Student Refund Policy

Purpose

This document outlines the student fee refund policy and principles that apply within TAFE Queensland East Coast.

As a National VET Regulated Registered Training Organisation, TAFE Queensland East Coast is required to describe and publish a refund policy. Specific legislation and government policy (e.g. User Choice policy or Standards for providers of education and training for overseas students) provide further details in relation to the provision of refunds.

Scope

This policy applies to:

- individual students for fees and charges of courses; and
- any Third Party organisation or a guarantor responsible for a student's fees and charges for courses.

Differing legislative provisions apply with respect to refunds based on student status and/or how they have chosen to pay their fees. These include but are not limited to:

- Courses subsidised under Certificate 3 Guarantee policy;
- Courses subsidised under User Choice policy;
- Full fee Courses offered under VET FEE-HELP;
- Full fee Courses offered under CRICOS registration; and
- Direct subscriber (individual or organisation) full fee Courses.

The policy is supported by procedures which address specific requirements for:

- international students administered according to the ESOS Framework including Education Services for Overseas Students Act 2000, Education Services (Overseas Students) Regulation 2001 and the National Code of Practice for Registered Authorities and Providers of Education and Training to Overseas Students 2007 (The National Code 2007); or
- domestic students on either government funded or full fee-for-service or tailored short courses; or
- domestic students enrolled in VET FEE-HELP enabled courses.

Responsibilities

The TAFE Queensland East Coast General Manager and employees involved in processing applications for a refund of fees and charges, made by a student, must adhere to the policy and principles outlined.

Policy

TAFE Queensland East Coast, in considering a request for a refund of course fees and charges, must comply with relevant legislation provisions, having application to identified student categories.

This policy will be administered:

- according to the principles outlined below;
- equally in the context of the relevant circumstances to all students within a nominated student category; and
- ethically, honestly and with fairness to all parties.

The policy does not have application to material fees and other charges that are considered to be supplied to and/or used by the student and for which no refund will be made.

This refund policy and associated procedures must be available publicly to all persons to which it applies.
Principles

The following principles apply when considering the refund of fees and charges to students.

General Requirements

<table>
<thead>
<tr>
<th>Course Cancellation</th>
<th>A full refund of fees paid in advance for the program or course will be paid if a program or course is cancelled before it starts.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provider Default</td>
<td>If (in the unlikely event) TAFE Queensland East Coast is unable to deliver a course in full, a student will be offered:</td>
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<td>• a refund (or in the case of VET FEE-HELP assisted courses after the Census Date – re-crediting) of the entire Tuition Fee paid to date; or</td>
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<td>• a place with another suitable provider able to provide the same or equivalent course at no extra cost (subject to the student agreeing to specific terms and conditions of the other provider).</td>
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<tr>
<td>Refund before course commencement</td>
<td>A student who withdraws from or cancels enrolment in a course prior to the course commencing, will generally receive a refund of fees paid, subject to the following conditions:</td>
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<tr>
<td>Government Subsidised Course</td>
<td>a student who withdraws from a course that is subsidised by the Government (e.g. funded under User Choice policy or Certificate 3 Guarantee policy), receives a full refund less an administrative charge.</td>
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<tr>
<td>Overseas Student</td>
<td>an overseas student (CRICOS) who withdraws or receives a Letter of Release from their principal course for any reason, excluding visa rejection, up to and including 28 days before course commencement, receives a refund for their full semester tuition fee less an administration charge - refer to TAFE Queensland East Coast International Students – Enrolment and Refund Policy and Procedure [0330].</td>
</tr>
<tr>
<td>VET FEE-HELP Course</td>
<td>a student who withdraws from a VET FEE-HELP course on or before the Census Date for their course is entitled to a refund of their tuition fees – refer to TAFE Queensland East Coast VET FEE-HELP Tuition Fee Refund Policy [0587].</td>
</tr>
<tr>
<td>Full Fee-for-Service Course</td>
<td>a student who withdraws from a full fee-for-service course is entitled to a full refund less an administrative charge up and until five (5) days prior to the course commencement after which no refund is payable nor shall the TAFE Queensland East Coast General Manager (or delegate) cancel any remaining payments due for the enrolment.</td>
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<tr>
<td>Refund after course commencement</td>
<td>Generally speaking, with the exception of the event of the death of a student, Tuition Fees are not refunded if a student withdraws after the course has commenced.</td>
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<td>Externuating Circumstances</td>
<td>A student may apply for consideration of a refund (full or proportionate) should there be extenuating circumstances such as:</td>
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<td>• if the student enrolled in a full-fee course has subsequently gained employment as an apprentice/trainee and is transferring their enrolment to an equivalent enrolment with TAFE Queensland under their apprenticeship or traineeship.</td>
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<td>• if within first five (5) weeks of commencing the course, the student successfully applied for and received credit transfer.</td>
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<td>• if within the first two (2) weeks of commencing the course the student transfers their enrolment to a different course with a TAFE Queensland region, their fees paid may be proportionally credited to fees in the new Course.</td>
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<td>• if the student is enrolled as an apprentice or trainee and their apprenticeship/traineeship has been cancelled resulting in their withdrawal from the course.</td>
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<td>• if the student suffers an illness or injury preventing the student from completing the course.</td>
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</tbody>
</table>

