

Domestic Student Refund Policy and Procedure

1. Introduction

This Policy and Procedure outlines the circumstances where a refund of tuition fees may apply for commencing and continuing domestic students at APAC.

1.1. Purpose

The intent of this document is to:

- provide transparent processes for refunds of tuition fees, where applicable.
- set out the circumstances where a full refund or a partial refund may apply.
- comply with relevant legislation.

1.2. Scope

This Policy and Procedure apply to all prospective, current and former APAC higher education domestic students.

1.3. Principles

- APAC provides transparent processes for refunds of tuition fees and set out the circumstances where a full refund or partial refund may apply.
- Students should ensure they are familiar with APAC's fees, charges, and circumstances for refunds before accepting an offer for admission to APAC's higher education courses.
- APAC staff will follow this Policy and Procedure whilst exercising their professional judgement to assess each refund application on its individual merits.
- Staff who have access to information relating to fees and refunds must maintain the confidentiality of students' information in accordance with APAC's *Privacy Policy and Procedure*. The disposal of records relating to fees and refunds should be in accordance with the *Records Management Policy and Procedure*.

2. Policy Statements

2.1. Refunds - Tuition

In the event of a student withdrawing from a unit on or before the Census Date for that unit:

- 100% of tuition fees paid for that unit will be refunded to the student; and
- the student will not incur a FEE-HELP debt.

In the event of a student withdrawing from a unit after the Census Date for that unit:

- no refund is applicable; and/or
- the student will incur a FEE-HELP debt.

2.2. Non-refundable Fees and Charges

Administrative fees, Material Fees and incidental charges, fines and penalties are non-refundable. Please refer to the *Australian Performing Arts Conservatory Fee Schedule* for more information on these fees and charges. From time-to-time APAC may choose to apply an enrolment, admissions or similar fee which will be outlined in the Letter of Offer. Where applicable such non-tuition fees are not refundable.

2.3. Complaints and Appeals

APAC's domestic students have the right to appeal any refund outcomes outlined in this Policy and Procedure, in accordance with the *Student Complaints and Appeals Policy and Procedure*. The appeal must be lodged within twenty (20) working days of receiving the refund outcome.

3. Procedure

3.1. Withdrawal from a Unit/Course

Students of APAC who wish to withdraw from a unit or course must do so by completing an *Application for Withdrawal for Higher Education Domestic and International Students* available on the APAC website: www.apac.edu.au and sending it to the Administration Manager at: admin@apac.edu.au.

Where a student gives notice that they wish to withdraw from a unit, cancel their enrolment in a course or cancel their request for Commonwealth Assistance FEE-HELP, APAC will ensure that the withdrawal or cancellation is effective from the time of application.

APAC will not charge any fees for a student to withdraw or impose any barriers on a student that seeks to withdraw from a unit or course.

See below for refund eligibility when withdrawing from your course.

3.2. Refunds - Students Eligible for FEE-HELP Assistance

This section is applicable to students who are Australian citizens, New Zealand citizens that meet the long-term residency requirements¹ or Australian permanent humanitarian visa holders (who are resident in Australia for the duration of the unit) enrolled in a course offered by APAC.

APAC students can lodge an application for review of FEE-HELP in writing to the Administration Manager. Applications will be reviewed, and providing the student meets supporting criteria, APAC will re-credit the relevant FEE-HELP balance within 28 days of receiving the application for review. Students should ensure all efforts are made to ensure withdrawal requests are submitted on or before the census date.

In the event of a student withdrawing from a unit on or before the Census Date for that unit:

- 100% of tuition fees paid for that unit will be refunded to the student; and
- the student will not incur a FEE-HELP debt.

In the event of a student withdrawing from a unit after the Census Date for that unit:

- no refund is applicable; and/or
- the student will incur a FEE-HELP debt.

3.3. Refunds - Students Not Eligible for FEE-HELP Assistance

This section is applicable to students who are permanent residents (who are not permanent humanitarian visa holders who are resident in Australia for the duration of the unit) and New Zealand citizens that do not meet the long-term residency requirements enrolled in a course offered by APAC.

In the event of a student withdrawing from a unit on or before the Census Date for that unit, 100% of tuition fees paid for that unit will be refunded to the student.

In the event of a student withdrawing from a unit after the Census Date for that unit, no refund is applicable.

3.4. Withdrawal After Census Date

This section relates to students who withdraw after Census Date and may have a case for special circumstances.

