

Student Refund Procedure

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Related Documents	Legislative and Regulatory Compliance Letter of Offer and Written Agreement National Code Compliance Student Fees Policy Student Refund Policy		
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2.3	Chief Executive Officer	25/01/2024	30/01/2024

1. Context

This Procedure implements Australian College of Business Intelligence's (ACBI's) *Student Refund Policy*.

2. Definitions

Census date: the date on which student enrolment is finalised, after which students are liable for all associated course and tuition fees.

Commencing student: a student who has accepted an offer of a place at ACBI who has yet to commence their studies at ACBI.

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 term of study and is eligible to remain enrolled in the course.

Course: a course of study, comprising units of competency, the successful completion of which results in the awarding of a qualification, such as a Diploma.

Deferral: a delayed commencement by an applicant who has received an offer of a place in an ACBI course.

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).

Overseas student: a student who is not a domestic student and who may hold a student visa and is protected 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 course.

Non-tuition fees: fees charged by ACBI that are not for tuition, such as reassessment of study outcomes, deferral, late payment of fees.

Australian College of Business Intelligence trading as Australian College of Business Intelligence.

RTO code: 40835 CRICOS code: 03426E ABN: 19 158 104 566
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Tuition fees: fees received by ACBI that are directly related to the provision of a course that ACBI 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.

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 of competency or course 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. Scope

This Procedure applies to all staff at ACBI with responsibility for the administration of refunds to students, and to commencing and continuing students.

4. Procedure

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

4.1.1 Commencing students

If the student wishes to withdraw from an ACBI course or unit of competency, or defer the commencement of their studies at ACBI, and receive a refund for unspent tuition fees, the student is to complete and submit the following 2 online forms available on the ACBI's website (*Forms for New Students*):

- *Withdrawal Request or Enrolment Deferment Request, and*
- *Refund Request*

To assist the College, students must clearly state the reasons for the refund request and supporting documents must be supplied where applicable.

The refund amount will be calculated by the Admissions Manager in accordance with the Student Refund Policy, which can be accessed from the ACBI website.

Students refunds requests are to be approved by the Operations and Compliance Manager and the details of the request, including the outcome of the request and the approved refund amount, are to be recorded in the *ACBI Refund Requests Register*.

Approved refunds will be processed by the Finance Team and 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, in accordance with the Student Refunds Policy. ACBI will also provide a statement that explains how the refund amount has been calculated.

4.1.2. Continuing students

If the student wishes to withdraw from an ACBI course or unit of competency, defer their studies at ACBI, or apply for leave of absence or course release, and receive a refund for unspent tuition fees,

the student is to complete and submit the following 2 online forms available on the ACBI's website (Forms for Current Students):

- Enrolment Withdrawal Request or Enrolment Deferment Request or Release Request, and
- Refund Request

To assist the College, students must clearly state the reasons for the refund request and supporting documents must be supplied where applicable.

The refund amount will be calculated by the Academic Enrolment Coordinator in accordance with the Student Refund Policy, which can be accessed from the ACBI website.

Students refunds requests are to be approved by the Operations and Compliance Manager and the details of the request, including the outcome of the request and the approved refund amount, are to be recorded in the ACBI Refund Requests Register.

Approved refunds will be processed by the Finance Team and 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, in accordance with the Student Refunds Policy. ACBI will also provide a statement that explains how the refund amount has been calculated.

4.2. Compassionate and compelling circumstances

If students have experienced exceptional circumstances that have prevented them from successfully completing the course or unit/s of competency, ACBI 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 *ACBI Student Fees Policy*, which can be accessed from the ACBI website.

In determining the amount of the refund, if any, ACBI will take into consideration when the compelling or compassionate circumstances occurred.

4.3. Automatic Refunds

If a refund of unspent tuition fees is decided for the following reasons, ACBI will automatically process the refund:

- **transfer** – when a student successfully applies to transfer their enrolment to another ACBI course, 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 ACBI in writing, will be granted a refund in accordance with the *Student Fees Policy* and the *Student Refund Policy*.

4.4. Overpayment

If a student has overpaid an invoice, the student can contact the Finance Team and elect to credit the overpayment towards the following term or receive a refund of the value of the overpayment.

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4.5. 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 ACBI. 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. ACBI will also provide a statement that explains how the refund amount has been calculated.

The Finance Team will follow up unclaimed refunds within 28 days.

4.6. Refunds due to course cancellation (provider default) – overseas students

In the event of a default by ACBI, students are entitled to a refund under the provision of the ESOS Act 2000 and ESOS Regulations 2001 in the following circumstances:

- ACBI fails to start to provide the course to the student at the location on the agreed starting day
- An ACBI course ceases to be provided to the student at the location at any time after it starts but before it is completed
- ACBI does not provide a course as advertised, due to sanctions or circumstances beyond its control.

In these events ACBI will notify the Secretary of the Department of Education, the Tuition Protection Service (TPS) Director, and the student enrolled in the course, within three (3) working days of the default day.

ACBI will provide the following options:

- transfer their enrolment to another course offered by ACBI at no additional cost;
- offer a place in a similar course 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 14 days after the date of course cancellation (default day). ACBI 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, ACBI will notify the Secretary of the Department of Education and Training and TPS Director of provider default outcomes.

- If ACBI is unable to provide a refund or place the student at an alternate course, the TPS Director will place the student in a suitable alternative course at no extra cost to the student.
- If a registered provider of an alternative course 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 course, the student will be eligible for a refund as calculated by the TPS Fund Manager.

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The TPS Director may recover from a provider as a debt the amount equal to the amount paid for a student under the TPS.

4.7. Refunds due to course cancellation (provider default) – domestic students

If ACBI cancels a course, it will notify domestic students enrolled the course in writing and give the following options:

- transfer their enrolment to another course offered by ACBI at no additional cost;
- offer a place in a similar course 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 14 days after the date of course cancellation (default day). ACBI will also give the student a statement that explains how the refund amount has been calculated.

5. 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 ACBI website.

6. 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 ACBI website. Overseas students may lodge an external appeal with the Commonwealth Ombudsman.

7. 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)

Standards for Registered Training Organisations 2015, Standards 5.3, 7.3

National Code of Practice for Providers of Education and Training to Overseas Students 2018, Standard 3

8. Acknowledgements

In developing this Procedure, ACBI acknowledges:

- *AIBI Higher Education's Student Refund Procedure*

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Version	Date	Author	Reason	Sections
1.0		Fabio Mejia	Original version	All
2.0	9/10/2019	Stephen Andrews	Initial draft of revised version	All
2.1	16/10/2019	Fabio Mejia	Reviewed and revised as required.	All
2.2	18/10/2019	-	CEO approval	All
2.3	23/01/2024	Ivan Negro	Updated section 4, added Commencing and Continuing clauses in Section 4.1	4.1, 4.3, 4.6, 4.7

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