

Tuition Fee Refund Policy for International Students

Purpose

The following policy and procedures apply to tuition fee refunds for international students at Collarts in accordance with the *Education Services for Overseas Students (ESOS) Act 2000* and the *National Code 2018*.

Scope

This policy applies to new and continuing international students enrolled (or who intend to enrol) in a higher education course of study at Collarts, regardless of who paid the tuition fees, and college staff who assess and process fee refund requests.

Definition of Key Terms

Administration Fee if charged, is either a fixed amount or a percentage of the first trimester tuition fees

Commencement Date is the date set for that teaching period (trimester) to start

Course of Study is a higher education award delivered by Australian College of the Arts Pty Limited (Collarts) as per the CRICOS website managed by the Department of Education under the ESOS Framework

CRICOS is the Commonwealth Register of Institutions and Courses for Overseas Students

International Fees means a student pays their tuition fees upfront (i.e. in advance) for units of study directly to Collarts with no contribution from the Commonwealth Government

Special Circumstances are circumstances which are an exception to the rule and beyond a student's control

Trimester means each twelve-week teaching period

Tuition Fees is the agreed amount of money charged to, and paid by, a student to undertake units of study as part of a course of study at Australian College of the Arts Pty Limited (Collarts)

Unit of Study is a single component or subject that a student undertakes as part of a course of study that leads to a higher education award at Australian College of the Arts Pty Limited (Collarts).

Pathway Provider refers to a third-party English Language Intensive Courses for Overseas Students (ELICOS) provider in which Collarts has a pathway agreement as indicated in Table D *Appendix to Admissions Policy for International Students*

A. Policy

Each student acknowledges and agrees to the terms of the *Tuition Fee Refund Policy for International Students* when signing the 'International Student Acceptance Agreement' document contained in their offer to study at Collarts.

Refund Eligibility

The following section outlines the grounds for a refund of international tuition fees. However, Collarts may, in its absolute discretion, grant a partial or full refund where they determine there are extenuating or compassionate circumstances.

To be eligible for a refund of tuition fees, a student must withdraw (or cancel their enrolment) or suspend their enrolment (for a leave of absence) on or before Commencement Date.

1. Withdrawal of an Offer by Collarts on/before Commencement Date

a. College Default Event

Entitlement: Full Refund

In the event Collarts withdraws an offer of a place in a course of study before the agreed Commencement Date of that course of study, the student is entitled to a refund of any tuition fees paid in advance. No administration fee is charged in the event of this College Default.

b. Fraudulent, Forged or Misleading Information and/or Documentation Provided by the Student

Entitlement: Full Refund less 10% Administration Fee & any Agent fees

In the event Collarts withdraws an offer of a place in a course of study as a result of fraudulent, forged or intentionally misleading or incomplete information and/or documentation being supplied by the student, and it is not considered to be as a result of a College Default, the student is entitled to a refund of any tuition fees paid in advance, less an Administration Fee of 10% of the tuition fee payment and any payment to an agent who recruited the student (if applicable).

c. Unsuccessful Visa Application

Entitlement: Full Refund less 5% Administration Fee & any Agent fees

Where a student's application for a visa is unsuccessful, and on the provision of evidence of this decision, the student is entitled to a refund of any tuition fees paid in advance, less an Administration Fee of 5% of the tuition fee payment and any payment to an agent who recruited the student (if applicable).

2. Withdrawal of Enrolment on/before the Commencement Date

Entitlement: Full Refund less 10% Administration Fee & any Agent fees

Where a student withdraws from a course of study before the Commencement Date, the student is entitled to a refund of any tuition fees paid in advance, less an Administration Fee of 10% of the tuition fee payment and any payment to an agent who recruited the student (if applicable).

3. Student in a packaged offer with a pathway provider, withdraws from Collarts on/before Commencement Date

a. Withdrawal of enrolment at an acceptable pathway provider

Entitlement: No Refund of Deposit

Where a student withdraws on/before the Commencement Date at Collarts but after the commencement date at one of Collarts' English pathway providers, the student is not entitled to a refund of the first deposit of tuition fees.

b. Withdrawal of enrolment at an acceptable pathway provider due to special circumstances

Entitlement: Partial Refund of Deposit (if approved) less \$500 Administration Fee & any Agent fees

Where a student withdraws on/before the Commencement Date at Collarts but after the commencement date at one of Collarts' pathway providers due to special circumstances, the student may be entitled to a refund of 50% of deposit fees less an Administration Fee of \$500 and any payment to an agent who recruited the student (if applicable). Collarts will only consider applications for tuition fee refunds after the relevant Commencement Date where there are special circumstances which make it impracticable for the person to complete the requirements for the course of study.