**Being unwell for one (1) week of the term, does not provide sufficient evidence of being unable to complete the course. The student must make every effort to complete the course including requesting an extension, before consideration will be given regarding a refund. Any application for refund based on medical grounds must include a doctor’s certificate that indicates it is reasonable to assume that the illness/injury prevented completion of the course, and that the illness/injury was not a pre-existing condition.**
- if other special circumstances prevent the student from completing the course.

*Exceptional circumstances beyond a student’s control does not include common changes to personal circumstances, such as moving house, change to relationship or living arrangements, or changing the level of commitment to completing the study.*

### Applying for Refund
A student must apply for a refund using the approved *Refund Request [0329]* form available from the relevant Student Service Centre or TAFE Queensland East Coast web page. Administration charges may apply to refunds, granted due to exceptional circumstances, after course commencement.

### Refund Refusal
A student shall be provided written notice of the reason for any refusal of a refund request.

### Payment of Refunds
Refunds of tuition fees are paid:
- to the individual student unless the student themselves specifically requests otherwise; or
- to the parent/guardian nominated on the application, if the student is under the age of 18.

Refunds of employer contributions paid under the User Choice policy are provided to the relevant employer.

Approved refunds are paid within four (4) weeks of receiving the completed and accurate refund application.

### Appeal
A student may appeal a refund decision in writing to the TAFE Queensland East Coast General Manager within five (5) business days of receiving written notification of a refund decision.

### Student Cohort Specific Refund Conditions

If not noted here, the general refund principles apply.

#### Overseas Students (CRICOS)

All fees are in Australian dollar amounts (AUD)

**Visa**
Where the initial student visa application is rejected:
- **prior** to course commencement, Tuition Fees paid are refunded. The refund application must be supported by a copy of the visa rejection letter from the Department.
- **after** course commencement, pro-rata Tuition Fees are charged for the period of study.

The terms of this agreement, with regard to withdrawal from study, also apply where:
- an overseas student is granted permanent resident status.
- An application for a visa extension is rejected or the Department cancels the overseas student’s existing visa.
- an overseas student withdraws or cancels their course before commencing any subsequent semester of studies.

Refer to TAFE Queensland East Coast International student policy *International Students – Enrolment and Refund Policy and Procedure [0330]*.

An overseas student seeking a refund of fees paid directly to an Overseas Student Health Cover provider must contact their health fund provider to arrange a refund.

**Appeal**
Overseas students may appeal refund decisions by writing to the TAFE Queensland East Coast General Manager within five (5) business days of receiving written notification.

Any refund due to a default of a TAFE Queensland region, as the registered provider, is covered by the provisions of *Education Services of Overseas Student Act 2000 (Cth)* as amended.

Overseas students may refer to Australian Education International (AEI) for additional information; email aei@innovation.gov.au
VET FEE-HELP – Tuition fee refund

**Refund before course commencement**

A student who withdraws from or cancels enrolment from a VET FEE-HELP Course on or before the Census Date for their course or unit of study:

- is entitled to a full refund of their tuition fees; and
- does not incur a VET FEE-HELP debt.

**Withdrawal after Census Date**

A student withdrawing from their course after the Census Date:

- is not entitled to a refund;
- incurs their full VET FEE-HELP debt liability; and
- is required to submit an Application to Re-Credit FEE-HELP Balance Form[0591] to Re-credit their fee-help balance (refer to the VET FEE-HELP Review and Re-Crediting Policy [0586]).

**Academic or Financial Penalty**

Withdrawing and changing enrolment may be subject to academic and/or financial penalty as follows:

- withdrawal from unit/s of study or change of enrolment prior to the Administration Date:
  - no academic penalty; and
  - no financial penalty/fine.
- withdrawal from unit/s of study or change of enrolment after the Administration Date, but before the Census Date:
  - no academic penalty; and
  - financial penalty/fine.
- withdrawal from unit/s of study or change of enrolment after the Census Date, but prior to the Withdrawal Date (COS):
  - no academic penalty; and
  - full financial liability to the Commonwealth Government.
- withdrawal from unit/s of study or change of enrolment after the Census Date and after the Withdrawal Date (COS):
  - academic penalty; and
  - full financial liability to the Commonwealth Government.

