Student Refund Procedure

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

This Procedure implements AIBI Higher Education (AIBI HE)'s *Student Refund Policy*.

1. Scope

This Procedure applies to all staff at AIBI HE 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 program and tuition fees. Census date is Friday of week 3 each 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 isprotected 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. Procedure

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

If the student wishes to withdraw from an AIBI HE program or unit of study, or defer the commencement of their studies at AIBI HE, 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
- *Application for Refund*.

The refund amount will be calculated by the Fees Officer in accordance with the *Student Refund Policy*, which can be accessed from the AIBI HE 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. AIBI HE 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 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 thecompelling 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, AIBI HE will automatically process the refund:

- **transfer** – when a student successfully applies to transfer their enrolment to another AIBI HE program, unspent tuition fees will be automatically transferred to the new enrolment; and
- **variation in residency status -** overseas students who are granted permanent residency in Australia and notify AIBI HE will be granted a refund in accordance with the *Student Fees Policy*.

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 trimester 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 AIBI HE. 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. AIHI HE 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 program cancellation (provider default) – overseas students

If AIBI HE cancels a program, 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 program in writing, and give the following options:
    - transfer their enrolment to another program offered by AIBI HE at no additional cost;
    - 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. AIHI HE 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, AIBI HE will notify the Secretary of the Department of Education and Training and TPS Director of provider default outcomes.

- If AIBI HE is unable to provide a refund or place the student at an alternate program, the TPS Director will place the student in a suitable alternative program at no extra cost to the student.
- If a registered provider of an alternative program 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 program, the student will be eligiblefor 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 program cancellation (provider default) – domestic students

If AIBI HE cancels a program, it will notify domestic students enrolled the program in writing and give the following options:

- transfer their enrolment to another program offered by AIBI HE at no additional cost;
- 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.

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 AIBI HE 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 AIBI HE 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)

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

7. Acknowledgements

In developing this Procedure, AIBI HE acknowledges:

- Think: Colleges' *Student Refund Policy.*

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, 3.2
1.1	16/7/19	Stephen Andrews	Executive Management Committee decision 11/7/19 re timing of census date.	Definition of 'census date'
1.2	04/05/2022	Chaido Kiourkou	Amended to reflect new corporate name Australian Institute of Business Intelligence; abbreviated to the Institute and new logo	All