



STUDENT FEE and REFUND

Policy

Definitions:

Terms in this document, for which definitions are not provided in the text or may not be self-evident or for which usage at ACC may differ to that in other higher education institutions are as follows:

CoE: Acronym for *Confirmation of Enrolment* – an official document issued to an international student by a higher education provider in Australia, in this instance by the ACC. The CoE confirms that a student has signed the ACC *Student Acceptance and Payment Agreement*. This indicates that they have accepted a place in their chosen course/program of study and have paid their tuition fees and the Overseas Student Health Cover premium (OSHC). The CoE must be submitted by the student as part of their visa application.

Department of Home Affairs: The Australian Government Department responsible for the issue of visas to eligible international students to enable them to undertake studies in Australia with registered education providers.

Education Services for Overseas Students (Calculation of Refund) Specification 2014: This specification ensures that, where a provider is required to **refund a student**, as a result, of circumstances outside the **student's** control, the **calculation** of that **refund** is consistent and fair.

ESOS Act 2000: The Education Services for Overseas Students Act 2000, or ESOS Act, establishes legislative requirements and standards for the quality assurance of education and training institutions offering courses to international students who are in Australia on a student visa. ESOS also provides tuition fee protection for international students.

Exclude: When a student is excluded from the College, this refers to termination of the student's enrolment. After a specified period, the student may apply again for admission, in accordance with the ACC's *Recruitment, Admission and Orientation Policy*.

FEE-HELP: FEE-HELP is a loan from the Australian Government for eligible higher education students to pay tuition fees. It cannot be used for accommodation, laptops, textbooks or any other course related instruments or materials.

International Student: A prospective or enrolled student who is not an Australian citizen, Australian permanent resident, New Zealand citizen, or holder of an Australian permanent resident humanitarian visa, and who requires an international student visa from the Australian Government to study in Australia, whether applying to ACC from within Australia or from overseas.

Loan: Refers to the lending of money to a student by one or more individuals, organizations, or other source(s) external to the ACC for the purpose of payment of their tuition fees. The recipient incurs a debt and is liable in accordance with a loan agreement to pay interest on that debt until it is repaid as well as to repay the principal amount borrowed. Loan does not include arrangements for the transfer of eligible student fees to FEE-HELP.

National Code or National Code of Practice for Providers of Education and Training to Overseas Students 2018: The *National Code* is a legislative instrument made under the *Education Services for Overseas Students Act 2000*

and sets nationally consistent standards to support *providers* to deliver quality *education and training to overseas students*. The *National Code 2018* commenced on 1 January 2018.

Under the National Code Standard 2 relates to the Recruitment of an Overseas Student, and **Standard 3** refers to the Formalisation of Enrolment and Written Agreements.

Program: ACC TEQSA accredited courses of study.

Stream: A scientific or professional discipline or body of knowledge which forms an essential part of program curriculum. Streams at the ACC are comprised of one or more units of study.

Tuition Fee: The fee paid by a student for enrolment in a unit of study which covers the cost of instruction/teaching. The tuition fee does not cover such related costs as textbooks, travel, special clothing, photocopies, diagnostic kits and/or equipment and/or other items for personal use by the student.

Tuition Protection or The Tuition Protection Service (TPS): An initiative of the Australian Government to assist international students and eligible domestic students accessing a VET Student Loan (VSL), FEE-HELP or HECS-HELP (HELP) loan, whose education providers are unable to fully deliver their course of study. The TPS ensures that these 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) or a re-credit of their loan for open units of study (VSL and HELP).

Unit (or Unit of Study): An element of a Stream (as defined above), that has specified student learning outcomes and requires satisfactory performance in assessments that measure student performance regarding learning outcomes.

PURPOSE

The purpose of this policy is to clearly articulate the set of rules that govern the payment of student fees, fee refunds and award of fee credits and their relationship to unit and program withdrawals.

SCOPE

This Policy applies to all prospective and enrolled students (“students”) and staff at the Australian Chiropractic College (“the College”) operated by Australian Chiropractic College Ltd.

POLICY

All student applications for refunds will be assessed and processed in accordance with the requirements of this policy and with regard to:

- The Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act);
- The Higher Education Standards Framework (Threshold Standards) 2021; and in relation to international students;
 - The Education Services for Overseas Students Act 2000 (ESOS Act 2000);
 - The National Code of Practice for Providers of Education and Training to Overseas Students 2018;
 - Education Services for Overseas Students (Calculation of Refund) Specification 2014; and
 - Department of Home Affairs Visa Regulations.

