

Refund Policy

1. Preamble

- 1.1 This policy provides guidance to all intending and continuing students of Deakin College on the circumstances whereby Deakin College will refund tuition fees and overpayment of tuition fees.
- 1.2 This policy ensures that the refund requirements are managed in accordance with the *Higher Education Support Act 2003* (HESA), the *Education Services for Overseas Students Act 2000* (ESOS Act) and their legislative instruments.

2. Scope

- 2.1 This policy applies to all intending and continuing students, including domestic students, temporary residents and overseas students at all campuses of Deakin College.
- 2.2 The Director of Business and Finance is responsible for the implementation of this policy.

3. Definitions

Key Term or Acronym	Definition
ACPET	Australian Council for Private Education and Training. The national industry association for independent providers of post-compulsory education and training.
Census Date	The end of week 4 of each trimester. For domestic FEE-HELP students a financial debt to the Commonwealth Government will be incurred after this date.
CoE	Confirmation of Enrolment. A document registered with the Australian Government confirming an overseas student's acceptance into a course for a specified duration.
Continuing Student	A student who has commenced or undertaken a minimum of one trimester in a course at Deakin College. Compare <i>Intending Student</i> .
Course	A program of instruction that leads to an award of the institution.
Deferment	Applies to any student who has accepted an offer for a place in a course for a specified intake but does not intend to commence that course until a later intake. Compare <i>Leave of Absence</i> .

Domestic Student	Onshore	Defined as an Australian citizen, New Zealand citizen or holder of a permanent residency visa, including a humanitarian visa.
Domestic Student	Offshore	Defined as a citizen, temporary or permanent resident of Indonesia.
ESOS Act 2000		The <i>Education Services for Overseas Students Act 2000</i> (Cth). This Act regulates the delivery of education services to overseas students in Australia.
FEE-HELP		An Australian Government financial assistance program under the <i>Higher Education Support Act 2003</i> which provides eligible fee paying domestic onshore students with loans to cover all or part of their higher education tuition fee costs.
HESA		<i>Higher Education Support Act 2003</i> . An Act relating to the funding of higher education.
Intending Student		A person, whether within or outside Australia, who intends to become, or who has taken steps towards becoming a student. Compare <i>Continuing Student</i> .
Leave of Absence		A period of approved absence from a course in which a student is enrolled. Compare <i>Deferment</i> .
Deakin College Appeals		The final appeals body at Deakin College that considers appeals from students against any decision by Deakin College of an academic or non-academic nature.
Overseas Student		A student on an overseas student visa in Australia.
Temporary Resident		A person other than an overseas student who is: (a) residing in Australia for a specific purpose, including skilled, temporary work, international relations, training and research; and (b) holds a visa permitting study in Australia.
Trimester		A defined and formal period of study of 13 weeks. Deakin College runs three compulsory trimesters annually.
Tuition Assurance		A legislative framework which ensures that a student whose education providers is unable to fully deliver their course of study is efficiently relocated in a comparable course with minimal disruption or provided with a refund of unspent tuition fees.

Tuition Fees	Fees received which are directly related to the provision of a course by Deakin College, or the offering to provide, to a student.
Tuition Protection Scheme	A tuition assurance framework for overseas students under Part 5 of the ESOS Act 2000.
Unit	A component of study within a course. Also referred to as a subject.

4. Agreement Between Deakin College and Students

- 4.1 Once an applicant accepts a place in a course offered by Deakin College and pays tuition fees, or submits a *Request for FEE-HELP Assistance*, a binding contract is created between the student and Deakin College.
- 4.2 The Contract between the applicant and Deakin College is governed by the laws of the Commonwealth of Australia and the State of Victoria.
- 4.3 Acceptance of a place offered by Deakin College also signifies acknowledgement that this policy and fees will be reviewed and amended from time to time.