A student who has claimed FEE-HELP assistance, withdrawn from a unit after the Census Date, and not successfully completed the unit due to special circumstances, may apply for a re-credit of their FEE-HELP balance and remission of their FEE-HELP debt for the unit, in accordance with the *Student Review Procedures for Re-crediting a FEE-HELP Balance*.

Students who have not claimed FEE-HELP assistance and have withdrawn after the Census Date for a unit are required to complete an Application for Refund Form if they wish to claim a refund under special circumstances.

Applications for a refund when withdrawing after Census Date must be made in writing to the Administration Manager at admin@apac.edu.au stating the reasons and relevant details. The Application for Refund Form must be completed and should be accompanied by all supporting documentation. The form must be signed by the student or by the student's parent or guardian in circumstances where the student does not have the legal capacity to do so. Students should apply for a refund within fourteen (14) days of an event that qualifies the student for a refund.

3.4.1. Special Circumstances

There may be special circumstances that may make a refund possible in relation to a Unit. Table 1 outlines special circumstances where refunds may apply if found eligible according to this policy. The student must have submitted a written application for special circumstances together with an *Application for Refund Form* and supporting relevant documentation.

Table 1. Special circumstances may apply.

Circumstances	Refund	Process
Withdrawal from a unit due to Special Circumstances beyond the control of the student. See <i>Guidelines for Special Circumstances</i> in Clause 3.4.2 of this Policy and Procedure.	Possible if Special Circumstances are granted/approved.	Complete an Application for Refund Form and request Special Circumstances if eligible.
APAC cancels a student's enrolment due to reasons of unsatisfactory progress, misconduct, or a student has provided fraudulent or misleading information.	Possible if Special Circumstances are granted/approved.	Complete an Application for Refund Form and request Special Circumstances if eligible.
APAC cancels a student's enrolment due to non-payment of tuition fees or other fees and charges.	Possible if Special Circumstances are granted/approved.	Complete an Application for Refund Form and request Special Circumstances if eligible.
After submitting a formal complaint in accordance with the Student Complaints and Appeals Policy and Procedure.	Possible if complaint is upheld.	Submit a formal complaint in writing and an Application for Refund Form.

3.4.2. Guidelines for Special Circumstances

Special Circumstance provisions will be applied to an application for refund where APAC is satisfied that such circumstances:

- were beyond the student's control; and
- did not make their full impact on the person until on or after the Census Date for the unit in question; or
- would make it impractical for the student to complete the requirements of the unit in the period during which the person undertook, or was to undertake, the unit/s; and may include (but are not limited to):
- medical circumstances that have changed to such an extent that the student is unable to continue studying, or new medical circumstances arose.
- family/personal circumstances such as death, significant medical issues, unforeseen financial difficulties, or other circumstances that are unreasonable to expect a person to continue their studies.

- employment related circumstances the employment status or arrangements have changed so that the student is unable to continue their studies and this change is beyond their control.
- course related circumstances where APAC has changed the unit offered, and the student is disadvantaged by either not being able to complete the unit, or not being given credit towards other units or courses.
- extenuating circumstances of reasonable significance that interfere with the student's ability to meet unit or course requirements. For example, carers' responsibilities, legal commitments, military service, accidents or natural disasters.

Special Circumstances do not include:

- lack of knowledge or understanding of this policy or government legislation; or
- failure to follow correct procedures; or
- performance which did not meet the required standards.

3.4.3. Supporting Documentation

Students should ensure that their supporting documentation complies with APAC's requirements and is:

- in English or has been translated and certified as an official translation from an official authority.
- an original document or certified by a Justice of the Peace or equivalent.
- an original medical certificate that details the condition where medical circumstances apply.
- a statutory declaration, where relevant.
- a detailed account of the circumstances or events that are relevant to the application, including specific dates, and demonstrates how it meets the special circumstances outlined in this policy.
- a true and honest representation of the circumstances.
- other documentation requested by APAC.

3.5. Other Circumstances

There may be other circumstances where a refund may be possible as outlined in Table 2.

Table 2 - Other circumstances where a refund may apply.

Circumstances	Refund	Process
APAC withdraws the offer of enrolment prior to the Census Date: if the student fails to meet the entry requirements, such as the stated level of English. based on incorrect or incomplete information provided by the applicant.	Yes. Full refund of tuition fees.	Complete an Application for Refund Form.
APAC defaults (unable to deliver the Unit). APAC may offer students a place in an alternative course at APAC or another registered provider. In such circumstances there will be no additional cost to the student, and a refund will not be paid.	Yes. Full refund of tuition fees if an alternative Unit cannot be found.	Complete an Application for Refund Form to advise APAC of bank details to enable a refund to the student. No refund will be given if the student accepts an alternative unit or course.

