

## REFUND POLICY – DOMESTIC STUDENTS

<b>Policy / Document Approval Body:</b>	Governance Board
<b>Date Created:</b>	28 July 2016
<b>Policy Custodian:</b>	Dean of Engineering
<b>Policy Contact:</b>	Higher Education Manager
<b>File Location:</b>	W:\Data - ALL.Standard\Policies and Procedures\EIT Policies and Procedures
<b>Location on EIT website:</b>	<a href="https://www.eit.edu.au/about/policies-procedures/">https://www.eit.edu.au/about/policies-procedures/</a>
<b>Review Period:</b>	Three years
<b>Revision No:</b>	2
<b>Date of Revision:</b>	22 March 2022
<b>Date Approved:</b>	31 March 2022
<b>Date Commenced:</b>	24 May 2022

### 1.0 Purpose

The purpose of this policy is to set out the provision of information regarding the refund scenarios of domestic student fees for all EIT higher education courses. It outlines where a refund of tuition fees, or charges related to study in an accredited course, may apply for commencing and continuing domestic students. In accordance with the relevant legislation (see [Section 7 Related Legislation](#)).

### 2.0 Scope

This policy applies to EIT's higher education courses for domestic students:

- enrolled in a fee-paying higher education course with EIT who are not claiming or do not satisfy the criteria for FEE-HELP loan assistance ("domestic non-FEE-HELP students"), or
- enrolled in a fee-paying higher education course with EIT who are claiming FEE-HELP assistance ("domestic FEE-HELP students"); that have paid tuition fees in advance, or
- paying tuition fees in advance or by instalments.

This policy does not apply to international students.

This policy does not remove the right to take further action under Australia's Consumer Protection Laws nor does it prevent the student from pursuing other legal remedies.

### 3.0 Objectives

The objectives of this policy are to:

- 3.1.1** provide transparent processes for refunds of tuition fees for domestic students, where applicable

**3.1.2** set out the circumstances where a full refund or a partial refund may apply for domestic students, and

**3.1.3** comply with relevant legislation.

## **4.0 Implementation**

The Higher Education Manager is responsible for implementation of this policy and ensuring that it is distributed throughout the EIT higher education community.

Students are responsible for ensuring that they are familiar with this policy and EIT's tuition fees, charges and circumstances where a refund may apply before accepting an offer for admission into an EIT higher education course.

### **4.1 Non-Refundable Fees and Charges**

Administrative fees and incidental charges, fines and penalties are non-refundable, and are additional to tuition fees.

The *Fee Schedule* shows non-refundable fees and charges, noting that fees and charges may vary from time to time. The EIT website has a complete list included with the *Fee Schedule*.

### **4.2 Domestic Non-FEE-HELP Student**

#### **4.2.1 Withdrawal**

'Domestic non-FEE-HELP' students who wish to withdraw from a course or unit(s) must advise EIT in writing by completing a Withdrawal Declaration Form and submit it to the Learning Support Officer. The withdrawal notice is not effective until the form is received and acknowledged by the Learning Support Officer.

In the event of a student withdrawing from a unit of study on or before the census date for that unit of study, 100% of the tuition fees paid for that unit will be refunded to the student.

Refunds are not automatic and will be paid upon application in addition to the application for withdrawal. To apply for a refund, students must complete a Refund Application Form and submit it to the Learning Support Officer. Any approved refunds will be processed within 28 days of EIT receiving the Refund Application Form.

In the event of a student withdrawing from a unit of study after the census date for that unit of study no refund is applicable for students who have paid in full in advance, and students who have paid by instalments will be financially liable for the full fee for that unit.

A student who withdraws from a unit after the census date, due to special circumstances, may apply to have any tuition fees paid refunded. See "Special Circumstances for all students" below.

### **4.3 Domestic FEE-HELP Students**

#### **4.3.1 Withdrawal**

'Domestic FEE-HELP' students who wish to withdraw from a course or unit(s) must advise EIT in writing by completing a Withdrawal Declaration Form and submit it to the Learning Support Officer. The withdrawal notice is not effective until the form is received and acknowledged by the Learning Support Officer.

In the event of a student withdrawing from a unit of study on or before the census date for that unit of study, a student’s FEE-HELP limit will not be reduced, and the student will not incur a FEE-HELP debt for that unit. If a student has paid any amount of their fees upfront they will be offered a refund of 100% of the tuition fees paid for that unit.

Refunds are not automatic and will be paid upon application in addition to the application for withdrawal. To apply for a refund, students must complete a Refund Application Form and submit it to the Learning Support Officer. Any approved refunds will be processed within 28 days of EIT receiving the Refund Application Form.

In the event of a student withdrawing from a unit of study after the census date for that unit of study no refund is applicable for any tuition fees paid upfront and the student will be financially liable for the full fee for that unit and will incur a FEE-HELP debt.

A student who withdraws from a unit after the census date, due to special circumstances, may apply to have any tuition fees paid refunded and have your FEE-HELP debt remitted. See “Special Circumstances for all students” below.