**References**


- National Vocational Education and Training Regulator Act 2011
- Standards for NVR Registered Training Organisations 2011 - SNR 22.2


- Financial Accountability Act 2009
- Financial and Performance Management Standard 2009

TAFE Queensland

- Financial Management Practice Manual 5.07 – Refunds
- Financial Management Practice Manual 5.08 Student Refunds

Other Agency

- User Choice 2010 – 2015 Policy s2.6
- Pre-Qualified Supplier Policy 2014-2015 for Queensland Government subsidised training places s3 (c)

**Authorisation**

This policy has been approved by the TAFE Queensland East Coast General Manager or delegate. This policy’s effective date is the same as the date of approval. This policy supersedes any previous versions.

| Approved by | Geraldine McCarthy | Date | 03/09/2014 |
## Glossary

<table>
<thead>
<tr>
<th>Terms</th>
<th>Definitions</th>
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<tr>
<td>Administration Date</td>
<td>Under the provisions of the Higher Education Support Act (HESA), VET Providers may set an earlier date than the Census Date, called an ‘Administration Date’ for a unit of study. Providers sometime set this earlier date as the deadline for the submission of the Request for VET FEE-HELP Assistance form and the payment of any up-front tuition fees. If students do not meet this earlier date, VET Providers may charge students a late fee or financial penalty for that unit of study, providing the fine or penalty is imposed principally as a disincentive and not in order to raise revenue or cover administrative costs. It is the responsibility of students to check whether their provider has set the Census Date, or an earlier Administration Date, as the deadline for submitting a Request for VET FEE-HELP Assistance form and the payment of tuition fees. The Administration Date does not override the Census Date in terms of a student incurring financial liability to the Commonwealth for those units of study in to which they are enrolled. The Administration Date will be set for each unit of study in accordance with the fairness provisions of clause 18 of Schedule 1A to the Higher Education Support Act 2003 (Cth). It is the responsibility of students to ensure they are aware if TAFE Queensland has set an earlier Administration Date, as the deadline for enrolling in units of study.</td>
</tr>
<tr>
<td>Census Date</td>
<td>The last date that a student can submit a Request for VET FEE-HELP Assistance form for VET units of study for which the student wishes to obtain VET FEE-HELP assistance. The census date is also the last date that a student can withdraw from a VET unit of study without penalty. Once the census date has passed, the student will incur a VET FEE-HELP debt to the Australian Government and/or the student will not be entitled to a refund.</td>
</tr>
<tr>
<td>Course</td>
<td>Any accredited or non-accredited program of learning and/or assessment offered by TAFE Queensland.</td>
</tr>
<tr>
<td>Department</td>
<td>Refers specifically to overseas students and is the Commonwealth government department with responsibility for immigration</td>
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<tr>
<td>Materials or Other Charges</td>
<td>Examples include kits purchased by the student at the time of enrolment and may include, but not limited to, such items as T shirts, textbooks, instruments used for practical exercises conducted as part of the program (e.g. knives, musical instruments, hard disk drives etc.) Materials also include all uniforms that are measured for, ordered by the region or supplied to the student.</td>
</tr>
<tr>
<td>VET FEE-HELP assistance request</td>
<td>The form that must be completed in order for a student to apply for VET FEE-HELP assistance for VET units of study offered by a VET Provider.</td>
</tr>
<tr>
<td>Student</td>
<td>A person who is enrolled or seeking to enrol in a VET program of study with TAFE Queensland.</td>
</tr>
</tbody>
</table>
| Tuition fee                | The fee published by a VET Provider to undertake a VET unit of study. The fee covers the essential training costs for the student to undertake the Course and includes tuition fees, services fees, materials fees and all other costs associated and essential to delivering the training and awarding the qualification to the Student. Tuition Fees do not include any fee that is:  
  - payable in respect of an organisation of students, or of students and other persons;  
  - payable in respect of the provision to students of amenities or services that are not of an academic nature; or  
  - payable in respect of residential accommodation;  
  - determined to be a fee of a kind that is incidental (non-essential) to studies that may be undertaken with TAFE Queensland. |
| VET                        | Vocational Education and Training.                                                                                                                                                                          |
| VET FEE-HELP               | A Commonwealth Government loan scheme which assists eligible students to pay their tuition fees, and can cover all or part of the student’s tuition fees for VET units of study which form part of a VET program of study undertaken with a Registered Training Organisation that is approved as a VET Provider under the Higher Education Support Act 2003 (HESA). |
| VET Provider               | A Registered Training Organisation that is approved under the Higher Education Support Act 2003 (HESA) to offer VET FEE-HELP assistance to its eligible students.                                                     |
| VET program of study       | A structured program of education consisting of one or more VET units of study leading to the award of VET Diploma, Advanced Diploma, Vocational Graduate Certificate or Vocational Graduate Diploma. |
| VET unit of study          | A subject or unit that a person may undertake with a VET Provider which forms part of a VET program of study.                                                                                               |
| Withdrawal Date            | VET Providers may also set a ‘Withdrawal Date’ for a unit of study after the Census date, after which students who withdraw from the unit may receive an academic penalty, i.e. a fail grade. However, an earlier administrative or withdrawal date does not override the census date in terms of students incurring a liability for a unit of study. |