

TUITION PROTECTION POLICY

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1.0 Purpose

The purpose of this policy is to define how EIT protects student tuition fees should EIT be unable to fully deliver a course of study.

2.0 Scope

This policy extends to all EIT students enrolled in accredited courses. The Australian Government TPS website states that:

The Tuition Protection Service (TPS) helps international and domestic students if their education provider closes, stops offering their course, fails to start their course or discontinues units of study they are enrolled in. It is primarily funded by a levy paid by the education providers of the students it is designed to assist.

The TPS helps:

- *international students*
- *domestic higher education students who pay up-front fees at private providers*
- *FEE-HELP and HECS-HELP students at private providers*
- *VET Student Loans (VSL) students at private providers*

3.0 Objectives

EIT is committed to the following principles that underpin this policy:

- 3.1** EIT protects students' tuition fees through the Tuition Protection Service (TPS).
- 3.2** The TPS is an initiative of the Australia Government to assist:
 - International (CRICOS, on-campus) students

- Eligible domestic students accessing a FEE-HELP, HECS-HELP or VET Student Loan (VSL).
- Domestic higher education students who pay their fees directly to their provider
- When EIT is unable to fully deliver a course of study.

3.3 The TPS ensures that the above students are able to either:

- complete their studies in another course or with another education provider; or
- receive a refund of their unspent tuition fees (international students and prepaid students); or
- A re-credit of their loan for open units of student (VSL or HELP loans)

3.4 For any student category that is not covered by the TPS, EIT maintains an adequate amount of cash surplus which is reviewed quarterly by EIT's Governance Board to ensure the cash surplus amount is at a satisfactory level to protect any student tuition fees which are held in advance.

3.5 EIT will take all measures possible to ensure that, students are informed of the following situations affecting an intake of a course, and within 24 hours of the event occurring:

- EIT ceases to operate as a Registered Training Organisation (RTO) or Institute of Higher Education; or
- EIT are unable to deliver a course as expected.

3.6 If any of the events outlined above should occur, EIT will fully support all students and will either:

- Facilitate replacement courses and / or providers, where possible; or
- Provide a refund or re-credit a student's HELP balance for the affected part(s) of the course.

3.7 To facilitate a replacement course and / or provider EIT will provide students with a Statement of Attainment (VET) or Record of Results (Higher Education) as per the Australian Qualification Framework (AQF) for the components of the course the student has successfully achieved.

3.8 The Department of Education, Skills and Employment (DESE) (or a consultant appointed by DESE) will work with affected students to identify a replacement course and arrange for students to be placed with replacement providers. Replacement courses must meet the following requirements:

- the course must lead to the same or comparable qualification as the original course
- the mode of delivery of the replacement course must be the same as or, with the student's consent, similar to the mode of delivery for the original course; and
- the student will not incur additional fees that are unreasonable.

- 3.8.1** Affected students will be offered a replacement course and may seek a review about whether the course offered to them meets the requirements for replacement courses
- 3.8.2** A student who accepts the replacement course offered will not be required to pay the replacement provider for the replacement components of the replacement course. However, the fees payable for the remainder of the replacement course may be different from the fees payable for the original course
- 3.8.3** Each affected student will have a period of six (6) months in which to accept the replacement course offer. The DESE may extend that period in circumstances that justify an extension
- 3.8.4** If an affected student enrolls in a course that is not a replacement course, the student may be required to pay additional tuition fees, and might not receive the course credits the student would have received if the student had enrolled in a replacement course, and
- 3.8.5** If a replacement course is not available, a student may apply for a refund, or to have their HELP loan re-credited.
- 3.8.6** In the event that EIT will be required to act as a replacement provider and enrol a student from another institution on a replacement course, EIT will:
- 3.8.6.1 Award a credit for superseded and equivalent units in the replacement qualification, evidenced by a verified Statement of Attainment, Record of Results or the students Unique Student Identifier (USI) transcript.
 - 3.8.6.2 Not charge a student for the course tuition fees for the replacement component of the replacement course; and
 - 3.8.6.3 Ensure that replacement courses will lead to an equivalent or comparable qualification outcome as the original course. The same delivery mode may not be available but will accommodate the student's requirements as far as practicable.
- 3.9** EIT's website will be updated, as soon as practicable, to reflect that the course is no longer being provided and with tuition protection information for any affected students.
- 3.10** Within three (3) business days, EIT will inform the Tuition Protection Director (Director), of the affected course, students and fees relating to the event. Further information will be provided to the Director as requested.

4.0 Definitions

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

5.0 Related Documents:

- Admissions Policy (VET and HE versions)
- Course and Unit Discontinuation Policy.VET
- EIT04 Accurate and Accessible Information Policy
- EIT01 Training & Assessment Policy
- EIT05 Learners are Informed and Protected Policy
- EIT Tuition Protection Statement
- Higher Education Fees Policy.HE

- Refund Policy Domestic Students.HE
- Refund Policy International Students.HE
- Tuition Payment, Withdrawal, Deferral and Refund Policy.VET
- VET Student Loans Debt Review and Recredit Policy.VET
- VET Student Loans Policy.VET
- VET Student Loans Tuition Fees and Charges Policy.VET
- VET Student Loans Withdrawal, Deferral and Cancellation Policy.VET

6.0 Related Legislation

- [Age Discrimination Act 2004 \(Cwth.\)](#)
- [Australian Human Rights Commission Act 1986 \(Cwth.\)](#)
- [Disability Discrimination Act 1992 \(Cwth.\)](#)
- [Disability Services Act 1986 \(WA\)](#)
- [Education Services for Overseas Students Act 2000 \(Cwth.\)](#)
- [Equal Opportunity Act 1984 \(WA\)](#)
- [Fair Trading Act 2010 \(WA\)](#)
- [Freedom of Information Act 1992 \(WA\)](#)
- [Higher Education Standards Framework \(Threshold Standards\) 2021 \(Cwth.\)](#)
- [Higher Education Support Act 2003 \(Cwth.\)](#)
- [Privacy Act 1988 \(Cwth\)](#)
- [Public-Interest Disclosure Act 2003 \(WA\)](#)
- [Racial Discrimination Act 1975 \(Cwth.\)](#)
- [Sex Discrimination Act 1984 \(Cwth.\)](#)
- [Standards for Registered Training Organisations \(RTOs\) 2015 \(Cwth.\)](#)
- [Tertiary Education Quality and Standards Agency Act 2011 \(Cwth.\)](#)
- [VET Student Loan Act 2016 \(Cwth.\)](#)
- [VET Student Loan Rules 2016 \(Cwth.\)](#)
- [VET Student Loans \(Courses and Loan Caps\) Determination 2016](#)

7.0 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.