#### 4.4 Deferment and Interruption to Studies (all domestic students)

Deferment is an option for new students who have received a letter of offer but wish to defer their studies. The deferment procedure is described in more detail in the Admissions Policy.HE.

Applications for deferment will be assessed and, if granted, any tuition fees already paid will be refunded. Deferment applications are not accepted after the course start date. In these circumstances, students will need to withdraw (see previous section on withdrawal).

Continuing students who wish to interrupt their studies should refer to the withdrawal guidelines above regarding refund eligibility. Withdrawal procedures are outlined in detail in the *Admissions Policy.HE*.

#### 4.5 Summary of Refund Eligibility for Domestic Students

**Table 1** provides a summary of circumstances when a refund may be available for domestic students.

Table 1: Refund Eligibility for Domestic Students		
Circumstances	Refund	Process
Withdrawal from a unit or course, on or before the Census Date.	Yes. Full refund of tuition fees. FEE-HELP students will not incur a FEE-HELP debt.	Complete a Withdrawal Declaration Form and Refund Application Form

**Table 1: Refund Eligibility for Domestic Students**

Circumstances	Refund	Process
<p>EIT withdraws the offer of enrolment:</p> <ul style="list-style-type: none"> <li>if the student fails to meet the entry requirements, such as the stated level of English.</li> <li>based on incorrect or incomplete information provided by the applicant.</li> </ul>	Yes. Full refund of tuition fees.	<p>Learning Support Officer will communicate withdrawal of offer to the student.</p> <p>Complete a <i>Refund Application Form</i></p>
EIT default (unable to deliver the course). EIT may offer students a place in an alternative course at EIT or another registered provider. In such circumstances there will be no additional cost to the student, and a refund will not be paid.	Yes. Full refund of tuition fees.	<p>EIT will refund the tuition fees to the student in full within 28 days.</p> <p>No refund will be given if the student accepts an alternative course.</p>
Withdrawal after the Census Date with no special circumstances	No refund. FEE-HELP students will incur a FEE-HELP debt.	
Withdrawal after the Census Date, but special circumstances apply	Possible	See " <i>Special Circumstances for All Students</i> " section below.

#### 4.6 Special Circumstances for All Domestic Students

**Table 2** provides a summary of Special Circumstances for All Domestic Students

Special circumstances may apply for provision of a refund when student withdrawal is after the census date if EIT makes an assessment that the special circumstances comply with the guidelines. The student must have:

- been enrolled in the unit after the census date
- not successfully completed the requirements of the unit, and
- submitted a written application for special circumstances using the *Refund Application Form* together with a *Withdrawal Declaration Form* and supporting evidence.

#### **4.6.1 Guidelines – The Special Circumstances:**

- were beyond the student’s control, which is reasonably considered as not due to the student’s action or inaction, either direct or indirect, and for which the student is not responsible and;
  - were unusual for the student, and
  - made it impractical for the student to complete the requirements of the course/s, and
  - did not occur until after the Census Date for the course/s, or
  - where the circumstances occurred or existed before the Census Date, worsened or changed, such that their full effect was not apparent to the student until after that date.
- would make it impractical for a student to complete the requirements of the course/s and may include (but are not limited to):
  - medical circumstances that have changed to such an extent that the student is unable to continue studying, or new medical circumstances arose.
  - family/personal circumstances such as death, significant medical issues, unforeseen financial difficulties, or other circumstances that are unreasonable to expect a person to continue their studies.
  - employment related circumstances where employment status or arrangements have changed so that the student is unable to continue their studies and this change is beyond their control.
  - program related circumstances where EIT has changed the course offered, and the student is disadvantaged by either not being able to complete the course, or not being given credit towards other courses or programs.
  - extenuating circumstances of reasonable significance that interfere with the student’s ability to meet a program's requirements. For example, carers' responsibilities, legal commitments, military service, accidents or natural disasters.

Special circumstances do not include:

- lack of knowledge or understanding of this policy or government legislation; or
- failure to follow correct procedures; or
- academic ability that was less than expected.

Special circumstances are accepted as basis for a refund at the discretion of EIT.

#### **4.6.2 Supporting Documentation**

Students should ensure that their supporting documentation complies with EIT’s requirements and is:

- an original document or a certified copy
- an original medical certificate that details the condition where medical circumstances apply
- a statutory declaration, where relevant

- a detailed account of the circumstances or events that are relevant to the application, including specific dates, and demonstrates how it meets the ‘Special Circumstances’ section of this policy
- a true and honest representation of the circumstances, and
- other documentation requested by EIT.

#### 4.6.3 FEE-HELP Students – Additional Information about Special Circumstances

FEE-HELP students may be eligible to have their HELP debt remitted (and FEE-HELP balance re-credited, if applicable) under particular circumstances referred to as ‘special circumstances’ above. Applications submitted due to ‘special circumstances’ must reach EIT within 12 months of the student’s withdrawal day. The ‘withdrawal day’ is the day EIT specifies in its notice as the day the withdrawal takes effect.

There are no provisions for students in the Higher Education Support Act 2003 (HESA) for a debt to be remitted if a student has already completed a unit or course of study.

