their course, the fees will be held without penalty for 12 months only.

5.2.2 If the student subsequently withdraws, the refund will be calculated as at the date of receipt of the original request for deferral.

#### **5.3 Leave of absence**

5.3.1 Where the Head of School approves a student's request for a leave of absence from their course within the first three (3) weeks of a study period, the fees will be transferred to a later start date without penalty. If the student subsequently withdraws the refund will be calculated from the date of receipt of the paperwork.

5.3.2 For refund purposes, where a student is granted leave of absence from the fourth (4th) week of the study period, it will be treated as a withdrawal.

#### **5.4 Exceptional circumstances**

5.4.1 A student whose cancellation of enrolment was due to exceptional circumstances may request a change to the refund specified in the Fee Refund Schedule below

5.4.2 Requests must be made in writing to AIHE within 12 months of the date of the withdrawal or leave of absence.

5.4.3 Requests must outline the exceptional circumstances concerning the withdrawal and include documentary evidence such as medical certificates to support the request.

5.4.4 AIHE will only accept medical certificates signed by registered medical practitioners, health practitioners or approved health specialists. Back-dated medical certificates will not be accepted except at the discretion of the General Manager.

#### **5.5 International students granted Permanent Residency**

5.5.1 International students granted Permanent Residency (PR) in Australia may become eligible for domestic student tuition fees. PR status is recognised from the date residency is granted by DIBP. If the international tuition fee has already been paid, the difference between that fee and any owing under the applicable rate for a permanent resident in that course will be refunded if the student provides original documentation to prove PR status by the census date for that study period.

5.5.2 If PR is granted after the census date, the student is classified as an international student for the remainder of that study period and must pay international tuition fees for that study period. From the following study period, the student is classified as a Permanent Resident and will be charged the appropriate domestic student fee.

## **5.6 Return to studies**

5.6.1 A student who has been subject to a cancellation charge and returns to their studies no more than two (2) study periods after their withdrawal may apply to have 50% of their cancellation charges credited to their account.

5.6.2 Amounts will only be credited to the tuition account when the new application has been accepted and payment of the initial fee amount received.

5.6.3 Should the student subsequently withdraw, the amount credited will be reversed and new cancellation charges will be calculated in accordance with the applicable Fee Refund Schedule.

## **5.7 Provider default**

5.7.1 In the unlikely event that AIHE is unable to deliver the agreed course in full, the student will be offered a refund of all the course money paid to date. The refund will be paid within 14 days, of the day on which the course ceased being provided.

- Alternatively, the student may be offered enrolment in an alternative course by AIHE at no extra cost. The student has the right to choose a full refund of tuition fees, or to accept a place in another course. If a placement in another course is chosen, the student will be asked to sign an offer letter indicating acceptance of the placement.
- If AIHE is unable to provide a refund, or place the student in an alternative course, then, under Division 3, the Tuition Protection Services, TPS Director will provide the student with options for suitable alternative courses (if any such courses are available).

## **5.8 Student default – refund under the Letter of Offer**

5.8.1 The Letter of Offer:

- directs the student to read and acknowledge their understanding of the refund requirements that apply if the student defaults; and
- meets the requirements (if any) set out in the National Code.

5.8.2 In the event of a student default, AIHE will pay the refund due within four (4) weeks of receiving a written claim from the student.

## **5.9 Refund when a visa is refused or visa renewal rejected**

5.9.1 On receipt of proof of visa refusal or if the letter of offer was not signed, the student will be entitled to a refund of funds received in accordance with Appendix 1.

5.9.2 AIHE will pay the refund due within four (4) weeks after the receipt of the paperwork. The receipt date is calculated from the date the completed (in full) refund form is submitted.

5.9.3 Where a commencing student has an AIHE packaged offer then the refund under a visa refusal will be calculated in accordance with the provisions for Withdrawal from Course (commencing) – More than 10 weeks prior to the commencement of the course.

5.9.4 Where an international student's visa renewal is rejected due to a breach in visa conditions, the student must withdraw from AIHE and there will be no refund.

## **5.10 Scholarships**

5.10.1 Recipients of scholarships who withdraw from their packaged AIHE pathway will have their scholarship revoked and their refund of tuition fees will be reduced by the amount of the original scholarship credit.

## **5.11 False or misleading information**

5.11.1 If a student is found to have provided false or misleading information at any time, excluding visa refusal AIHE reserves the right to retain up to 100% of any course fees paid and the Department of Home Affairs will be informed.

5.11.2 In the event that the student has enrolled AIHE may terminate that student's enrolment and there is no entitlement to a refund.

## **5.12 Other refund conditions**

5.12.1 No refunds of tuition fees will be given if a student has either completed their AIHE course, withdrawn or had their enrolment terminated for unsatisfactory progress. A student whose enrolment is terminated by AIHE during the course of a study period as a result of seriously breaching AIHE rules will not be entitled to any refund of tuition fees.

5.12.2 Any overpayment of fees by a student will remain credited towards their account and be applied against charges in the next study period or refunded in full if there is no subsequent study period.

5.12.3 A student who fails to re-enrol in a study period by the last day to enrol will be deemed to have withdrawn from their course. Cancellation charges will be applied effective of the last day of enrolment.

5.12.4 AIHE reserves the right, at its own discretion, not to offer a course previously made available. Where a student is unable to enrol in a similar course at AIHE and the enrolment is cancelled they will be refunded in accordance with the Fee Refund Schedule.

5.12.5 International students who cancel their health cover and provide evidence of replacement cover will be entitled to a refund of the unused premium.

## **6. ROLES AND RESPONSIBILITIES**

6.1 Council is responsible for setting and approving tuition fees and incidental fees for international and domestic students.

6.2 The General Manager:

- is responsible for application of the Fees and Refunds Policy, ensuring internal compliance with the Tuition Protection Scheme (TPS) and fee management processes;
- approves requests for refunds in accordance with the Fee Refund Schedule.

6.3 The Student Services Officer is responsible for:

- ensuring that only the appropriate amount in fees is accepted or where a student wishes to pay more than required in advance that the student completes the approved form; and
- assisting students to understand under which circumstances fees are and are not refundable and providing them with the correct forms to apply for a refund.

## **7. DEFINITIONS**

7.1 See the AIHE Glossary of Terms for definitions.