

Tuition Fee Refund Policy for Domestic Students

Policy

The following policy and procedures apply in regards to tuition fee refunds for domestic students in accordance with the *Higher Education Support Act 2003* and the *FEE-HELP Guidelines*.

Scope

This policy applies to new and continuing domestic students who are enrolled in a higher education course of study at Macleay College; and college staff that assess and process fee refund requests.

Related Policies

This policy should be read in conjunction with the following college policies:

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

All college policies and any associated forms referenced in this document can be downloaded from the college website and myHandbook section of the myMacleay Student Portal (Moodle) via <http://mymacleay.edu.au/>.

Definition of Key Terms

"Census Date" means the dates set for trimester as the last date that a student can withdraw from a course of study and/or unit of study without incurring financial penalty ie. the cut-off date

"Course of Study" means a higher education award delivered by Macleay College as per the National Register

"Domestic Student" means a student who is an Australian Citizen or Permanent Resident (humanitarian subclass)

"FEE-HELP Assistance" means a Commonwealth Government loan scheme that assists eligible full-fee paying domestic students pay their tuition fees. FEE-HELP can cover all or part of a student's tuition fees. Permanent Residents (non-humanitarian subclass) and New Zealand Citizens (non-special category visa) are considered domestic students but do not meet the citizenship and residency requirements for FEE-HELP assistance.

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

"Trimester" means each twelve-week teaching period

"Tuition Fees" means 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 Macleay College

"Unit of Study" means a single component or subject that a student undertakes as part of a course of study that leads to a higher education award at Macleay College

"Upfront Fee/s" means a student pays their tuition fees for units of study directly to Macleay College with no contribution from the Commonwealth Government

A. Policy

Each student acknowledges and agrees to the terms of the **Tuition Fee Refund Policy for Domestic Students** when signing the *Acceptance Declaration* document contained in their offer to study at Macleay College.

Refund Eligibility

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

1. Withdraw or Suspend Enrolment on/before Census Date

To be eligible for a refund of tuition fees, a student must voluntarily withdraw (or cancel their enrolment) or suspend their enrolment (for a leave of absence) on or before the relevant cut-off date (Census Date).

a) Withdraw (or Cancel) Enrolment

Students who want to withdraw from their course of study or unit(s) of study must cancel their enrolment on or before the relevant Census Date (ie. cut-off date) to be eligible for a refund. To withdraw from a course of study or unit(s) of study, an *Application to Withdraw or Cancel Enrolment Form* must be completed and lodged with the Officer of the Registrar. For more information on how to withdraw (or cancel enrolment) without financial penalty, please refer to the ***Deferral, Suspension or Cancellation of Enrolment Policy***.

Students who withdraw on or before the relevant Census Date:

- Do not incur a FEE-HELP debt; and
- Are eligible for a refund of all Upfront Fee payments

b) Suspend Enrolment for a Leave of Absence

Students who want to take a leave of absence must suspend their enrolment on or before the relevant Census Date (or Cut-Off Date) to be eligible for a refund for any fees paid in respect of this period of absence. To suspend enrolment for a leave of absence and not incur a financial liability, an *Application to Suspend Enrolment Form* must be completed and lodged with the Officer of the Registrar. For more information on how to withdraw (or cancel enrolment), please refer to the ***Deferral, Suspension or Cancellation of Enrolment Policy***.

Students who suspend their enrolment to take a leave of absence on or before the relevant Census Date:

- Do not incur a FEE-HELP debt; and
- Are eligible for a refund for all Upfront Fee payments

Students who withdraw (cancel) their enrolment or suspend their enrolment to take a leave of absence after the relevant Census Date will incur a financial liability ie. a FEE-HELP debt and/or are not eligible for a refund of Upfront Fee payments other than in special circumstances (see the section titled [Special Circumstances after Census Date](#) within this policy).

