

FEES REFUND AND STUDENT TRANSFER POLICY (International Students)

Document data**Document type:** Rule/**Policy**/Plan/Guidelines/Operating Procedures**Administering entity:** Administration, HR and Finance Manager**Date approved:** 03 Mar 09**Latest amendment date:** Dec 11**Approved by:** (Academic Board / **Principal**)**Indicative time for review:** Annual**Responsibility for review:** Principal

1 Purpose

The purpose of this policy is for the management of fee refunds to students and for student transfers.

2 Scope

This policy refers to all students of TOP Education Institute.

3 Definitions

4 Procedures

4.1 Cancellation and Refund Agreement

- 4.1.1. All booking fees for accommodation, airport pick-up and the placement will not be refunded under any circumstances.
- 4.1.2. Tuition fees will be refunded only in the following circumstances:
 - i. The student is refused a visa for study in Australia (documentation required).
 - ii. In the event that TOP Education is unable to provide the course, all tuition fees paid are fully refundable.
 - iii. TOP education receives written notice of cancellation or withdrawal of enrolment from the student more than four (4) weeks before the start of the course in which the student is enrolled then 80% of the annual fee paid will be refunded.
 - iv. TOP education receives written notice of cancellation or withdrawal of enrolment from the student less than four (4) weeks before the start of the course in which the student is enrolled then 50% of the annual fee paid will be refunded.
 - v. TOP education receives written notice of cancellation or withdrawal of enrolment up to four (4) weeks after the start of the course in which the student is enrolled then 50% of the annual fee paid will be refunded.
- 4.1.3 In the event of a cancellation of enrolment, tuition fees will not be refunded if:
 - i. TOP Education receives notice of the cancellation of the course more than four (4) weeks after the start of the course in which the student is enrolled.

- ii.b. Exceptional circumstances will be considered.
- 4.1.4. This agreement, and the availability of complaints and appeals processes, does not remove the right of the student to take action under Australia's consumer protection laws. If a student is entitled to a refund, payment will be made in accordance with the ESOS Act 2000. For further information, please refer to the National Code, Part D Standard 3.1 and Section 27 – 32 of the ESOS Act.

4.2 Withdrawal and Refund Policy

- 4.2.1 Notice of withdrawal and requests for refunds must be made in writing to the Principal Administrator of TOP Education.
- 4.2.2 Once a student has commenced any program offered by TOP Education and has paid the Overseas Students Health Cover, this insurance will not be refunded.
- 4.2.3 TOP Education will not authorise the transferral of fees to other institutions, nor transfer funds to any other student's account.
- 4.2.4 If a student finishes a course early, the full tuition fees must be paid before any certificate is issued.
- 4.2.5 If a student wishes to transfer to another Institution within 6 months of study they may do so within limited circumstances and according to TOP Educations Policy for changing providers within the first 6 months. Any student wishing to do this should read the policy carefully in the Student Handbook, then complete the notice of withdrawal from course form at the Administration Office. Students should provide a letter detailing the reasons behind the request for transfer and a letter of offer from the new institution. Students will be advised in writing of the application within 10 working days.

4.3 Student Transfer Request

- 4.3.1 TOP Education is committed to the welfare of its students and to ensure that appropriate support is available to all students to ease the transition into life and study in Australia. Where students experience difficulties or obstacles in achieving their learning goals TOP Education will counsel students and provide support.
- 4.3.2 Where, however, students are genuinely facing difficulties with the course in which they are enrolled or with life in Australia generally and it would not be detrimental to the student, the Institute may decide to release students in accordance with this policy.

4.4 Transfer between registered providers

- 4.4.1 Under Standard 7 of the National Code 2007, Registered Providers must not knowingly enrol a student wishing to transfer from another Registered Provider's course prior to the student completing six calendar months of his/her principal course of study, except in exceptional circumstances.
- 4.4.2 TOP Education is entitled to determine the circumstances in which it will provide or refuse to provide a Release Letter. If a student requests a transfer within the period of six months of

commencement of their principal course TOP Education will assess the request for transfer against this policy.

- 4.4.3 .Students must co-operate with the TOP Education Staff and attend any interviews or other appointments scheduled for them including in respect of support services provided by TOP Education.

4.5 No release letter is required in the following circumstances:

- i. students have completed at least 6 months' study of your principal course; or
- ii. students have been sponsored by another government and that government sponsor provides written support of the change as it considers the change to be in your best interests; or
- iii. the Institute has ceased to be registered or the course in which you are enrolled has ceased to be registered; or
- iv. the Institute has a sanction imposed on it that prevents you from continuing your principal course.

4.6 Policy for changing providers within the first six months

To apply to transfer to another provider within the first 6 months of a student's principal course, they must demonstrate circumstances justifying the transfer as outlined below.