4. Withdrawal of Enrolment after Commencement Date

a. Withdrawal by Student after Commencement Date

Entitlement: No Refund

Where a student withdraws from a course of study after the Commencement Date, and there are no special circumstances, the student is not entitled to a refund of tuition fees.

b. Withdrawal by Student after Commencement Date due to Special Circumstances

Entitlement: Partial Refund (if approved) less \$500 Administration Fee & any Agent fees

Where a student withdraws from a course of study after the relevant Commencement Date as a result of special circumstances, the student may be entitled to a partial refund of 50% of tuition fees, less an Administration Fee of \$500 and any payment to an agent who recruited the student (if applicable). Collarts will only consider applications for tuition fee refunds after the relevant Commencement Date where there are special circumstances which make it impracticable for the person to complete the requirements for the course of study such as:

- Medical circumstances
- Family circumstances
- Personal circumstances
- Political or civil related circumstances
- Course-related circumstances

Special circumstances must:

- a) Be beyond a person's control, and
- b) Not make their full impact known until after the Commencement Date, and

- c) Make it impracticable for a student to complete the requirements for the unit of study.

For circumstances to be considered beyond a person's control, the situation should be one which a reasonable person would consider is not due to the person's action or inaction, either direct or indirect, and for which the person is not responsible. The situation must be unusual, uncommon or abnormal to be considered special circumstances. Collarts must be satisfied that a person's circumstances did not make their full impact on the person until after the Commencement Date for a unit of study if the person's circumstances occur:

- d) Before the Commencement Date but worsen after that day, or
- e) Before the Commencement Date, but the effect of magnitude does not become apparent until after that day, or
- f) After the Commencement Date.

5. Suspension or Cancellation of Enrolment due to Misconduct

Entitlement: No Refund

Where a student's enrolment is suspended or cancelled by Collarts as a result of misconduct at any time (before or after Commencement Date) in accordance with the *Misconduct Policy*, including the non-payment of tuition fees, the student is not entitled to a refund including any tuition fees paid in advance at the time of suspension or cancellation.

6. Cancellation of Enrolment due to Unsatisfactory Course Progression

Entitlement: Refund of fees paid for part of course not yet delivered

Where a student's enrolment is cancelled by Collarts as a result of unsatisfactory course progression in accordance with the *Monitoring Academic Progression Policy*, the student is entitled to a refund of tuition fees paid in advance at the time of cancellation for parts of the course not yet delivered. Previous trimester fees will not be refunded.

7. Changes to Enrolment

a) Granting of Advanced Standing

Entitlement: No Refund, Credit Applied

Where a student applies for course credit and is granted Advanced Standing after the payment of tuition fees, the student is not entitled to refund of tuition fees for those units, including any paid in advance. However, the amount will be held by Collarts and credited towards the next trimester fees.

b) Transfer to another Course of Study at Collarts

Entitlement: No Refund, Credit Applied

Where a student applies for and is approved to transfer to another course of study at Collarts after the payment of tuition fees, and where the new course fee is lower than the original course, the student is not entitled to refund of the difference in tuition fees, including any paid in advance. However, the amount will be held by Collarts and credited towards the next trimester fees.

8. Changes to Visa Conditions

a) Obtains Permanent Residency on/before Commencement Date

Entitlement: Partial Refund less any Agent fees

Where a student is granted Permanent Residency (including Humanitarian Subclass), and the date stamped in the student's passport is on/before Commencement Date, the student can be classified as a domestic student and will be entitled to a partial refund being the difference between the international student fee and the domestic student fee for the enrolled course of study, less any payment to an agent who recruited the student if that payment relates to that trimester (if applicable).

b) Obtains Permanent Residency after Commencement Date

Entitlement: No Refund, No Change to Fees

Where a student is granted Permanent Residency (including Humanitarian Subclass) after the Commencement Date, the student will be classified as an international student for the remainder of the relevant trimester and is liable for the relevant international student fee for that trimester. From the following trimester, the student will be classified as a domestic student.

c) Cancellation of Visa

Entitlement: No Refund

Where a student has their visa cancelled during a trimester, the student is not entitled to a refund.