Tuition Fees Governance

Program fees are set and approved annually by the Board of Directors and published on the ACC website prior to the commencement of the study period.

Following the student's first year of enrolment, tuition fees for future years may be subject to change at the discretion of the Board. If tuition fees change, the College notifies students through their registered ACC email accounts in November of the preceding year.

Tuition Fee Payment

All tuition fees included in the Fee Invoice rendered to the student shall be paid, in full, by the student. Failure to pay in full may hinder the student's ability to enroll or graduate.

Tuition fees must be paid, or transferred to FEE-HELP, by the due date on the Fee Invoice. The due date for Fee Invoices are:

- For domestic students, the census date for the unit
- For continuing international students, the working day prior to commencement of the study period
- For new international students, 50% of the fees for the first study period with acceptance of enrollment, at which point the Confirmation of Enrollment (CoE) is issued, with the remaining 50% the working day prior to commencement of the study period.

Any installment of a student loan available to a student and received by the ACC in respect to the student's enrolment shall be applied toward payment of the Fee Invoice rendered to that student.

Tuition Related Costs

Tuition fees do not include such related costs as textbooks, travel, special clothing, photocopies, diagnostic kits and/or equipment for personal use by the student. Additional study related goods and services may be either purchased individually by the student or purchased in bulk by ACC with the costs reimbursed by the student.

The ACC will publish additional related study costs and advise these to the students simultaneously with their invitation to enroll at the ACC.

Where ACC provides goods or services for related study costs as outlined above, payment is due at the commencement of studies for each Semester and payable by the student to the ACC.

Hardship

In case of hardship, a student may apply in writing to the Finance Manager for alternative payment methods. Any such arrangements must be approved by the General Manager prior to the payment due dates.

Withdrawals

An enrolled student may withdraw from a unit of study or the entire program at any time by giving written notice. The withdrawal of a student is managed in accordance with ACC's *Alteration of Student Enrollment Policy* and associated procedures.

Withdrawals will be deemed effective from the date of receipt of written notification.

Where a student is found ineligible to be enrolled in a unit and does not voluntarily withdraw within five (5) business days of the College's confirmation of their ineligibility, the College may withdraw the student and refund any tuition fees paid.

Refunds and/or Fee Credit

The Board of Directors determines the conditions for the refund or credit of all, or part fees for students.

The ACC will take all reasonable steps to ensure all students that are, or may be entitled, to the credit or refund are notified via formal written correspondence and/or email.

Approved refunds are paid in Australian dollars and ONLY to the same account or credit card from which the original payment was made at the time of enrolment; and within 20 working days from the time a refund claim was received by the College (provided all banking information for payment of refund is received on application).

In the event of a refund being rejected by the bank due to insufficient data or incorrect data supplied by the student, any bank fees charged by the College's bank to the College will be deducted from the amount due to the student.

Refund amounts transferred by international telegraphic transfer will attract a bank charge.

Where a student has withdrawn from a unit and/or an ACC program under the *Alteration of Student Enrolment Policy* and associated procedures a credit of tuition fees, and any other fees, will be granted as follows:

Student Classification	Withdrawal Date	Tuition Fees	Other Fees
Domestic student	Up to and including the census date	100% refund of tuition fees paid	Where other fees have been paid relating to tangible items for which ACC cannot access a refund, for example personal equipment, the fee will not be refunded. Where the other fees have been paid for items that ACC can receive a refund, this refund will be passed onto the student.
	After the census date	No refund unless there are Special Circumstances. Where tuition fees have been transferred to FEE-HELP a student can only apply for their FEE-HELP to be cancelled where there are Special Circumstances*.	
International student (not as a result of visa refusal)	If at any time, an international student is found to have provided fraudulent or misleading information through the application or enrolment processes	No refund of tuition fees paid	Where other fees have been paid relating to tangible items for which ACC cannot access a refund, for example personal equipment, the fee will not be refunded.
	Withdrawal at least 4 weeks prior to unit/program commencement date	80% refund of tuition fees paid for that commencing unit/program	Where the other fees have been paid for items that ACC can receive a refund, this refund will be passed onto the student.
	Withdrawal less than 4 weeks but prior to the published unit/program commencement date	50% refund of tuition fees paid for that commencing unit/program	

