



IONA COLLEGE
TRINITY

TEQSA Provider ID PRV14376 • CRICOS Provider Code 04294D

Student Refund Policy and Procedure

Approved by the Board of Directors on 22 September 2022

| | |
|--|----|
| 1. Purpose | 3 |
| 2. Scope | 3 |
| 3. Policy | 3 |
| 4. Procedure | 4 |
| 4.1 Withdrawal from Course or Subject | 4 |
| 4.2 Refunds – Course or Subject Discontinuation | 4 |
| 4.3 Refunds – Visa Refusal | 5 |
| 4.4 Re-crediting of HELP Balance under Special Circumstances | 6 |
| 4.5 Appeal | 6 |
| 5. Responsibilities | 6 |
| 6. Definitions | 7 |
| 7. Version history | 7 |
| 8. Additional Information | 8 |
| Appendix 1 – Review Procedure for FEE-HELP Decisions | 9 |
| A1.1 Purpose | 9 |
| A1.2 Scope | 9 |
| A1.3 Review Process | 9 |
| A1.3.1 Request for Review | 9 |
| A1.3.2 Review Officer and Review Panel | 9 |
| A1.3.3 Review Meeting | 9 |
| A1.3.4 Consideration of Evidence | 10 |
| A1.3.5 Decision | 10 |

| | | |
|------|---------------------------|----|
| A1.5 | Confidentiality | 10 |
| A1.6 | Timeliness | 10 |
| A1.7 | Review of Procedure | 10 |
| A1.8 | Contact Information | 11 |
| A1.9 | Definitions..... | 11 |

1. Purpose

This Policy and Procedure sets out the approach of Iona Trinity College of Higher Education (the College) towards applications from students for refunds.

2. Scope

This Policy applies to:

- Commencing and continuing students of the College, including:
 - Domestic students, whose refunds are governed by the *Higher Education Support Act 2003* (HESA).
 - International students, whose refunds are governed by the *Education Services for Overseas Students Act 2000* (ESOS Act).
- Staff responsible for processing student refund applications.

3. Policy

The College will refund tuition fees:

- Where the student applies to withdraw from the course or subject(s) within the timeframes specified in this Policy and Procedure
- Where the College is unable to deliver a course or subject in which the student is enrolled
- To the original source of payment.

The amount of refund a student receives for course or subject withdrawal depends on when the student decides to withdraw and the reason for the withdrawal. Students may withdraw from either a course or a subject. The procedures and refund conditions apply to both types of withdrawals as specified in this policy.

For domestic students, the College will refund tuition fees based on the following conditions:

- Withdrawal Before Census Date:
 - Students who withdraw from a course or subject on or before the Census date will receive a full refund of any tuition fees paid.
 - No FEE-HELP debt will be incurred by students who withdraw by the Census date.
- Withdrawal After Census Date:
 - Students who withdraw from a course or subject after the Census date will not be eligible for a refund.
- Termination of Enrolment:
 - If a student's enrolment is terminated due to misconduct, they will receive a refund of any tuition fees paid upfront if they have effectively withdrawn from the course or subject on or before the Census date.

For international students, the College will refund tuition fees based on the following conditions:

- 100% of the tuition fees if the student withdraws more than 1 month prior to the course starting
- 50% of the tuition fees if the student withdraws:
 - less than 1 month prior to course starting, or
 - after starting the course, but before Census date
- No refund
 - If the student withdraws after Census date
 - If the student's enrolment is terminated for misconduct, breach of international student regulations, non-payment of due fees, or non-compliance with visa conditions

4. Procedure

4.1 Withdrawal from Course or Subject

Any student wishing to withdraw from the course or a subject(s) in which they are enrolled must complete the *Discontinuation of Enrolment Form* available on the website at itc.edu.au and from Reception.

Domestic students who withdraw from a course or subject on or before the Census date will automatically be eligible for a refund of any tuition fees paid. No additional form is required. If documentation is required to support any exceptional circumstances for withdrawals, the College will notify the student accordingly.

