Refund Policy – International

Policy Code: INT-007  Version: 7.0  Effective Date: 16 September 2014

Purpose:

This policy outlines the circumstances under which refunds are available and clearly sets out the refund which will be provided to the student at various milestones along the timeline of the students’ enrolment, both prior to and following commencement of study.

Definition of “College” – The Australian College of Natural Medicine Pty Ltd (ACNM) trades as Endeavour College of Natural Health, FIAFitnation, College of Natural Beauty and Wellnation. For the purpose of this policy, any reference to ‘College’ or ‘the College’ should be considered a reference to each or any of these respective trading names.

Definition of “International students” – The College defines an International Student as someone who is not an Australian citizen or permanent resident or a New Zealand citizen or a permanent visa holder. This definition includes students studying onshore on a range of temporary visas (working holiday visa, tourist visa, student visa etc) or offshore as an online student. Information that applies only to students studying on specific visa classes (e.g. Student Visa) is specified when relevant. It should be noted that all international students pay fees specified for international students, regardless of visa subclass.

Scope:

- All campuses
- All international students
- Student Services

Policy Statement:

International student tuition fees are charged on a per subject basis and students are invoiced for each study period (semester or trimester). This policy is consistent with the Education Services for Overseas Students Act (ESOS Act) 2000. College fees for international students apply to persons living and studying in Australia who do not have...
Refund Policy

Refund amounts
The enrolment fee of AUD$250 is only refundable if the College defaults in the delivery of a course before it starts. If a student visa is refused, the College will retain 5% of the total course fees paid up to a maximum amount of $500. Other refund amounts are set out in the table below.

The College charges a fee for students dropping or swapping subjects and different fees are applicable at various stages of a semester/trimester. The fee applied is related to the timing of the cancellation/ withdrawal.

A fee charged for withdrawing from a subject is referred to as a Cancellation Fee.

If a student chooses to withdraw from a subject or course, the appropriate cancellation fee according to the schedule below, is charged. In limited circumstances the Director, Student Services may waive cancellation fees other charges as set out in the Special Circumstances Policy.

<table>
<thead>
<tr>
<th>Reason for or timing of Cancellation</th>
<th>Refund Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cancellation more than 1 month prior to course commencement date</td>
<td>Full refund of tuition fees provided.</td>
</tr>
<tr>
<td>Cancellation less than 1 month prior to commencement date</td>
<td>Full refund of tuition fees less $200 AUD per subject cancellation fee (retained by the College)</td>
</tr>
<tr>
<td>Cancellation after start of semester/trimester, up to Friday of week 4</td>
<td>Full refund of tuition fees less $300 AUD per subject cancellation fee (retained by the College)</td>
</tr>
<tr>
<td>Cancellation after Friday of week 4 of a semester/trimester</td>
<td>No refund of tuition fees provided</td>
</tr>
<tr>
<td>Cancellation of student's enrolment due to student default (see Student Default section below)</td>
<td>No refund of tuition fees provided.</td>
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</tbody>
</table>

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Version: 7.0
Effective Date: 23 September 14

Permanent resident status in Australia. Should students wish to appeal any decision made concerning refunds this Policy and the availability of the complaints and appeals procedures for international students do not remove the rights of a student to take action under Australia’s consumer protection laws.
In the event of provider default* | Full refund of all unused tuition fees

‘Tuition fees’ refers to the cost of tuition only and does not cover enrolment fees, books, uniforms, equipment or compulsory international health insurance.

*Provider default can include the College being unable to provide the course, the course not being provided in full to the student, or any sanctions being imposed upon the College relating to provision of the course.

**Note:** Once the semester/trimester has commenced, students are no longer able to withdraw online via the e-portal and will need to make an appointment with their Student Adviser to do so.

International students studying on a student visa must remain enrolled in a full time workload at all times unless the enrolment load has been reduced as part of a documented intervention strategy, special circumstances application or approved credit application implemented by the College.

**Swapping Subjects**

A student can only swap a subject once, from one month prior to the commencement date of the subject and up to census date during each semester/trimester or teaching period (for online subjects). This swap of subject must be requested using the Add, Drop and Swap Form PRIOR to census date, without incurring a cancellation fee where applicable as outlined in this cancellation policy. The swap must be for the equivalent subject unit, or a different subject unit with the equivalent number or higher credit point value.

**Short Course / Weekend Workshop students**

- From time of enrolment to official start date for short course:
  - 80% of course fee will be refunded.
- From official start date:
  - No refund – no credit transfer.

**Student Default (applies to all international students)**

An international student or intending overseas student defaults, in relation to a course at a location, if:

(a) the course starts at the location on the agreed starting day, but the student does not
start the course on that day (and has not previously withdrawn);

(b) the student cancels their enrolment in a course at the College (either before or after the agreed starting day);

(c) the student does not meet the conditional course requirements (including does not pass a Working with Children Check or First Aid Certificate); or

(d) the College refuses to provide, or continue providing, the course to the student at the location because of one or more of the following events:

   (i) the student failed to pay an amount they were liable to pay the College, directly or indirectly, in order to undertake the course;

   (ii) the student breached a condition of his or her visa;

   (iii) misconduct by the student (Refer to Student Misconduct Policy).

