

# Tuition Fee Refunds and Removal of FEE-HELP Debts Domestic Students

## Policy and Procedure

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## 1. PURPOSE

The purpose of the Tuition Fee Refunds and Removal of FEE-HELP Debts Domestic Students Policy and Procedure is to outline JMC Academy's process for tuition fee refunds to students and determining tuition fee refunds for students withdrawing from a course or unit of study, or due to provider default.

## 2. SCOPE

The Tuition Fee Refunds and Removal of FEE-HELP Debts Domestic Students Policy and Procedure applies to new and continuing domestic students at JMC Academy.

## 3. DEFINITIONS

All definitions are located in the *JMC Academy Glossary*.

## 4. POLICY

### 4.1. Principles

4.1.1. It is the responsibility of JMC Academy to

4.1.1.1. Provide accurate and accessible information to all applicants and students about student fees, census dates and access to comprehensive information about FEE-HELP,

4.1.1.2. Ensure that there are fair and equitable processes for the issuing of tuition fee refunds to students in accordance with the relevant legislation and policy.

4.1.2. It is the responsibility of a JMC Academy student to:

4.1.2.1. Ensure that all information provided for enrolment and fee collection, including personal information, is accurate and kept up to date,

4.1.2.2. Acknowledge and agree to the relevant terms and conditions regarding tuition fees when signing the enrolment form, including paying all fees by the specified due date and/or providing the necessary information for accessing FEE-HELP to JMC Academy.

4.1.3. A student cannot apply for a re-credit or a refund of fees if the unit in question is recorded as a successful completion of study for the study period.

4.1.4. Any student suspended from JMC Academy due to misconduct shall not be eligible for a refund.

### 4.2. Withdrawal or deferment after enrolment and prior to or on the CENSUS Date

4.2.1. To be eligible for a refund of tuition fees a student must have withdrawn or suspended their enrolment on or before the relevant Census Date. Students who do so on or before this date will not incur a FEE-HELP debt and those students who have paid their fees up-front are entitled to a refund.

4.2.2. A fee refund is not automatic on the withdrawal, deferral, cancelling or suspension of enrolment on or before the relevant Census Date.

4.2.3. VET students will only be allowed a refund on the basis of JMC Academy receiving an official notice of deferral prior to the commencement of the course or a withdrawal due to failure to meet certain conditions of an enrolment offer.

### 4.3. Withdrawal or deferment after the CENSUS Date

- 4.3.1. Students who withdraw after the relevant Census Date will not be eligible for a refund and will incur a FEE-HELP debt, even if they subsequently withdraw during the study period, unless consideration under special circumstances has been approved by JMC Academy.

### 4.4. Withdrawal or deferment after the CENSUS Date - Special Circumstances

- 4.4.1. Under special circumstances, students may have their tuition fees refunded or their FEE-HELP debt re-credited.
- 4.4.2. The situation must be unusual, uncommon, or abnormal to be considered special circumstances. Students applying for a refund due to special circumstances must demonstrate to JMC Academy's satisfaction, that the circumstances:
  - 4.4.2.1. Were outside of the student's control and for which student had no opportunity to prepare themselves in advance, and
  - 4.4.2.2. Made it impracticable for the student to complete the requirements for the assessment/s, and
  - 4.4.2.3. Made their full impact on the student after Census Date for the unit of study in question.
- 4.4.3. All applications will be considered and determined on their merits but must satisfy all three of the above criteria.
- 4.4.4. Although this is not an exhaustive list, and other circumstances may be considered at JMC Academy's discretion, the following are common examples of compelling and compassionate circumstances:
  - 4.4.4.1. An unexpected illness or disability, a recurrence of a chronic or acute illness or injury such that the student is unable to be actively engaged in their studies. This does not include minor illnesses such as colds, mild sprains or other low-level injuries or sickness,
  - 4.4.4.2. A permanent or temporary disability or illness for which a variation has already been made will not be accepted unless the disability has been compounded by an unexpected change, or an additional condition,
  - 4.4.4.3. Significant bereavement or hardship such as the death or serious illness of a close family member,
  - 4.4.4.4. Severe disruption to domestic arrangements,
  - 4.4.4.5. Relationship breakdown,
  - 4.4.4.6. Domestic violence,
  - 4.4.4.7. Trauma – such as being a victim of crime, an accident or a severe Act of God.
- 4.4.5. In the first instance, students must provide sufficient evidence to demonstrate that due to circumstances beyond their control they were unable to continue study at this point.
- 4.4.6. Supporting documentation is required in the form of:
  - 4.4.6.1. An original certificate or letter on letterhead, depending on the nature of the condition, from:
    - A registered treating medical practitioner,
    - A registered health practitioner, and/or
    - An approved medical specialist, and/or
  - 4.4.6.2. A letter from a campus counsellor who has prior knowledge of the student and their circumstances, and/or
  - 4.4.6.3. A letter from a person qualified to assess and support the application (e.g. clergy providing grief counselling), and/or
  - 4.4.6.4. A certificate from a funeral director, and/or

