

1. PURPOSE

The purpose of this document is to outline the Brisbane North Institute of TAFE's withdrawal and refund policy in relation to:

- Withdrawal after study commences
- Individual students for fees and charges of programs;
- Any third party or guarantor responsible for a student's fees and charges of programs

2. SCOPE

This policy applies to all goods and/or services provided by Brisbane North Institute of TAFE.

3. DELEGATED RESPONSIBILITIES

In accordance with the Vocational Education, Training and Employment Regulation 2000, Part 5A, Section 30T, the Institute Director may delegate the director's powers to an appropriately qualified member of the TAFE Institute's staff.

The delegated officers shall:

- Assess applications and determine eligibility for refund; and
- Notify unsuccessful applicants in writing.

4. REFERENCES

Vocational Education Training and Employment Regulation 2000

Financial Management Practice Manual – TAFE Qld Student Refund Policy

MP38 International Students Recruitment & Delivery Procedure

IG49 Government Funded Delivery Refund Guidelines

IF660 Application for Refund

IF661 Application for Enrolment Amendment

IF351 Application for Fee Exemption

5. CONDITIONS

- All refunds for government funded and ACE programs shall be in accordance with the [Vocational Education, Training and Employment Act 2000](#).
- All refund requests must be submitted within the semester for which the refund relates.
- Applications for refund (student fees) are processed via an Application for Enrolment Amendment and Application for Refund.
- Applications for refund (other than student fees) are to be made in writing to the Institute Director.
- No refunds will be processed for materials considered to be used or allocated, which are not recoverable or reusable.
- If a refund application is unsuccessful, the Institute delegated officer must notify the client in writing.
- All fees must be paid in Australian Dollars (AUD), (*this is communicated to the students prior to enrolment*), and therefore all refunds will be made in Australian Dollars.
- Once approved refunds can be issued by cheque, bank account details or credit on the Institute Student Administration System (ISAS) and can take 4 – 6 weeks to be processed.

6. STUDENT WITHDRAWAL / CANCELLATION AFTER START OF STUDY

6.1 Application

To define parameters for student withdrawal from enrolment after class start date. This policy applies to all full-time or part-time students of Brisbane North Institute of TAFE **except**:

- International students
- Apprentices and Trainees
- Enrolments with a study duration of less than 4 weeks (assessed on an individual basis by the Faculty)
- Commercial delivery (assessed on an individual basis by the Faculty and Corporate Sales teams)

6.2 Student Responsibilities

A student wishing to withdraw from a unit enrolment without incurring an academic penalty must apply within 4 weeks of the class start date or within 4 weeks prior to close of study (whichever occurs sooner).

- For classroom delivery “class start date” is defined as the first scheduled class date for the unit.
- For on-line delivery “class start date” is defined as 1 week after the student has been enrolled into the unit which allows for 1 additional week for receipt and interpretation of access requirements.
- For distance delivery “class start date” is defined as 1 week after the student has enrolled into the unit which allows for 1 additional week for delivery and receipt of resources.

NOTE: These timelines relate to student academic outcomes and do not incorporate refund regulations.

6.3 Institute Responsibilities

The Institute will provide the student with clear notification of their class start and end dates.

The Customer Service Centre will confirm student participation with the relevant Faculty and process a change of enrolment in ISAS. Depending on participation identified by the Faculty, a system generated status of CATT (dropped with participation) or NATT (dropped without participation) will be recorded for the student.

A student who attempts to withdraw from a unit after 4 weeks from the defined “class start date” will be advised that no change to enrolment will be accepted and the teacher applied outcome will be awarded.

Teacher applied outcomes:

- J (competent)
- M (not competent) – commenced summative assessment process by submitting 1st assessment
- AW (participated in educational activity of the unit) – CATT ceased attendance
- NATT (did not participate in educational activity of the unit) – NATT no attendance
- B (satisfactorily completed)
- E (not satisfactorily completed)

7. INSTITUTE CANCELLATION OF ENROLMENT

BNIT has the right to cancel the enrolment of any student, if the student has:

- Gained admission to the Institute by misrepresentation, falsification of documents, or other fraudulent means;
- Failed to fulfil the requirements for admission or enrolment;
- Failed to fulfil the ongoing requirements of an international student, such as minimum attendance requirements;
- Engaged in any act of serious academic or behavioural misconduct which has resulted in exclusion of the student from the Institute;
- Failed to satisfy the minimum academic performance level required; or
- Failed to pay any outstanding fees.