Provider Default (applies to students studying on a student visa only)

After a student has accepted an offer of enrolment at the College, in the unlikely event that the College is unable to deliver the course as offered, any tuition fees paid by the student for current and future semesters/trimesters will be refunded in full within 14 days of the agreed starting day of the course or the day on which the course ceases to be provided.

Alternatively, a student may be made an offer by the College to enrol in an alternative course for a cost no greater than the cost of the originally offered course of study. In this case the student will be given a choice between a refund and an alternative course. The following steps must be followed by the College in the event of provider default:

Step 1 – Provider default occurs

The College is deemed in default if:

- the course did not start on the agreed starting day
- the course ceased to be provided at any time after it commenced but before its completion
- the course was not provided in full because a condition has been imposed on the registration of the College on CRICOS, or the registration has been suspended or cancelled, and the student has not withdrawn before the
occurrence of any one of the events stated above.

Step 2 - Notifying the Secretary, the TPS Director and students

- Under section 46B of the ESOS Act, the College must notify the Secretary and the Tuition Protection Scheme (TPS) Director of the default within 3 business days of the default occurring. The College must also notify affected students. All notices of any such default must be in writing.

Step 3 - Provider obligation period

- Under section 46D of the ESOS Act, the College has 14 days after the day of the default (the provider obligation period) to satisfy its tuition protection obligations to affected students studying on a student visa.
- If the College fails to discharge your obligations to the student under section 46D, it is an offence under section 46E of the ESOS Act and serious penalties apply.

Step 4 - Notification of the outcome - discharge of obligations

- Under section 46F of the ESOS Act, the College has 7 days after the end of its obligation period to give a notice to the Secretary and the TPS Director of the outcome of the discharge of its obligations. This notice must comply with the requirements of section 46F of the ESOS Act.
- If the College does not meet its obligations affected students studying on a student visa may be assisted by the TPS Director.

Process for Claiming a Refund

- Before a student can apply for a refund:
  - The College must have received money into its accounts as cleared funds
  - the student’s course or subject cancellation must have been processed, and
  - the student must pay/settle any other debts owing to the College, such as library fines. If you fail to do so, the College reserves the right to deduct outstanding debts or fines owing from the refund amount.

- Students should refer to this policy to check whether their refund claim is valid. If unsure, the student should seek advice from a student adviser.
- Students are required to write to the Director, Student Services requesting a refund of their fees. This letter must include the reason the request is being submitted and original documentary evidence should be attached where
applicable.

- Once the student’s request has been received and the approval process completed, the student adviser will contact the student with information regarding the approval or decline of the refund requested.
- If a student’s refund request is valid a refund will be made within four weeks of the College receiving the request in writing.
- Refunds will be made by cheque or EFT in Australian dollars only.
- Refunds will only be made to a nominated person/sponsor who initially paid the student fees.
- Scholarship and sponsored students' refunds will only be paid to the scholarship provider or sponsoring body.
- If a student is dissatisfied with the outcome of the refund request, the student may lodge an appeal with the Director of Student Services within 20 working days of being informed of the decision. The formal complaints and appeals procedure begins when the student completes the formal complaints form and submits the completed form directly to a Student Adviser.

Definitions: 

ESOS – Education Services for Overseas Students. A legislative framework, administered by the Australian Government, addressing the responsibility of education institutions towards overseas students.

Special Circumstances – Compassionate and/or compelling circumstances beyond the student’s control.

Further Information:

Related Procedures: 
- Deferring, Suspending or Cancelling Enrolment Procedure – International
- Special Circumstances Policy – VET and Higher Education
- Complaints and Appeals Policy – International

Related Policies: 
- Deferring, Suspending or Cancelling Enrolment Policy - International
- Fee Policy - International

Benchmarking: 
Benchmarking cohort
Supporting Research and Analysis: Not applicable

Related Documents: Refund Request Form – International

Related Legislation:
- The Education Services for Overseas Students (ESOS) Act 2000
- National Code of Practice 2007
- Education Services for Overseas Students (ESOS) Regulations 2001
- Education Services for Overseas Students (Registration Charges) Act 1997
- Education Services for Overseas Students Legislation Amendment (Tuition Protection Service and Other Measures) Act 2012
- Education (Overseas Student) Regulation 1998 (plus amendments)
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<td>05Jun12</td>
<td>S Englart</td>
<td>New policy adapted from document attached to enrolment form</td>
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<td>1.1</td>
<td>06Jun12</td>
<td>A Moon</td>
<td>Document updated</td>
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<td>1.2</td>
<td>18Oct12</td>
<td>L Sharkey</td>
<td>Document revised, significant changes made by Compliance</td>
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<td>05Dec12</td>
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<td>15Jan13</td>
<td>L Sharkey</td>
<td>Significant rewrite to make policy more consistent with domestic</td>
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<td>L. Sharkey</td>
<td>Added provision for no refund if student enrolment cancellation is</td>
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Policy Author: Policy Standards and Compliance Officer
Policy Owner: Manager, International Student Education
Contact: Manager, International Student Education kevin.watkins@endeavour.edu.au
Approval Body: College Council Executive
Meeting date: 09 March 2013
Policy Status: Revised

Responsibilities for Implementation:
- Manager, International Student Education
- Director, Admissions and Marketing
- International Student Advisers
- Student Services

Key Stakeholders:
- Manager, International Student Education
- Director, Admissions and Marketing
- International Student Advisers
- Student Services
- International Students