2. Special Circumstances after Census Date

Macleay College will only consider applications for tuition fee refunds after the relevant Census Date where there are special circumstances which make it impracticable for the person to complete the requirements for the unit of study such as:

- Medical circumstances
- Family circumstances
- Personal circumstances
- Employment 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 Census Date for the unit of study in question; 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. Macleay College must be satisfied that a person's circumstances did not make their full impact on the person until after the Census Date for a unit of study if the person's circumstances occur:

- a) Before the Census Date but worsen after that day; or
- b) Before the Census Date, but the effect of magnitude does not become apparent until after that day; or
- c) After the Census Date

3. College Default

A student is eligible for a refund of tuition fees where, as a result of an event or action (College Default), Macleay College ceases to provide a course of study in which a student is enrolled, including where the course of study:

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

In the unlikely event of a College Default, a requested refund is processed within ten working days of the default being advised to the student.

B. Procedure

1. Where Enrolment is Withdrawn or Suspended on/before Census Date

1.1 Submit an application to the Office of the Registrar

Responsible: Applicant

To be eligible for a tuition fee refund, a student must withdraw (cancel their enrolment) in a course of study or unit of study, or suspend their enrolment to take a leave of absence, on or before the relevant Census Date by lodging the appropriate form with the Office of the Registrar in accordance with the **Deferral, Suspension & Cancellation of Enrolment Policy**.

A fee refund is not an automatic result of cancelling or suspending enrolment on/before the relevant Census Date. Having withdrawn or suspended their enrolment on/before the relevant Census Date, applicants seeking a fee refund should also lodge an 'Application for Fee Refund' with the Office of the Registrar before the end of the relevant trimester. An 'Application for Fee Refund' form can be downloaded from the college website and myHandbook section of the myMacleay Student Portal (Moodle) via <http://mymacleay.edu.au/>.

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.

Macleay College 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: Macleay (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 unit(s) 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 take copies of the documentation and witness them as being true copies of the originals presented. The original documentation is then returned to the applicant.

Macleay College 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. Macleay College 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.

1. Where Enrolment is Withdrawn or Suspended on/before Census Date (contd)

1.2 Review and consideration of the Completed Application (cont'd)

b) Assessment of the Completed Application

Responsible: Office of the Registrar & Dean

The Office of the Registrar is the designated Fee Refund Officer responsible for the assessment of refund requests. The Dean 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 Domestic Students** and makes a recommendation to the Dean 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 of the decision to grant or deny the application for the refund of tuition fees.

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

Where an 'Application for Fee Refund' is denied, Macleay does not grant the refund or re-credit the FEE-HELP balance. The applicant is sent a *Refusal of Fee Refund Letter* outlining the reasons for the decision and informing them of their rights to appeal the decision. Applicants wishing to make an appeal should refer to the college **Grievance & Appeals Policies**.

1.4 Processing refunds

a) Refund of Upfront Fees

For students granted a refund of Upfront Fees, the refund is made by the same method in which the Upfront Fee was 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 will not be paid in cash.

b) Re-Crediting FEE-HELP Debt

For students granted a refund of FEE-HELP Fees, the refund is re-credited to their FEE-HELP balance to remove or reduce the FEE-HELP debt. Macleay College makes payment to the Commonwealth Government the amount equal to the FEE-HELP paid to Macleay College on behalf of the student at the time of enrolment for the unit(s) of study approved for refund. Macleay College notifies the Department of Education of the variation. The Department of Education notifies the Australian Taxation Office that the debt has been removed or reduced.

c) Partial Upfront Fees & Re-Crediting of FEE-HELP Debt

For students granted a refund where tuition fees were paid as partial Upfront Fees and the balance via the FEE-HELP loan scheme, the Up Fee component is refunded (see [Refund of Upfront Fees](#)) and the FEE-HELP loan amount is re-credited to their FEE-HELP balance to remove or reduce the FEE-HELP debt (see [Re-Crediting FEE-HELP Debt](#)).

2. Where Enrolment is Withdrawn or Suspended after Census Date

2.1 Submit an application to the Office of the Registrar

Responsible: Applicant

To be eligible for a tuition fee refund, a student must withdraw (cancel their enrolment) in a course of study or unit of study, or suspend their enrolment to take a leave of absence, on or before the relevant Census Date by lodging the appropriate form with the Office of the Registrar in accordance with the ***Deferral, Suspension & Cancellation of Enrolment Policy***.