- 4.4.6.5. A death certificate.
- 4.4.7. The letter must describe what impact the student's condition had on their ability to complete their work/study, and the date that the illness/circumstances took effect.
- 4.4.8. Supporting documentation will not be accepted from a relative or a student's friend or student's family's friend.
- 4.4.9. To be eligible to apply for a refund of tuition fees or the re-crediting of a FEE-HELP balance under special circumstances the:
  - 4.4.9.1. Student must have still been enrolled in the unit(s) after the Census Date,
  - 4.4.9.2. Student must not have successfully completed the requirements of the unit(s),
  - 4.4.9.3. Application must be submitted in writing, and
  - 4.4.9.4. Application must be received within 12 months of the withdrawal date, or if the student has not withdrawn from the course, within 12 months of the end of the period of study in which the unit was, or was to be, undertaken. Applications submitted outside this timeframe may be considered if the student submits evidence of the special circumstances that prevented them from applying within the specified period.
- 4.4.10. All applications for special consideration will be handled with confidentiality.

#### **4.5. Non-Payment of Fees**

- 4.5.1. Payment of all relevant fees by the designated due date is a condition of enrolment. Failure to do so may result in the prevention of:
  - 4.5.1.1. Access to unit results,
  - 4.5.1.2. Access to online and physical resources,
  - 4.5.1.3. Enrolling in further units,
  - 4.5.1.4. Receipt of an Academic Transcript or Transcript of Results,
  - 4.5.1.5. Graduating.
- 4.5.2. Furthermore, JMC Academy will notify a student who fails to pay their fees by the required due date of the intention to cancel their enrolment and where appropriate that they may be reported to external debt collection agencies for non-payment of fees.
- 4.5.3. Students whose enrolment may have been cancelled due to non-payment of fees will not be eligible for re-admission until all outstanding fees are paid.

#### **4.6. Provider Default**

- 4.6.1. JMC Academy has provisions for students in the unlikely event that it ceases to provide a course of study in which a student is formally enrolled. If a student's enrolment is cancelled due to provider default, which may include the course:
  - 4.6.1.1. Not commencing on the scheduled starting date, or
  - 4.6.1.2. Ceasing to be provided at any time after it starts but before it is completed,  
or
  - 4.6.1.3. Not being provided in full to the student due to sanctions that have been imposed on JMC Academy.
- 4.6.2. Students will be notified in writing and given the option to:
  - 4.6.2.1. Transfer their enrolment to another course within JMC Academy or another study period, or
  - 4.6.2.2. Request a refund of fees or a re-credit of their FEE-HELP Loan balance on prepaid tuition fees for that part of the course that will not be delivered, or
  - 4.6.2.3. Be supported and assisted in seeking a place in a similar course of study leading to a comparable award with another institution, with:
    - Full credit for units successfully completed, and

- Without a requirement to pay fees for replacement units (i.e., units commenced but not completed because of provider default).

## 5. PROCEDURE

### 5.1. Withdrawal or deferment after enrolment and prior to or on the CENSUS Date.

5.1.1. All students must formally submit:

5.1.1.1. Either a signed *Application for Withdrawal Form* or a signed *Application for Deferral Form*, and

5.1.1.2. Signed *Application for Refunds & Recrediting Fee-Help (Domestic)*.

5.1.2. Upon receipt of the written advice, Student Services will check for completeness prior to forwarding to the Campus Director for their review and approval. Incomplete forms will not be processed and will be returned to the applicant.

5.1.3. If the withdrawal is on or before the relevant Census Date, the Campus Director will approve the application and authorise the relevant amendments to the student's administrative records and financial accounts, and where relevant, the cancellation of the FEE-HELP debt.