9. College Default

Entitlement: Refund of unused portion of prepaid tuition fees

In the unlikely event that Collarts is unable to provide the student's course in full, a student is eligible for a refund of tuition fees where, as the result of an event or action (College Default), Collarts ceases to provide a course of study in which a student is enrolled, including:

- Does not commence on the agreed Commencement Date
- Ceases to be provided at any time after it starts but before it is completed
- Is not provided in full due to sanctions placed on the College

The college will refund all the unused portion of prepaid tuition fees within ten days of the date of the College Default and provide the student with a written statement outlining how the refund amount has been calculated. Collarts will notify the Secretary (or delegate) and Tuition Protection Services (TPS) Director within three working days of the provider default and the outcomes of a provider default within seven calendar days

or

The student may be offered enrolment in an alternative course by Collarts at no extra cost. The student has the right to choose whether they prefer a refund of the unused portion of prepaid tuition fees, or to accept a place in another course. If the student chooses placement in an alternative course with Collarts, the student will be issued with a new International Student Letter of Offer. The student must accept the offer by returning a signed copy of the International Student Acceptance section of the offer in accordance with the college Admissions Policy for International Students.

If the college is unable to provide a refund or place the student in an alternative course, the Tuition Protection Services (TPS) administered by the Director of TPS will place the student in a suitable alternative course at no extra cost to the student. Finally, if the TPS cannot place the student in a suitable alternative course, the student will be eligible for a refund as calculated by the TPS Fund Manager.

10. Transfer to another Provider

Entitlement: Refund paid directly to the new provider

Any refund will be paid directly to the new provider in accordance with this policy.

B. Procedures

1. Applying for a Refund of Fees

1.1 Submit an application to the Office of the Registrar (Student Services)

Responsible: Applicant

To be eligible for a tuition fee refund, a student must withdraw (cancel their enrolment) in a course of study by lodging the appropriate form with the Office of the Registrar in accordance with the *Deferral, Suspension & Cancellation of Enrolment Policy* available for download via the Student Resources section of the MyCollarts Student Portal (or in the Student Handbook).

A fee refund is not an automatic result of withdrawing or cancelling enrolment. Applicants seeking a fee refund should also lodge an 'Application for Fee Refund' with the Office of the Registrar advising the reasons for the request. An 'Application for Fee Refund' form can be downloaded via the Student Resources section of the MyCollarts Student Portal (or obtained from the Office of the Registrar).

All applications are required to be completed, signed and accompanied by appropriate documentary evidence in support of the application as outlined in this policy. The completed application form and attachments should be submitted to the Office of the Registrar.

Collarts will only accept Completed Applications for assessment. Incomplete forms will be returned to the applicant.

1.2 Review and consideration of the Application

a) Confirm application for completeness

Responsible: Collarts (Office of the Registrar)

The 'Application for Fee Refund' form as submitted is checked for completeness by the Office of the Registrar. All sections of the application are required to be completed and the application signed (Completed Application). It is the responsibility of the student to attach any relevant supporting documentation in relation to the course of study for which a refund is being sought.

All attachments should be copies of originals certified by a Justice of the Peace. However, if this is not possible, the original documentation can be presented with the application and the Office of the Registrar will make copies of the documentation and witness them as being true copies of the originals presented. The original documentation is then returned to the applicant.

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Collarts only accepts Completed Applications for assessment. The Office of the Registrar signs the 'Lodgement Receipt' of a Completed Application and returns the front instruction sheet to the applicant as proof of submission (Submission Date). It is recommended that the student make a copy of their application for their records before submitting to the Office of the Registrar. Collarts is not responsible for taking or providing the applicant with a copy at the time of the completeness check.