5. Tuition Assurance

- 5.1 All tuition fees paid are deposited into the Deakin College Student Fees Account and are drawn down from that account once a student commences at Deakin College.
- 5.2 The Tuition Protection Service (TPS) Framework under Part 5 of the ESOS Act provides tuition protection to all intending and continuing overseas students.
- 5.3 In the unlikely event that Deakin College is unable to fully deliver a course, the TPS Framework will assist overseas students to find a suitable course with another education provider, or to procure a refund for unspent tuition fees.
- 5.4 Deakin College is also a member of the Australian Council for Private Education and Training's (ACPET's) tuition assurance scheme, the Australian Student Tuition Assurance Scheme (ASTAS).
- 5.5 For domestic students, in the unlikely event that Deakin College is unable to deliver a course, ASTAS will make arrangements to relocate them in a course with another ACPET member participating in ASTAS, or another approved provider.
- 5.6 For students at the Deakin College Jakarta Campus, in the event that Deakin College is unable to provide a program of study to completion at the Jakarta campus, students may take up a place in the relevant program at one of Deakin College's campuses in Burwood or Geelong. This is subject to a visa approval by the Department of Immigration.

- 5.7 Where 5.6 applies, fees will be set at the Deakin College Jakarta campus tuition fee rate until the completion of the relevant program of study.
- 5.8 Where 5.6 applies, arrangements may also be made to relocate students in a course with another local provider.
- 5.9 For temporary residents, in the unlikely event that Deakin College is unable to deliver a course, students may take up a place in the relevant program at one of Deakin College's campuses in Burwood or Geelong or procure a refund for unspent tuition fees.

6. Criteria for a Refund

- 6.1 Where a student is eligible for a refund, that refund will be calculated in accordance with section 8 of this policy.
- 6.2 No refund will be paid to FEE-HELP assistance students. FEE-HELP assistance students must formally withdraw from Deakin College before the Deakin College census date, otherwise the FEE-HELP debt will be incurred for that trimester
- 6.3 For all students, a withdrawal must be made formally on the *Withdrawal Form* available at Deakin College Reception.
- 6.4 With the exception of FEE-HELP assistance students, where a student is entitled to a refund, an *Application for Refund of Tuition Fees* form must accompany the *Withdrawal Form*.
- 6.5 Where an intending or continuing student:
- (i) fails to enroll by the last enrolment day (the close of enrolment); and
 - (ii) does not formally withdraw on the *Withdrawal Form*,
- that student will be taken to have informally withdrawn from their course. The withdrawal will be effective from the following business day after the close of enrolment.
- 6.6 With the exception of FEE-HELP assistance students, where 6.5 applies and where a student is entitled to a refund, the date for the purposes of refund calculation will be calculated from the following business day after the close of enrolment.
- 6.7 Overpayment of tuition fees will only be repaid where a student has completed or withdrawn from their course. It is the responsibility of the student to maintain current address and contact details.
- 6.8 Section 6.7 does not apply to intending overseas students. Deakin College will not accept any overpayment of tuition fees from intending overseas students.
- 6.9 Where a student owes a debt to Deakin College or a penalty is applied, the debt or penalty must be paid in full or the outstanding amount will be deducted from the refund.
- 6.10 Where the enrolment of a student is cancelled or suspended by Deakin College for engaging in any misconduct, including academic misconduct, there will be no entitlement to a refund of fees in that trimester.

7. Payment of Refund

7.1 Where eligible for a refund, the refund will be paid within four weeks after receiving an *Application for Refund of Tuition Fees* form.

8. Refund Calculation

8.1 To avoid doubt, temporary residents are charged the overseas student tuition fee rates. Accordingly, refunds will be calculated in accordance with section 8.2 of this policy.

8.2 *Overseas Student, Temporary Resident and Domestic Offshore Student* Refund Calculation:

	NOTIFICATION PERIOD	CANCELLATION PENALTY
(i)	Intending Overseas Student Visa Refusal <i>Evidence of refusal necessary</i>	A\$500*
(ii)	Failure to meet entry requirement(s) or conditions of enrolment	A\$500
(iii)	Before Commencement Date More than 10 weeks:	25% of tuition fees
(iv)	More than 4 weeks and up to 10 weeks:	60% of tuition fees
(v)	4 weeks or less:	80% of tuition fees
(vi)	After Commencement Date 4 weeks or less:	A\$500 plus 80% of tuition fees
(vii)	More than 4 weeks:	100% of tuition fees

* No refund will be given where a student visa is not approved due to the provision of fraudulent documents (see sections 9.3 and 9.4).