Macleay College only considers applications for refunds after the relevant Census Date where it is claimed that special circumstances made it impracticable for the student to complete the requirements for the unit(s) of study. Special circumstances must be:

- a) Beyond a person's control
- b) Did not make their full impact known until after the Census Date for the unit of study in question
- c) Made it impracticable for a student to complete the requirements for the unit of study

Applicants seeking a fee refund after the relevant Census Date should lodge an 'Application for Fee Refund' with the Office of the Registrar providing details of the special circumstances. An 'Application for Fee Refund' form can be downloaded from the college website and myHandbook section of the myMacleay Student Portal (Moodle) via <http://mymacleay.edu.au/>.

All applications are required to be completed, signed and it is the responsibility of the student to attach the appropriate documentary evidence in support of their application. The completed application form and attachments should be submitted to the Office of the Registrar.

Macleay College only considers Completed Applications as eligible for assessment. Incomplete forms are returned to the applicant.

2.2 Review and consideration of the completed application

a) Confirm application for completeness

Responsible: Macleay (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 to support the claim of special circumstances and to the unit(s) 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 take copies of the documentation and witness them as being true copies of the originals presented. The original documentation is then returned to the applicant.

Macleay College 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. Macleay College 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.

2. Where Enrolment is Withdrawn or Suspended after Census Date (contd)

2.2 Review and consideration of the Completed Application (cont'd)

b) Assessment of the Completed Application

Responsible: Office of the Registrar

The Office of the Registrar is the designated Fee Refund Officer responsible for the assessment of refund requests after Census Date as a result of special circumstances. The Dean is the designated Review Officer of any decisions 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 Domestic Students** and makes a recommendation to the Dean to grant or deny the application for the refund of tuition fees as a result of special circumstances within fifteen working days of the Submission Date.

2.3 Advise assessment decision in writing

Responsible: Office of the Registrar

Following assessment, the Office of the Registrar will advise the Applicant of its decision to grant or deny the application for the refund of tuition fees in writing within fifteen working days.

Where an 'Application for Fee Refund' submitted after the relevant Census Date is successful as a result of special circumstances, Macleay sends the student an *Approval of Fee Refund Letter* advising the decision in writing and confirming how the refund will be made (see 2.4 Processing Refunds).

Where an 'Application for Fee Refund' submitted after the relevant Census Date is denied, Macleay does not grant the refund or re-credit the FEE-HELP balance. The applicant is sent a *Refusal of Fee Refund Letter* outlining the reasons for the decision, and informing them of their rights to appeal the decision. Applicants wishing to make an appeal should refer to the college **Grievance & Appeals Policies**.

2.4 Processing refunds

Responsible: Office of the Registrar

Where an 'Application for Fee Refund' submitted after the relevant Census Date is successful as a result of special circumstances, the refund is processed as follows:

a) Refund of Upfront Fees

For students granted a refund of Upfront Fees, the refund is made by the same method in which the Upfront Fee was 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 will not be paid in cash.

b) Re-Crediting of FEE-HELP Debt

For students granted a refund of FEE-HELP Fees, the refund is re-credited to their FEE-HELP balance to remove or reduce the FEE-HELP debt. Macleay College makes payment to the Commonwealth Government the amount equal to the FEE-HELP paid to Macleay College on behalf of the student at the time of enrolment for the unit(s) of study approved for refund. Macleay College notifies the Department of Education of the variation. The Department of Education notifies the Australian Taxation Office that the debt has been removed or reduced.

2. Where Enrolment is Withdrawn or Suspended after Census Date (contd)

2.4 Processing refunds (cont'd)

a) Partial Upfront Fees & Re-Crediting of FEE-HELP Debt

For students granted a refund where tuition fees were paid as partial Upfront Fees and the balance via the FEE-HELP loan scheme, the Upfront Fee component is refunded (see [Refund of Upfront Fees](#)) and the FEE-HELP loan is re-credited to their FEE-HELP balance to remove or reduce the FEE-HELP debt (see [Re-Crediting FEE-HELP Debt](#)).