International students who withdraw before the course starts can submit an *Application for Refund Form* with the completed *Discontinuation of Enrolment Form*. Applications for refunds should be accompanied by appropriate documentation supporting the case for refund.

Forms should be submitted via email at info@iona.edu.au and will be reviewed and considered by the Student Services Manager. Any student who is dissatisfied with the decision made can refer to the Appeals section of the policy for more information on how to lodge an appeal of their application.

Students may seek the support of any staff from Student Services in completing and submitting the *Discontinuation of Enrolment Form* and if applicable the *Application for Refund Form*.

Approved applications for refund will be paid within 4 weeks of submission of application (or earlier in accordance with applicable statutory timeframe) and will include written notification to the student of how the refund was calculated.

Approved refunds will be paid back to the original source of payment.

4.2 Refunds – Course or Subject Discontinuation

In the unlikely circumstance where the College is unable to deliver a course or subject, the following provisions apply.

For domestic students, the College will offer the student a place in a suitable replacement unit or course, and the student must accept the offer in writing. If the student does not accept the offer of a replacement course, the College will:

- Refund all upfront tuition fees paid by the student for the affected course or subject, or
- Re-credit the student's FEE-HELP balance for the affected course or subject, where applicable (refer also to section 4.4).

For international students, the College will offer the student a refund of unspent portion of tuition fees and provide the option to transfer to a suitable alternative course or to another registered provider. The refund amount must be calculated according to the following formula, and paid to the student within 14 days:¹

$$\text{Refund amount} = \text{weekly tuition fee} \times \text{weeks in default}$$

Where:

- $\text{Weekly tuition fee} = \left(\frac{\text{total tuition fees for the course}}{\text{number of calendar days in the course}} \right) \times 7$
- $\text{Weeks in default} = \frac{\text{no. of calendar days from the default period to the end of the period to which payment relates}}{7}$

4.3 Refunds – Visa Refusal

If the student withdraws from a course due to their student visa application being refused, the refund amount depends on when the student visa application is refused.

If the student visa application is refused after the student has accepted a Letter of Offer from the College and **before** they commence the course, the College must pay the refund amount calculated according to the following formula:²

Refund amount = Total tuition fees MINUS lesser of the following amounts:

- (1) 5% of the tuition fees paid by the student to the Institute **or**
- (2) \$500

If the student visa application is refused **after** the student has commenced the course, the College must pay the refund amount calculated according to the following formula:³

$$\text{Refund amount} = \text{weekly tuition fee} \times \text{weeks in default}$$

Where:

- $\text{Weekly tuition fee} = \left(\frac{\text{total tuition fees for the course}}{\text{number of calendar days in the course}} \right) \times 7$

¹ The formula is as specified in the *Education Services for Overseas Students (Calculation of Refund) Specification 2014* (Sections 5, 6 and 7) made under the ESOS Act on 26 June 2014.

² The formula is as specified in the *Education Services for Overseas Students (Calculation of Refund) Specification 2014* (Section 9) made under the ESOS Act on 26 June 2014.

³ The formula is as specified in the *Education Services for Overseas Students (Calculation of Refund) Specification 2014* (Section 9) made under the ESOS Act on 26 June 2014.

- $Weeks\ in\ default = \frac{\text{no.of calendar days from the default period to the end of the period to which payment relates}}{7}$

Refunds will be made within 4 weeks of receiving the refund application to the student or if a person (other than the student) is specified in the Written Agreement to receive any refund under this section, that person.

4.4 Re-crediting of HELP Balance under Special Circumstances

Students may apply for a remission of their FEE-HELP debt and a re-credit of their HELP balance to address circumstances that have impacted their ability to successfully complete a course or subject.