Application forms are not accepted if incomplete, unsigned and/or without appropriate documentary evidence attached.

b) Assessment of the Completed Application

Responsible: Office of the Registrar & Managing Director

The Office of the Registrar is the designated Fee Refund Officer responsible for the assessment of refund requests. The Managing Director is the designated Review Officer of any recommendations relating to the full or partial refund of tuition fees. The Office of the Registrar undertakes a review of the Completed Application against the assessment criteria as outlined in the *Tuition Fee Refund Policy for International Students* and makes a recommendation to the Managing Director to grant or deny the application for the refund of tuition fees within fifteen working days of the Submission Date.

1.3 Advise assessment decision in writing

Responsible: Office of the Registrar

Following assessment, the Office of the Registrar will forward written notification (via email) of the decision to grant or deny the application for the refund of tuition fees.

Where an 'Application for Fee Refund' is successful, Collarts sends the student an 'Approval of Fee Refund Letter' advising the decision in writing and confirming how the refund will be made (see [B.1.4 Processing Refunds](#)).

Where an 'Application for Fee Refund' is denied, Collarts does not grant the refund. The applicant is sent a 'Refusal of Fee Refund Letter' outlining the reasons for the decision and informing them of their rights to appeal. Applicants wishing to make an appeal should refer to the college *Grievance & Appeals Policy* available for download via the Student Resources section of the MyCollarts Student Portal (or in the Student Handbook).

1.4 Processing refunds

The following table summarises the eligibility and entitlement for a refund of international tuition fees as outlined in this policy. Collarts may in its absolute discretion, grant a partial or full refund where they determine there are special or compassionate circumstances. If applicable, any payment to an agent who recruited the student will be deducted from the refund.

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Where an 'Application for Fee Refund' is successful the refund is processed by the same method in which the tuition fees were originally paid. Where the original payment was made by credit card, the refund must be re-credited to the same credit card. Alternatively, it can be paid by EFT but in accordance with banking regulations, it cannot be paid to a different credit card. Refunds cannot be paid in cash.

Refund Table

Refund Eligibility	Refund Entitlement
1. Withdrawal of an Offer by Collarts on/before Commencement Date	
a. Collarts withdraws the offer on/before Commencement Date (College Default Event)	Full Refund (no Administration Fee)
b. Student provides fraudulent, forged or misleading documentation	Full Refund less 10% Administration Fee and any Agent fees
c. Unsuccessful visa application	Full Refund less 5% Administration Fee and any Agent fees
2. Withdrawal of Enrolment on/before the Commencement Date	
Student withdraws on/before Commencement Date	Full Refund less 10% Administration Fee and any Agent fees
3. Student in a packaged offer with a pathway provider, withdraws from Collarts on/before Commencement Date	
a. Withdrawal of enrolment at an acceptable English pathway provider	No Refund of Deposit
b. Withdrawal of enrolment at an acceptable English pathway provider due to special circumstances	50% Refund of Deposit (if approved) less \$500 Administration Fee and any Agent fees
4. Withdrawal of Enrolment after Commencement Date	
a. Student withdraws after Commencement Date	No Refund
b. Student withdraws after Commencement Date due to Special Circumstances	Partial Refund (if approved) of 50% less \$500 Administration Fee
5. Suspension or Cancellation of enrolment due to misconduct	No Refund
6. Cancellation of Enrolment due to Unsatisfactory Course Progression	Refund of fees paid for part of course not yet delivered
7. Changes to Enrolment	
a. Granting of Advanced Standing	No Refund. Credit applied to next trimester fees
b. Transfer to another course of study at Collarts	No Refund. Credit applied to next trimester fees
8. Changes to Visa Conditions	
a. Obtains Permanent Residency on/before Commencement Date	Refund of difference between the domestic fee less any Agent fees if applicable
b. Obtains Permanent Residency after Commencement Date	No Refund
c. Cancellation of visa	No Refund
Other	
9. College Default	Refund of unused portion of prepaid tuition fees
10. Transfer to another Provider	Any refund paid directly to the new provider

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Related Policies

These procedures form part of the 'International Student Letter of Offer' (and associated International Student Acceptance Agreement) and should be read in conjunction with the following college policies:

- *Deferral, Suspension or Cancellation of Enrolment Policy*
- *Admissions Policy for International Students*
- *Tuition Assurance Statement*
- *Misconduct Policy*
- *Grievance & Appeals Policy*

All college policies referenced in this document can be found in the MyCollarts Student Portal.

Further Information

Author:	Collaborative	Policy owner:	Managing Director
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