8. REFUNDS

Students requesting a refund of fees and/or charges must submit an Application for Refund form to BNIT.

Before applying for a refund of tuition fees and/or charges, applicants must read BNIT's Refund Policy.

No refunds will be processed for materials that are to be considered to be used, or where academic participation has occurred unless exceptional circumstances exist and are granted.

Commercial clients can apply for reconsideration of fees and charges on a commercial contract by making written application to the relevant Faculty Director.

Applications for a refund of fees will take 4 - 6 weeks for BNIT to process.

Should an application for refund be refused, written notice detailing the reasons will be issued to the client. A written appeal may be lodged to the Institute Director within 20 working days after written notice is given.

8.1 Government Funded and Leveraged Programs

All refunds shall be in accordance with the [Vocational Education Training and Employment Regulation 2000, Part 5A, Sections 30N-30R and Financial Management Practice Manual – TAFE Qld Student Refund Policy](#).

8.1.1 Refund if program or unit cancelled by Institute Director

If the Institute Director cancels a government funded or leveraged program / unit before it starts, the Institute Director will refund the fees paid for the program / unit.

8.1.2 Refund if enrolment cancelled before program or unit starts

- a) If a student cancels enrolment in a government funded or leveraged program / unit before it starts, the Institute Director will refund the fees the student paid for the program or unit after deducting an administration charge of \$10 for all units cancelled at the same time.

This section does not apply if a student contribution fee payable on the cancelled enrolment must be applied to reduce fees payable on a later enrolment.

8.1.3 Refund after government funded or leveraged program or unit starts

If any of the following things happen while a student is undertaking a government funded or leveraged program, the student may apply to the Institute Director for a refund of the fees for the program:

- a) The student accepts a place offered through the Queensland Tertiary Admissions Centre;
- b) The student suffers an illness or injury preventing the student from completing the program;
- c) Exceptional circumstances prevent the student from completing the program.

The student must provide suitable evidence and apply using an approved form before the assessment for the program / unit ends.

The Institute Director may refund the fees after deducting an administration charge of \$10 for all units to which the application relates.

A refund guideline **IG49** – Government Funded Delivery Refund Guidelines, has been developed to assist in determining eligibility of the student to obtain a refund.

8.1.4 Refund if academic exemption received (Credit Transfer)

If a student has received an academic exemption from a government-funded program / unit since enrolling in it, the student may apply to the Institute Director for a refund of fees for the program / unit.

The student must apply on the approved form within 5 weeks after the program / unit starts.

8.1.5 Refund if re-evaluation successful

The Institute Director must refund the fee for re-evaluation of a student's result in a government funded or leveraged course to the student if the student's result is upgraded to a result of competent or an equivalent result.

8.1.6 Material Fees

No refunds will be processed for materials that are considered to be used.

8.1.7 Transfer of Enrolment

Fee adjustment may apply for certain transfers and cancellations of enrolment in government funded or leveraged programs / units. This section applies if a student enrolled in a government funded program or leveraged / unit at a TAFE Institute:

- a) Cancels the enrolment and enrolls in another program / unit at the same Institute no later than 2 weeks after the start of the cancelled program / unit.
- b) Transfers the enrolment from classroom based delivery to RPL enrolment for the same unit within 2 weeks of starting classroom based study – refund for materials will be based on faculty approval.

Any student contribution fee payable on the original or cancelled enrolment must be applied to reduce the total amount of student contribution fees payable on the later enrolment.

Any balance of the student contribution fees paid on the original or cancelled enrolment must be refunded and a \$10 administration fee will also apply.

8.1.8 Refused applications for fee exemptions and refunds

If the Institute Director or delegate refuses a person's application for a fee exemption and/or refund, the Institute Director or delegate must give the person written notice of the reasons for refusal.

The person may, within 7 days after the written notice is given, apply to the Institute Director for a reconsideration of the refusal.