8.3 Domestic Onshore Student Refund Calculation:**

	NOTIFICATION PERIOD	CANCELLATION PENALTY
	Withdrawal from Single Units	Cancellation Penalty
(i)	Weeks 1 - 4	No Penalty
(ii)	Weeks 5 - 14	100% of tuition fees
	Withdrawal from Course	Cancellation Penalty
(iii)	Weeks 1 - 4	A\$500
(iv)	Weeks 5 - 14	100% of tuition fees

** In this section, for FEE-HELP assistance students, '100% of tuition fees' means that a financial debt to the Commonwealth Government has been incurred.

9. Overseas Student Visas

9.1 To avoid doubt, section 8.2(i) applies only to intending overseas students who have not been approved an overseas student visa by the Department of Immigration.

9.2 For section 8.2(i) to apply, the intending overseas student must withdraw from Deakin College and must provide Deakin College with evidence of visa refusal.

9.3 Section 8.2(i) does not apply where an intending overseas student's application has been denied by the Department of Immigration for the provision of fraudulent documentation by the applicant or the applicant's nominee.

9.4 Where section 9.3 applies, no refund will be given to the intending overseas student.

9.5 Section 8.2(i) does not apply where an overseas student visa application or renewal has been denied for breach of a student visa conditions.

10. Permanent Residency or Citizenship

10.1 Students who are granted citizenship or permanent residency will be charged the domestic student tuition fee rates if documentary evidence is provided to Deakin College prior to the start of the trimester.

10.2 Where documentary evidence of citizenship or permanent residency is provided to Deakin College after the commencement of that trimester, domestic student tuition fee rates will be charged from the subsequent trimester.

11. Deferment of Commencement of Studies

- 11.1 With the exception of FEE-HELP assistance students, where an accepted student is unable to commence their studies until a subsequent trimester, the eligibility requirements under the *Deferment and Leave of Absence Policy* will apply.
- 11.2 Where a student has been granted a deferment, Deakin College will hold the tuition fees paid without penalty until the subsequent trimester.
- 11.3 Where 11.2 applies and the student subsequently withdraws, the refund will be calculated from the date on which the student applied for deferment.

12. Leave of Absence

- 12.1 This section applies to students applying for a leave of absence and who satisfy eligibility requirements under the *Deferment and Leave of Absence Policy*.
- 12.2 Where a FEE-HELP assistance student applies for a leave of absence *prior to* the census date, no FEE-HELP debt will be incurred for that trimester.
- 12.3 Where a FEE-HELP assistance student applies for a leave of absence *after* the census date, a FEE-HELP debt will be incurred for that trimester.
- 12.4 Where 12.3 applies, a student may access the *FEE-HELP Review Procedures*.
- 12.5 For all students other than FEE-HELP assistance students, where 12.1 applies and the application is received by Deakin College prior to the census date, Deakin College will hold the tuition fees paid without penalty until the subsequent trimester.
- 12.6 Where 12.5 applies and the student subsequently withdraws, the refund will be calculated from the date on which the student applied for the leave of absence.
- 12.7 Where 12.5 applies and the student applies for leave of absence from the fifth week of the trimester onwards, tuition fees for that trimester will be forfeited.

13. Deceased Students

- 13.1 In the event of a death of an intending or continuing student, all provisions of this policy will continue to apply and any refund will be calculated from the date of the death of the student.
- 13.2 Where eligible for a refund, death certificate will be requested to process the refund.

14. Right of Review

- 14.1 Students are entitled to a review of any decision under this policy by Deakin College Appeals (dcoll-appeals@deakin.edu.au). The appeal must be lodged within 30 days from the date when the decision was made in writing.

Policy Owners	Quality and Compliance Manager		
Contact Persons	Cris Vega		
Key Stakeholders	All Deakin College Students		
Approval	Executive General Manager, Australia and New Zealand, University Programs Division, Navitas	Agenda item and meeting date approved Item 9.2 – 16 September 2015	
Relevant Legislation	Higher Education Support Act 2003 (HESA) Education Services for Overseas Students Act 2000 (ESOS Act 2000) The National Code of Practice for Providers of Education and Training to Overseas Students 2007 (National Code 2007)		
Related Policies	Deferment and Leave of Absence Policy; FEE-HELP Review Procedures; Leave of Absence Policy; Grievance Procedures Relating to Academic Matters.		
Related Guidelines	FEE-HELP Review Procedure		
File information	Date Effective 16 September 2015	Next Review Date 30/06/2017	Version number V3.12 - 17/05/2017