Student Classification	Withdrawal Date	Tuition Fees	Other Fees
International student (not as a result of visa refusal)	Withdrawal after the published unit/program commencement date	No refund for tuition fees for that commencing unit/program Tuition fee refunds after the study period commencement date are approved solely at the discretion of the College and only if there are compassionate and compelling circumstances**, which can be verified.	
	The College is unable to provide the unit/program offered before, or on the day of, the published commencement date.	100% refund of tuition fees for that commencing unit/program.	
International student (as a result of visa refusal)	Visa is refused prior to agreed program commencement date***	100% refund of tuition fees paid	Where other fees have been paid relating to tangible items for which ACC cannot access a refund, for example personal equipment, the fee will not be refunded.
	Visa is refused after the agreed program commencement date	Refund of all unused tuition fees **** from date of written notification received by the College	
	Approval of an Australian Student Visa is delayed beyond the student's control	100% refund of tuition fees paid	Where the other fees have been paid for items that ACC can receive a refund, this refund will be passed onto the student.

*Note: to meet Special Circumstances a student must show that what affected them was beyond their control, did not make the full impact on them until on or after the census date(s) of the unit(s), and made it not practicable for them to complete the unit(s).

**Compassionate and Compelling Circumstances

The College understands that on occasion a student may be required to withdraw from a course due to unforeseen compassionate and compelling circumstances. Therefore, provision is made under this policy for a student to provide appropriate documentary evidence with their refund application for consideration by the College for a full or partial refund.

To be considered, the situation must:

- be outside of the student's control; and
- make it impractical for the student to continue with their studies; and
- be supported by documentary evidence.

Compassionate and compelling circumstances do not include:

- failing to progress adequately or successfully complete a College program;
- inability to pay tuition fees. For international students it is a visa condition to have sufficient funds for study and living purposes.

Requests for refunds on compassionate and compelling circumstances grounds must be sent to admin@acc.sa.edu.au accompanied by independent supporting documentation in English (or translated by a NAATI accredited translator if the documents are in another language). Students will be informed of the outcome within ten (10) working days.

***Note: When applying for refunds based on visa refusal, the letter of refusal from the Department of Home Affairs must be attached to the Refund Application.

***Note: The ESOS Act 2000 defines “tuition fees” as being directly related to the provision of a course that the provider is providing, or offering to provide to the student. Tuition fees include lectures, tutorials, training, learning materials, excursions, fieldwork or practical experience that form part of a course that the provider offers. The College will calculate the refund based on all unused tuition fees on a weekly basis. For example, if a student pays tuition fees for units of study with a duration of 16 weeks prior to their student visa being approved and attends for 3 weeks, and then receives notification that their student visa application has not been successful, a refund will be given to the student for the remaining 13 weeks, excluding the enrolment fee.

Non-payment of tuition fees

Where a student does not pay or make arrangements with the Finance Manager to pay the relevant tuition fee invoice on or before the due date, the following conditions will apply:

- Any tuition fees that are not paid within seven (7) days of the due date will automatically attract a 10% penalty;
- Where tuition fees have not been paid within fourteen (14) days of the due date the student’s enrolment in the unit(s) of study will be revoked (or cancelled).

The College in addition may also:

- Decline to re-enroll the student in one or more units, until the fees have been paid;
- Decline to release the student’s academic record, until the fees have been paid;
- Exclude the student from the College.

Non-attendance

Any student who ceases attendance at ACC lectures or classes in a unit or units without formally applying to withdraw remains liable for the fees prescribed for the unit or units in question.

No Tuition Fee Refunds

No refunds will be offered in the following circumstances:

- An international student who has been issued a Confirmation of Enrolment (CoE) for a program(s) with the College, has not had a release request approved and holds a visa type that does not restrict them from ongoing studies, will not be entitled to receive a refund for any initial deposit amount.
- An international student who has had a course cancelled by the College under the following circumstances will not be entitled to receive a refund for any tuition fees paid in advance for that study period or as part of an initial deposit amount:
 - The cancellation was due to a student’s failure to enroll in a compulsory study period.
 - The cancellation was due to unsatisfactory unit/program attendance or progress at the conclusion of the appeals period.
 - The cancellation was due to a student’s failure to comply with visa conditions relating to their program with the College.

