



POLICIES ON REFUNDS / RE-CREDITING OF FEES - HIGHER EDUCATION COURSES WITHDRAWALS FROM SUBJECTS OR A COURSE OF STUDY

1. Withdrawals on or BEFORE the Census Date

If, on or before the Census Date# a student withdraws from a subject/s, or from their course of study, tuition fees for that subject/s will be credited / refunded in full. If the student has applied for Fee-Help the student will not incur a Fee-Help debt for that subject/s. Note: A Subject Withdrawal Penalty of \$100 per subject will apply after Enrolment Week whether or not the student has attended any classes except where a student meets the conditions outlined in paragraph 3. (#See the link on Census Dates information page for further information and specific Census Dates for each subject).

2. Withdrawals AFTER the Census Date

No refunds or credit for fees applies for withdrawals after Census Date except under special circumstances outlined below. However the student, with the approval of the Registrar, may change to another subject offered in the same semester (this change will be subject to the Change of Enrolment Penalty).

a. Non Fee-Help Students : After the Census Date, if a student withdraws from a subject/s, including where the student withdraws from their course of study, the student remains liable for the fees for that subject/s and these must be paid. A credit or refund of tuition fees will only apply after the Census Date if the College has agreed to refund/re-credit a student's tuition fees due to special circumstances (see Para. 3 below for Policies on Re-crediting of Fees for more detailed information).

b. Fee-Help Students: After the Census Date, if a student who has completed a Request for Fee-Help assistance withdraws from a subject/s, including where the student withdraws from their course of study, the student will incur a Fee-Help debt for that subject/s.

A Fee-Help debt is only removed after the census date if the College has agreed to re-credit a student's Fee-Help balance due to special circumstances (see Para 3. below for Policies on Re-crediting of Fees for more detailed information).

3. Policies on Refunding or Re-crediting of Fees and Review Process

a. This policy applies only when all of the following conditions are satisfied:

1. a student is enrolled in a subject within an accredited course of the College;
2. the student has enrolled in the subject and Fee-Help students have completed a Request for Fee-Help Assistance for the subject.
3. the Census Date for the subject has passed;
4. the student has been unable to complete the requirements of the subject; and
5. the student believes that this inability to complete the unit was due to special circumstances.

b. Where all of the foregoing conditions are satisfied, a student may apply in writing for re-crediting of the applicant's Fees or Fee-Help balance.

c. Applications for the re-crediting of Fees or Fee-Help balance must be made in writing to the Bursar of the College.

d. Applications for the re-crediting of Fees or Fee-Help balance must be accompanied by independent documentary evidence, provided by a competent person, which substantiates the claim that one of the following special circumstances exist or existed:

1. medical circumstances; or
2. family circumstances; or
3. personal circumstances; or
4. employment related circumstances; or
5. course related circumstances.

e. Applications for re-crediting of Fees or Fee-Help balance must be submitted within 12



months of the withdrawal date, or if the student has not withdrawn, within 12 months of the end of the semester in which the unit was, or was to be, undertaken. (If the College is satisfied that the application could not be submitted within this timeframe due to circumstances beyond the control of the student, the College may at its discretion waive this requirement).

f. The Bursar must consider each application for re-crediting of Fees or Fee-Help balance on its merit. In order to approve an application, the Bursar must be satisfied that special circumstances (see par. 3. d., above) applied or apply to the applicant that are or were:

1. beyond the applicant's control;
2. did not make their full impact on the applicant until after the census date; and
3. made it impractical for the applicant to complete the requirements of the subject during the period in which the student undertook, or was to undertake, the subject.

g. The Bursar will be satisfied that the applicant's circumstances were beyond the applicant's control if:

1. a situation occurred which a reasonable person would consider is not due to the applicant's action or inaction, either direct or indirect, and for which the applicant is not responsible; and
2. the situation was unusual, uncommon or abnormal.

h. The Bursar will be satisfied that the applicant's circumstances did not make their full impact on the applicant until on or after the census date for the unit(s) of study concerned if the applicant's circumstances occurred:

1. before the census date, but worsened after that day; or
2. before the census date, but the full effect or magnitude did not become apparent until on or
3. after that day; or
4. on or after the census date.

i. The Bursar must give a written response to applications for re-crediting of Fees or Fee-Help balance within one month of receiving them in writing.

j. If the Bursar decides against re-crediting of Fees or Fee-Help balance, the written response must inform the applicant of his or her right to apply to the Principal for a review of the decision and that the time limit for such applications for review is 28 days from the time when the applicant receives the decision (or such longer period as the Reviewer may, at the Reviewer's sole discretion, allow).

k. Requests for a review of a decision not to re-credit Fees or Fee-Help balance must be made in writing to the Principal and must state the reasons why the application for review is being made.

l. The Principal must acknowledge in writing receipt of an application for a review of a decision within fourteen days. This written acknowledgement must include advice that if the applicant has not been advised of a decision concerning the review within 45 days of the Principal receiving the request for review, the Principal is taken to have confirmed the original decision by the Bursar. The letter shall also include advice that the applicant has the right of appeal to the Administrative Appeals Tribunal (AAT), their contact details and information concerning the cost of an appeal to the AAT.

m. The Principal will review the consistency of decisions reached by the Bursar with the College's published Review Procedures: Re-crediting of Fees or Fee-Help Policy and will consider information contained in the written reasons for the application for review in terms of this policy.



n. The Principal has available one of the following options:

1. confirm the decision; or
2. vary the decision; or
3. set aside the decision and substitute a new decision.

A decision of the Principal shall supercede any decision made by the Bursar.

The Principal must inform the applicant in writing of the decision on the review of the Bursar's decision and state the reasons for making this decision. The letter shall include advice that the applicant has the right of appeal to the Administrative Appeals Tribunal, their contact details and information concerning the cost of such application.

4. Reconsideration by the Administrative Appeals Tribunal (AAT)

A person may make an application to the AAT for a reconsideration of the College's decision to refuse to re-credit a person's Fees or Fee-Help balance and may supply additional information to the AAT which he or she did not previously supply to the College (including the College's reviewer).

The Secretary of the Department of Education, Employment and Workplace Relations (DEEWR) or his delegate will be the respondent for cases which are before the AAT. Once DEEWR has received notification from the AAT that the person has applied for the reconsideration, under section 37 of the Administrative Appeals Tribunal Act 1975 (AAT Act), the Secretary must lodge the following documents with the AAT within 28 days:

- a. statement setting out the findings on material questions of fact, referring to the evidence or other material on which those findings were based and giving the reasons for the decision; and
- b. every other document or part of a document that is in the reviewer's possession or under the reviewer's control and is considered by the reviewer to be relevant to the review of the decision by the Tribunal.

The AAT may be contacted on tel: (02) 9391 2400, at <http://www.aat.gov.au> or at 55 Market St, Sydney NSW 2000.

An application to the AAT for review of a decision may involve an application fee (currently \$682 at September 2008).

Also see FEE-HELP Review Policy for full policy details.