To be eligible for a remission of FEE-HELP debt and a re-credit of their HELP balance, students must demonstrate that they did not successfully complete a course or subject due to special circumstances, which:

- are beyond the student's control; and
- do not make their full impact on the student until on or after the Census date for the course or subject in question; and
- make it impracticable for the student to complete the requirements for the course or subject in the period during which the student undertook, or was to undertake the course or subject.

Applications must be submitted to the College in writing and within the application period. For students who withdrew from the course or subject, the application period is 12 months after the day specified in the notice as the day the withdrawal takes effect. If the student did not withdraw from the course or subject, the application period is 12 months after the period during which the student undertook, or was to undertake, the subject.

Supporting evidence should be included with the application. The Student Services Manager will review the submission and the notify the student of the decision as soon as practicable.

Should the College waive the requirement that the application be made within the application period, on the ground that it would not be, or was not, possible for the application to be made before the end of that period, the Student Services Manager will as soon as practicable, consider the matter to which the application relates and notify the student of the decision on the application.

4.5 Appeal

A decision made under this Policy and Procedure can be appealed under the provisions of the *Student Appeals Policy and Procedure*. For decisions relating to FEE-HELP, refer to Appendix 1 of this policy.

5. Responsibilities

The Student Services Manager is responsible for processing and making decisions on student application for refund of their tuition fees.

6. Definitions

For the purposes of this Policy and Procedure, the following terms are defined as follows:

| | |
|-----------------------|--|
| Census date | The last day a student can make an upfront payment, apply for a FEE-HELP loan or formally withdraw from their study without being liable for the full tuition fees associated with the unit. |
| Domestic student | An individual who is an Australian citizen, a permanent resident of Australia, or a New Zealand citizen holding a Special Category Visa (subclass 444). These students are eligible for government funding and support programs available for higher education in Australia. |
| International student | Any overseas student, including those who have student visas, temporary residency, bridging visas and provisional residency (as falling under the <i>Education Services for Overseas Students Act 2000</i> (ESOS Act)) |
| Tuition fees | Fees that are directly related to the provision of a course or subject. |
| Written Agreement | A document that accompanies the Letter of Offer outlining the terms and conditions for enrolment into a course at the College and which a student must accept before, or at the same time as, payment of fees relating to the course |

7. Version history

| Version # | Changes | Approval Body | Approval Date |
|-----------|--|--------------------|---------------|
| 1.0 | Original Version | Board of Directors | 22/09/22 |
| 1.1 | Insert provision on re-credit of FEE-HELP balances and remission of FEE-HELP debts | Board of Directors | 22/02/24 |
| 1.2 | Insert provisions on refund conditions to align policy with the <i>Higher Education Support Act 2003</i> | Board of Directors | 04/10/24 |
| 1.3 | Section 4.1: Paragraph 3 omitted. Section 6: Definition of census date amended. Section A1.3.2: Amended to align with section 21(2) of the <i>Higher Education Support Guidelines 2023</i> . | Board of Directors | 27/02/25 |

| | | | |
|--|--|--|--|
| | Section A1.3.5: Reference to the AAT omitted and instead replaced with reference to the ART. | | |
|--|--|--|--|

8. Additional Information

| | |
|---|--|
| Policy Status | Approved |
| Policy Owner | Principal |
| Next Review Date | 3 years from Approval Date |
| Associated Internal Documents | Student Appeals Policy and Procedure |
| Higher Education Standards Framework (Threshold Standards) 2021 | Standard 1.1.2 |
| National Code of Practice for Providers of Education and Training to Overseas Students 2018 | Standard 3.4 |
| Other Applicable Legislation and Instruments | Education Services for Overseas Students Act 2000 Higher Education Support Act 2003 Tertiary Education Quality and Standards Agency Act 2011 |

Warning - Document uncontrolled when printed! The current version of this document is maintained on the Iona Trinity College of Higher Education's website at itc.edu.au

Appendix 1 – Review Procedure for FEE-HELP Decisions

A1.1 Purpose

This appendix outlines the review procedure for students who wish to contest a decision made by the College regarding the re-crediting or remission of their FEE-HELP debt under the *Higher Education Support Act 2003*. The purpose of this procedure is to ensure transparency, fairness and accountability in the review process.