5.1.4. Under circumstances where a student has paid upfront fees the Campus Director, subsequent to approval of the written application, will calculate the appropriate refund and forward to the Director of Finance and Operations for processing.

5.1.5. A request for a refund or re-credit received on or before the relevant Census Date is normally processed within ten business days of the receipt of a complete written application.

### 4.2. Withdrawal or deferment after the CENSUS Date – Special Circumstances

5.3.1. Students in these circumstances will incur a FEE-HELP debt, or

5.3.2. Students, who have paid their fees up-front, will not be entitled to a refund.

UNLESS

5.3.3. The student has been unable to complete the requirements of the units of study, and

5.3.4. The student believes that this was due to special circumstances, and

5.3.5. The student applies to JMC Academy for a tuition fee refund or to re-credit their FEE-HELP debt.

5.3.6. If JMC Academy is satisfied that special circumstances do apply, it must:

5.3.6.1. Approve the application, and

5.3.6.2. Refund the fees, or

5.3.6.3. Remove the FEE-HELP debt, and refund to the Commonwealth Government the amount of FEE-HELP paid to JMC Academy on behalf of the student.

5.3.7. A student, including students who have withdrawn from the course after the Census Date, may apply to have their tuition fees refunded or their FEE-HELP balance re-credited if they have met the requirements of special circumstances as outlined in section 4.4 and in the *Special Circumstances Policy and Procedure*.

5.3.8. All students must formally submit:

5.3.9. Either a signed *Application for Withdrawal Form* or a signed *Application for Deferral Form*, and

5.3.10. Signed *Application for Refunds & Recrediting Fee-Help (Domestic)*.

5.3.11. This application must be:

5.3.11.1. Made only when the student believes that special circumstances apply,

5.3.11.2. In writing addressed to the Campus Director,

5.3.11.3. Received within 12 months of withdrawing, and

- 5.3.11.4. Accompanied by independent supporting documentary evidence which substantiates the claims.
- 5.3.12. The Campus Director will:
  - 5.3.12.1. Consider the application on its merits and if it satisfies all the requirements of special circumstances as outlined in the related Policy and Procedure,
  - 5.3.12.2. Grant the re-crediting of the FEE-HELP debt or the refunding of the tuition fees paid up-front to JMC Academy.
- 5.3.13. The Campus Director will forward the application to the Director of Finance and Operations for approval and final decision.
- 5.3.14. Students will be notified in writing of the outcome of their request within 20 business days of receipt of the application.
- 5.3.15. The refund of upfront fees will be repaid to the person who originally made the payment within 10 business days from the date of notification of approval in writing.
- 5.3.16. The re-crediting of a FEE-HELP debt will be processed and reported to the Department of Education, by JMC Academy, within 20 business days. Any processing delays by either the Department of Education and the Australian Taxation Office is outside the control of JMC Academy.
- 5.3.17. Should an application under special circumstances be rejected, the student will have an option to appeal the decision within 20 business days of receiving the notification, under the Student Complaints and Appeals Policy and Procedure.

## **6. RELATED DOCUMENTS**

- 6.1. Student Complaints and Appeals Policy and Procedure
- 6.2. Special Circumstances Policy and Procedure
- 6.3. Diversity Equity and Inclusion Policy
- 6.4. FEE-HELP Guidelines
- 6.5. JMC Academy Glossary

## **7. RELEVANT LEGISLATION**

- 6.6. Higher Education Support Act 2003 (Cth)
- 6.7. Higher Education Standards Framework (Threshold Standards) 2021

## **8. POSITIONS RESPONSIBLE**

- 6.1. Governing Council
- 6.2. Academic Board
- 6.3. Senior Management
- 6.4. JMC Academy Staff (academic and non-academic)
- 6.5. JMC Academy students

## 9. APPROVAL INFORMATION

Approval Authority	Governing Council
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1.0	Chief Executive Officer	19/08/2022	25/08/2022	Documents merged: <ul style="list-style-type: none"> <li>Tuition Fee Refunds and Removal of FEE-HELP Debts Domestic Students Policy</li> <li>Tuition Fee Refunds and Removal of FEE-HELP Debts Domestic Students procedure</li> </ul> Positions updated.	Current

*Version control tables from previous Policies and Procedures reside in the original documents.*