8.2 Fee for Service, My Learning and Non-Accredited programs (single subscriber students)**8.2.1 Refund if program cancelled or postponed by the Institute:**

In the event of a Fee for Service program being postponed or cancelled by the Institute, a participant's enrolment may be transferred to the next existing program of the same activity.

If this is not possible due to time constraints, participants may choose to obtain a full refund on all fees associated with the cancelled program.

8.2.2 Refund if enrolment cancelled 5 or more days before program commencement

Cancellations for domestic Fee for Service programs (Single Subscriber) will be accepted five (5) or more days prior to the start date (with a minimum of 5 days).

A participant may request a transfer of their enrolment fees to another offering of the same program or to another unit without incurring a charge provided this is requested 5 or more days prior to commencement.

A full refund of fees charged for the program, less an administration fee of \$10, will be made.

8.2.3 Refund if enrolment cancelled less than 5 days before program commencement

Cancellations received less than five (5) days before, on the day of, or after course commencement will not be eligible for a refund of any fees and charges paid by/for the student, and any remaining payments due in respect of the enrolment must be paid to the Institute (unless a contract between the parties states otherwise).

Substitute attendees may be nominated should the enrolled participant be unable to attend for the entire course.

Participants may make a written appeal to the Institute Director, for a refund based on exceptional circumstances.

8.3 Commercial – Existing Worker Traineeships

Cancellations of a commercial Existing Worker Traineeship by the client will not be eligible for a refund as per the Terms and Conditions of the Corporate Sales Training Agreement.

Clients may make a written appeal to the Institute Director, for a refund based on exceptional circumstances.

8.4 BNIT Open Learning Programs

8.4.1 Refund for Government Funded, Leveraged and Fee for Service Open Learning Units (including My Learning courses)

A refund may be approved to a student studying a BNIT Open Learning program provided the request has been received in writing on the approved form within 4 weeks from the enrolment date for each unit that the refund application relates to. Conditions that must be met to be considered eligible are:

- a) Student has not attempted any assessment, received tutorial assistance or participated in any learning activities (including workshops); and
- b) For print and CD based units - the student has returned the learning materials in an unmarked condition within the 4 week timeframe;

In most cases, the relevant Faculty will need to provide advice / evidence to show whether a student has participated or not prior to the cancellation and refund being processed. A \$10 administration fee will apply to all refunds.

8.4.2 Material Fees

No refunds will be processed for materials that are considered to be used including materials obtained by mail or accessed online. Should learning materials be returned in a used condition within the approved timeframe a refund minus materials fees will be applied.

8.5 User Choice Programs

Refunds for user choice (apprentice/trainee) students will be approved based on participation and will incur a \$10 administration fee.

8.5.1 Refund if program cancelled by Director

If a user choice program is cancelled by the Institute before it starts, the Institute must refund the fees paid for the program in full.

8.5.2 Refund if enrolment is cancelled prior to student participation

A full refund of fees, less a \$10 administration fee will apply for all units where academic participation has not occurred. Refunds will be processed back to employers as long as a third party contract exists to show payment of fees.

8.5.3 Refund if enrolment is cancelled after student participation

No refund will be provided for units where a student has a record of academic participation or has attempted assessment.

Employers who have paid the employer contribution or gap payment will not be eligible for a refund if the apprentice/trainee has participated in any units within the program to which the enrolment or withdrawal relates.

8.6 International Student Programs

8.6.1 General International Student Refund Conditions

If an applicant accepts a place offered by BNIT by virtue of paying fees or makes an agreement to pay the fees, it means that a binding contract is created between the applicant and BNIT. The laws of the Commonwealth of Australia and the State of Queensland govern this contract.

Notification of cancellation, withdrawal, leave of absence, or deferral from a program / unit of study must be made in writing to BNIT.

If the student successfully meets the English language entry requirements and all other conditions for entry to a BNIT formal course during their ELICOS course, the student may apply to credit the balance of paid ELICOS tuition fees to their formal TAFE course.

If the student defers their ELICOS course, BNIT will hold the tuition fees until the student resumes their course. The student cannot resume their course until a new Offer of Place has been issued.