If students withdraw from a unit after the census date because they changed their mind, students are legally obliged to repay the HELP debt, and are not able to apply to have the HELP debt remitted.

**Table 2: Where Refunds May Apply Under Special Circumstances  
for All Domestic Students**

<b>Circumstances</b>	<b>Refund/ Remission</b>	<b>Process</b>
Withdrawal from a unit or course due to special circumstances beyond the control of the student. See ‘Special Circumstances for All Students’ section in this Policy.	Possibility	A student may submit a request for special circumstances, if eligible, or may lodge an appeal.
Withdrawal from a unit or course after the Census Date.	No	A student may submit a request for special circumstances, if eligible, or may lodge an appeal.
EIT cancels a student's enrolment due to reasons of unsatisfactory progress, misconduct, lack of attendance or a student has provided fraudulent or misleading information.	No	A student may submit a request for special circumstances, if eligible, or may lodge an appeal.
EIT cancels a student's enrolment due to non-payment of tuition fees or other fees and charges.	No	A student may submit a request for special circumstances, if eligible, or may lodge an appeal.

**Table 2: Where Refunds May Apply Under Special Circumstances  
for All Domestic Students**

Circumstances	Refund/ Remission	Process
After submitting a formal complaint in accordance with the <i>Student Complaints, Grievances and Appeals Policy</i> .	Possibility	Complete and submit a <i>Student Complaint Form</i> , together with relevant evidence; Tuition fees may be refunded in full or in part, depending on the outcome of the grievance process.

#### 4.7 Payment of Refunds

Refunds will be paid within 28 days of receipt of a complete *Refund Application Form* by EIT. Incomplete forms or applications without sufficient supporting documentation may cause delays in processing refunds.

Refunds will be paid:

- in Australian dollars.
  - If the tuition fee was paid by credit card within the last 12 months, then under Australian banking regulations the refund must be credited to the credit card from which the fee was initially paid.
- directly to the person who entered into the contract with EIT as the registered provider, unless written permission has been given to make the payment to another person.

EIT will record the transaction in the Student Records Management System.

#### 4.8 Appeals

##### 4.8.1 Domestic Non FEE-HELP Students

Domestic non-FEE-HELP students may seek a review of any decision related to a refund application by submitting an appeal to the Learning Support Officer within 28 days of receiving the decision notice from EIT. The appeal must be accompanied by supporting documentation.

The Higher Education Manager will consider appeals relating to refunds. Students will be notified of the decision within 28 days of EIT receiving the application. If students are not satisfied with the reviewed decision, then they can make an appeal to the Governance Board or seek an external review, as set out in the *Student Complaints, Grievances and Appeals Policy.HE*.

##### 4.8.2 Domestic FEE-HELP Students

Domestic FEE-HELP students who are not satisfied with a determination for a remission of a FEE-HELP liability and re-credit of FEE-HELP balance may seek a review of the determination by submitting a request for review in writing to the Learning Support Officer within 28 days of receiving the determination notice from EIT.

Students must include the date of the original decision, reasons for requesting a review, and additional evidence that are originals or certified copies.

The Higher Education Manager will consider appeals relating to refunds. Students will be notified of the review decision within 28 days of EIT receiving the application. If students are not satisfied with the reviewed decision, then they can make an appeal Governance Board or seek an external review, as set out in the Student Complaints, Grievances and Appeals Policy.HE.

## 5.0 Definitions

Please refer to the EIT Glossary that can be found [here](#) for all definitions used in this document.

## 6.0 Related Documents:

- Admissions Policy.HE
- Credit and Recognition of Prior Learning Policy.HE
- Higher Education Fees Policy.HE
- Privacy Policy.DS
- Records Management Policy.DS
- Refund Policy International Students.HE
- Student Complaints, Grievances and Appeals Policy.HE
- Student Complaints, Grievances and Appeals Procedure.HE

## 7.0 Related Legislation

- [\*Tertiary Education Quality and Standards Agency Act 2011 \(Cwth.\)\*](#)
- [\*Higher Education Standards Framework \(Threshold Standards\) 2021 \(Cwth.\)\*](#)
- [\*Education Services for Overseas Students Act 2000 \(Cwth.\)\*](#)
- [\*Equal Opportunity Act 1984 \(WA\)\*](#)
- [\*Privacy Act 1988 \(Cwth\)\*](#)
- [\*Public-Interest Disclosure Act 2003 \(WA\)\*](#)
- [\*Australian Human Rights Commission Act 1986 \(Cwth.\)\*](#)
- [\*Racial Discrimination Act 1975 \(Cwth.\)\*](#)
- [\*Sex Discrimination Act 1984 \(Cwth.\)\*](#)
- [\*Disability Discrimination Act 1992 \(Cwth.\)\*](#)
- [\*Age Discrimination Act 2004 \(Cwth.\)\*](#)
- [\*Disability Services Act 1986 \(WA\)\*](#)

## 8.0 Accountabilities

The Governance Board is responsible for review and approval of this policy.

The policy is to be implemented via induction and training of staff and distribution to students and EIT's community via the website and other publications.