A1.2 Scope

This procedure applies to all students enrolled at the College who have applied for FEE-HELP assistance and seek a review of the College's decision regarding the re-crediting or remission of their FEE-HELP debt due to special circumstances.

A1.3 Review Process

A1.3.1 Request for Review

Students who disagree with the College's decision regarding the re-crediting or remission of their FEE-HELP debt must submit a written request for review to the Student Administration Office within 28 days of receiving the decision.

The request for review must include:

- Student's full name and student ID number
- Details of the decision being contested
- Grounds for review, including evidence of special circumstances
- Any supporting documentation.

A1.3.2 Review Officer and Review Panel

Upon receipt of the request for review, the appointed Review Officer will acknowledge receipt of the request for review in writing and inform the student that, if the appointed Review Officer or Review Panel has not advised the student of a decision within 45 days of receiving the request for review, the appointed Review Officer or Review Panel is taken to have confirmed the original decision.

The appointed Review Officer will review the decision or convene a Review Panel if appropriate.

The appointed Review Officer is the Principal of the College. A Review Panel may include academic staff and administrative staff.

The appointed Review Officer and members of the Review Panel must have no prior involvement in the decision being reviewed and must occupy a position that is senior to that occupied by any person involved in making the original decision.

A1.3.3 Review Meeting

The Review Officer or Review Panel will schedule a meeting with the student to discuss their request for review.

The student will have the opportunity to present their case and provide additional evidence or documentation to support their claim of special circumstances.

The Review Officer or Review Panel may ask questions and seek clarification from the student.

A1.3.4 Consideration of Evidence

The Review Officer or Review Panel will carefully consider all evidence presented by the student, including any documentation provided.

The Review Officer or Review Panel will also review the original decision and any relevant College policies or guidelines.

A1.3.5 Decision

Following the review meeting and consideration of evidence, the Review Officer or Review Panel will reach a decision.

The decision will be communicated to the student in writing within 14 days of the review meeting.

If the Review Officer or Review Panel does not give notice of a decision to the student within 45 days after receiving the student's request for review, the Review Officer or Review Panel is taken to have confirmed the original decision made by the original reviewer.

The decision of the Review Officer or Review Panel is final and cannot be appealed within the College's internal processes.

If the student is not satisfied with the decision, they are entitled to apply to the Administrative Review Tribunal (ART) for a review of the original decision or a decision that has been reviewed. As of 2025, the cost of lodging a standard application fee is \$1,121.00 and is subject to change. The nearest ART registry location from the College is Level 6, 83 Clarence Street, Sydney NSW 2000.

In the above case, students shall be made aware that the Department of Education will be the other party in any case in the ART. All relevant documents will be forwarded to the Department of Education by the College.

A1.5 Confidentiality

All information provided by the student during the review process will be treated confidentially and in accordance with privacy laws and College policies.

A1.6 Timeliness

The College is committed to conducting reviews in a timely manner and every effort will be made to ensure that decisions are reached promptly and within the specified timeframes outlined in this procedure.

A1.7 Review of Procedure

This review procedure will be periodically reviewed and updated as necessary to ensure its effectiveness and compliance with relevant legislation and College policies.

A1.8 Contact Information

For inquiries regarding the review procedure or assistance with submitting a request for review, students may contact the Student Administration Office.

A1.9 Definitions

- FEE-HELP: A loan scheme that assists eligible fee-paying students to pay their tuition fees.
- Special Circumstances: A set of circumstances which
 - are beyond the student's control; and
 - do not make their full impact on the student until on or after the Census date for the unit of study in question; and
 - make it impracticable for the student to complete the requirements for the unit in the period during which the student undertook, or was to undertake the unit.
- Review: A formal process through which a student can contest a decision made by the College regarding their FEE-HELP debt.