- The cancellation was due to a student providing false or misleading information at the point of application and this has been substantiated (e.g. falsified documentation such as passport, qualifications issued by other education providers, etc.).
- The cancellation was due to misbehaviour, under serious disciplinary action.
- The terms and conditions of the *International Student Admission and Payment Agreement* between the international student and the College are breached (e.g. non-payment of tuition fees).
- The international student's visa is cancelled by the Department of Home Affairs.

Accommodation and Overseas Student Health Cover (OSHC)

The College does not provide accommodation or OSHC but can refer students to providers to make arrangements directly with the provider.

Protection of Student Fees

In the unlikely event that the College is unable to deliver a program in full, students will be offered a refund of all unspent tuition fees. This refund will be paid within ten (10) working days of the day on which the course ceased being provided. Alternatively, students may be offered enrolment in an alternative program/course at no extra cost. Students have the right to choose whether they would prefer a refund of unspent tuition fees or to accept a place in another program/course. If they choose placement in another program/course, students will need to sign documentation to indicate their acceptance of the placement.

In the unlikely event that the College is unable to provide a refund or place a student in an alternative program/course, the *Tuition Protection Service (TPS)* will assist students in finding an alternative program/course or to obtain a refund if a suitable alternative is not found. Further information concerning the TPS can be found at www.tps.gov.au.

Complaints and Appeals

A student has the right to make complaints and/or seek the overturning of a decision on fee refunds under various internal ACC processes (including those outlined in the *ACC Student Grievance and Appeals Policy* and associated procedures. However, this does not affect the rights of a student to take action under the Australian Consumer Law, if the Australian Consumer Law applies.

Relevant Legislation and Policies

As a registered education provider, the Australian Chiropractic College operates under strict laws and regulations. Policies and procedures are in place to ensure compliance with such laws.

The most relevant legislation, policies and procedures which apply to the "Refund Policy" are listed below:

- [Education Services for Overseas Students Act 2000 \(ESOS Act 2000\)](#)
- [Education Services for Overseas Students Regulations 2019](#)
- [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#)
- [National Code 2018 Factsheets](#)
- [The Tertiary Education Quality and Standards Agency Act 2011 \(TEQSA Act\)](#)
- [The Higher Education Standards Framework \(Threshold Standards\) 2021](#)
- [Education Services for Overseas Students \(Calculation of Refund\) Specification 2014](#)
- [Department of Home Affairs Visa Regulations](#) .

IMPLEMENTATION and MONITORING

It is the responsibility of the General Manager to ensure correct and timely invoicing to students, and the processing of payments, credits or refunds as necessary.

Deferral, suspension or withdrawal for the program is managed in accordance with the ACC's *Alteration of Student Enrolment Policy* and associated procedures.

POLICY REVIEW

The ACC's *Student Fee and Refund Policy* is normally reviewed every three years.

It is a policy of the ACC that any Policy or Procedure may be reviewed earlier as indicated by internal or external factors (including but not limited to such factors as changes in the guidelines of regulatory authorities, accreditation/registration requirements of the profession, or relevant legislation at state or federal level) as determined the Board of Directors and/or Academic Board.

RELATED DOCUMENTS

- International Student Agreement
- Student Fee and Refund Procedures
- Alteration of Student Enrolment Policy and Procedures
- International Student Transfer Policy
- Student Grievance and Appeals Policy and Procedures.

VERSION CONTROL

Document: S003 Student Fee and Refund Policy		
Responsible Officer: General Manager		
Initially Approved by: Board of Directors		Date: 14 December 2016
Reviewed and approved by: Board of Directors		Date: 1 December 2020
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Nature of Change	<p>Originally approved in the Domestic Student Loans and Fee Policy and Procedure and the International Student Fees and Fee Refunds Policy and Procedures</p> <p>December 2020</p> <ul style="list-style-type: none"> • Minor spelling, other text and formatting edits • Addition of definitions <p>July 2023</p> <ul style="list-style-type: none"> • Consolidate the domestic student and international student fee and refund policies into one • Separate the policy and procedure • Review, clarify and amend tuition fee refund policy, including but not limited to, where fraudulent or misleading information has been provided by an international student • Include the Review and Related Documents sections • Insert the HESF reference in the Version Control Table. 	