- i. Circumstances justifying a transfer do not exist where students have not completed the first four weeks of the course in which they are enrolled; or
- ii. TOP Education forms the view that students are trying to avoid being reported to the Department of Immigration for failure to meet the Institute's academic progress requirements; or
- iii. the transfer may jeopardise the students progression through a package of courses; or
- iv. the transfer would be detrimental to the students future study, welfare, and/or career objectives; or
- v. the student applies for a release from a course provided by TOP Education in order to transfer to a course provided by another Registered Provider and TOP considers the other course to be the same, similar or equivalent; or
- vi. the student has not accessed the Institute's student support or welfare services after having been requested to do so; or
- vii. the documents provided by you do not, in the view of the institution, adequately support grounds upon which the transfer is requested; or
- viii. the student has outstanding debts to the Institute.

4.7 Circumstances justifying a transfer:

Where the Director of Programs considers that the transfer would not be detrimental to the student's future studies and has recommended that their request for a transfer be granted on the basis of:

- i. compassionate grounds; or
- ii. the principal course is inappropriate for, and does not adequately meet the students needs; or
- iii. academic grounds; or
- iv. being in the best interests of the student; and
- v. they have provided a letter from another registered provider confirming that a valid enrolment offer has been made; and they have provided:
- vi. a signed and dated Notice of Withdrawal from Course; and
- vii. a letter detailing their reasons for requesting a transfer to another institution.

4.8 Procedure for changing provider within the first 6 months

4.8.1 If a student wishes to obtain a Release Letter they must complete, sign, date and lodge the Notice of Withdrawal from Course Form at the office of the Administration Manager. The following documents must be attached to the Release Request Form as part of the Release Application:

- i. a letter detailing the reasons behind their request to transfer to another Institution and how they will benefit from the transfer; and
- ii. a copy of the offer letter from the other Institution confirming that a valid enrolment offer has been made unconditionally at that Institution.

4.8.2 The Directors of Programs will then interview the student to determine:

- i. the circumstances surrounding the release; and
- ii. how the student may benefit from a transfer to another education institution.

4.9 Transfer Decisions

The student will be advised in writing of the outcome of the application within 10 working days.

4.10 Transfer Decisions Appeals Processes

If students are not satisfied with the decision as to whether or not to grant a Release Letter, they have the right to appeal the decision according to the Complaints and Appeals Process. In this event TOP

Education will maintain student enrolment in the course until the appeals process is completed.

4.11 Request for Leave of Absence

If students wish to defer, suspend, extend their enrolment or request a leave of absence they must meet one of the following conditions:

- i. Visa delay
- ii. Compassionate and compelling circumstances – These are generally beyond a students control and have an impact on their course progress or wellbeing. These could include but are not limited to the following:
 - Serious illness or injury, where a medical certificate states that students will not be able to attend classes;
 - Bereavement of close family members such as parents or grandparents (where possible death certificates should be provided);
 - Major political upheaval or a natural disaster in a students home country which has impacted on their studies;
 - Traumatic experience which could include; involvement in, or witnessing a serious accident; witnessing or being a victim to a serious crime which has impacted on the student (these cases should be supported by police or psychologists' reports).

4.12 Deferral prior to commencement

Students may request a deferral prior to course commencement. Request must be in writing and addressed to the Administration, HR and Finance Manager at the Administration Office. When the deferral is processed students will receive a revised Letter of Offer and CoE.

4.13 Suspending student enrolment

If students wish to suspend their enrolment they must complete a “request for leave of absence form” with all supporting documentation attached. All applications should be submitted at least 14 days prior to suspension date. The maximum suspension period is six (6) months. Approval will only be given in the limited circumstances described above. Students will receive notification in writing of the result of the request.

4.14 Student withdrawal

If students wish to cancel their enrolment they must complete a “Notice of Withdrawal from Course Form” with all supporting documentation attached. They will receive notification in writing of the result of the request. If they have not completed the first six months of their course they must provide a letter of offer from an alternative provider therefore complying with the conditions of Standard 7 of the National Code 2007.

4.15 TOP Education Institute initiated deferral, suspension or cancellation

4.15.1 TOP Education may suspend a student enrolment for:

Misconduct – where behaviour of a student:

- has been in serious breach of a TOP Education rule
- is in breach of enrolment conditions

TOP POLICY – FEE REFUND AND STUDENT TRANSFER

- is considered to provide a threat to the well being of other students or staff

4.15.2 TOP Education may cancel a student enrolment for:

- a serious breach of a TOP Education rule
- breach of enrolment conditions
- where a student is considered to provide a threat to the well being of other students or staff
- serious misconduct
- failing to meet the requirements of Satisfactory Course Progress (VET and H.Ed)
- failing to meet the requirements of the Course Attendance Policy (EAP)
- non-payment of tuition fee

4.15.3 Where suspension or cancellation is initiated by TOP Education, the student will receive a notice of Intent to Defer, Suspend or cancel Enrolment. This notice will clearly identify that students will be given 20 working days to access the Institute's internal appeals process. When the appeals process is initiated, TOP Education will maintain the student's enrolment until the internal appeals process is complete.

4.15.4 The suspension or cancellation will be notified to the Department of Education on completion of the 20 working days or at the end of the appeals process if the appeal is not upheld.

5 Related Documents

i.Accounting and Financial Management Policy

ii.Grievance Policy

iii.Student Assessment Policy