If the international student is granted permanent residency status after the program of study has commenced, no refund of fees will be payable for the current semester, but all subsequent fees will be payable at local rates.

If Brisbane North Institute of TAFE, TAFE Queensland or Department of Immigration and Citizenship (DIAC) excludes the international student from continuing their studies, there will be no refund of fees for the current semester, but any advance fees will be refunded in full.

Approved refunds may be transferred to another Institution or sent back to the student's home country into the account of origin.

- If a student 'fast tracks' and completes their Program in a shorter time than is specified in the Offer of Place, they are not entitled to any refund of tuition fees.
- Tuition fees may be reduced or a refund issued if the student is granted sufficient Transfer Credits or Exemptions such that the Program is completed in a shorter than normal time.
- Approved refunds will be processed within 4 weeks of the Manager International Business decision on this matter.
- If a student completes their Program in a period less than that stated on the Offer of Place the installment amounts will alter. If a period greater than that stated on the Offer of Place is required to complete the Program the student will be subject to additional fees.
- Students may, under exceptional circumstances, defer their studies providing notification is received within 2 weeks of the commencement of the semester. An Administration Fee of \$150 applies, and semester fees may be held for up to one year only. If a student withdraws from their program, tuition fees will not be refunded.

8.6.2 Refund if International Student Defaults

All requests for refund or credit transfer must be made in writing to Brisbane North Institute of TAFE.

Cancellation, withdrawal, leave or absence, or deferral	Required Notification	Cancellation Fee
From entire program <u>prior to</u> start of study	4 weeks prior to SOS	10% of semester fees ELICOS: 20% of tuition fees paid
From entire program <u>prior to</u> start of study	Less than 4 weeks prior to SOS	20% of semester fees or ELICOS tuition fees <u>less</u> an amount equivalent to 12 weeks of ELICOS tuition
From entire program <u>after</u> start of study	n/a	No refund
Cancellation of Student Visa by Department of Immigration and Multicultural Affairs (DIMA)	n/a	No refund
Refusal of Visa by DIMA	Prior to arrival	No penalty – full refund provided BNIT is

		supplied with the relevant letter of Visa rejection from DIMA
Student excluded from BNIT	n/a	No refund

Should a student become seriously ill or is required to return home due to exceptional circumstances of a compassionate nature and can no longer continue their study, BNIT will refund the balance of unused fees. This fee refund is wholly at the discretion of BNIT and appropriate evidence, such as a medical or death certificate, will be required.

Fees will not be refunded for any reason other than the above.

This agreement does not remove the right to take further action under Australia's consumer protection laws.

8.6.3 Refund if BNIT Defaults

BNIT will pay a full refund to the student within 2 weeks of start of study for the program, in the event that:

- The course being offered does not commence on the agreed starting date and is unable to be rescheduled;
- The course stops being provided after it starts and before it is completed; or
- The course is not provided fully to the student because of a sanction imposed on BNIT (as detailed in **Sections 27 – 31 of the ESOS Act 2000**)

The student will be provided with a statement explaining how the refund amount has been calculated.

In the event that a course stops being provided after it starts and before it is completed, BNIT will endeavour to arrange for another course, or part of a course, to be provided to the student as an alternative.

Should the alternative course of study/program be acceptable to the student, no refund of fees for the original enrolment will be made by BNIT, nor will any additional fees be charged to the student for the alternative program.

8.7 Commercial Clients

Cancellations of a Commercial student/s by the client will not be eligible for a refund as per the Terms and Conditions of the Corporate Sales Training Agreement.

Clients may make a written appeal to the Institute Director, for a refund based on exceptional circumstances.

9. POLICY EXCEPTIONS

Discounts and Waiver: the Institute Director, Director Education & Training and Director Client Relations are able to offer a discount and or waiver of part fees where the Institute has failed to deliver fully or satisfactorily on a service.

Each case must be documented and reported.

DOCUMENT AUTHORISATION

Owned By	Director, Finance & Business Performance
Endorsed By	Director, Client Relations
Endorsed By	Director, Education & Training
Endorsed By	Director, TAFE Open Learning Services
Authorised By	Institute Director