3.6. Payment of Refunds

Refunds related to withdrawals on or before Census Date will be made within twenty-eight (28) working days of the Census Date of the unit to which the withdrawal applies.

Refunds related to withdrawals after Census Date will be made within twenty-eight (28) days of an application being assessed as eligible for a refund. Incomplete forms or applications without sufficient supporting documentation may cause delays in processing refunds.

Refunds will be:

- paid in Australian dollars.
- credited to the credit card from which the fee was originally paid if the tuition fee was paid by credit card within the last 12 months.
- directly to the person who entered into the contract with APAC, unless that person gives written direction to pay someone else.
- processed via EFT (electronic funds transfer to an Australian bank account) if the tuition fee was paid via BPay, Cheque or Direct Deposit.

Student Administration will record the transaction in the Student Management System.

3.7. Complaints and Appeals

If a student enrolled at APAC is dissatisfied with any aspect of the response to or outcome of their refund application, they may lodge a complaint through the process outlined in the *Student Complaints and Appeals Policy and Procedure*.

This Policy and Procedure, and the and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under the *Australian Consumer Law* if the *Australian Consumer Law* applies.

4. Responsibilities

4.1. The Board of Directors

The Board of Directors are responsible for the review of and setting of tuition fees, administrative, incidental and other charges. Review of fees and charges will occur annually and will consider the impact of any increase on continuing students.

The Board of directors will annually review trends in the number of withdrawals, the basis for the withdrawal and refunds and will ensure delegations are effective and being carried out appropriately.

4.2. Chief Executive Officer (CEO)

The CEO is responsible for authorising all payment transfers, draw downs and approval of refund requests via the Finance Office.

Annual reporting will be provided by the CEO to the Board of Directors.

4.3. Finance Office

The Finance Office is responsible for the administration and payment of approved refund monies.

4.4. Admissions and Compliance Manager

All withdrawal and refund requests will be managed by the Admissions and Compliance Manager for approval by the CEO.

4.5. Students

Refund applicants are responsible for ensuring that all refund application documentation is complete and supporting documentation is submitted at the time of application.

Students must inform the Administration Manager promptly if they wish to withdraw from a unit as outlined in this policy and procedure.

5. Relevant Documents

- APAC Admissions Policy and Procedure
- APAC Application for Refund Form
- APAC Application for Withdrawal for Higher Education Domestic and International Students
- APAC Domestic Student Fees Policy and Procedure
- APAC Letter of Offer and Acceptance of Offer and Student Agreement - Domestic
- APAC Privacy Policy and Procedure
- APAC Records Management Policy and Procedure
- APAC Student Code of Conduct
- APAC Student Complaints and Appeals Policy and Procedure
- APAC Student Review Procedures for Re-crediting a FEE-HELP Balance
- Australian Performing Arts Conservatory Fee Schedule
- Higher Education Standards Framework (Threshold Standards) 2021
- Higher Education Support Act (HESA) 2003

6. Definitions

- **Census Date:** is the effective final enrolment date and charges liability date for a course or units, after which a student cannot withdraw without significant academic or financial penalties.
- **Commencement Date:** The date the course officially starts and the date that the tuition fee is due for domestic students who are not claiming FEE-HELP assistance. Commencement dates are determined for each trimester and are published on APAC's website.
- **Course of Study:** A single course leading to an Australian Higher Education award for which a student may access FEE-HELP assistance to pay for all or part of their tuition fees.
- **Course Entry Requirements:** The entry requirements that an applicant must satisfy to be admitted into a particular course, that are additional to the general entry requirements.
- **Domestic Student:** a student who is an Australian citizen (including Australian citizens with dual citizenship), a New Zealand citizen, an Australian Permanent Resident or holds an Australian permanent humanitarian visa.
- **Due Date:** The deadline for payment of fees as shown on the invoice and also listed in the Letter of Offer and Acceptance of Offer and Student Agreement - Domestic.
- **FEE-HELP:** a Commonwealth loan scheme that assists eligible fee-paying students to pay part or all of their tuition fees at a higher education provider for subjects studied as part of an award course.

- **Full-time Study Load:** Standard full-time study load for a particular course.
- **Incidental, Administrative and Other Charges:** Fees for a good or service related to the provision of a course that is additional to the tuition fee.
- **Tuition Fees:** are fees payable for tuition as officially published or provided by APAC. Tuition fees and other charges are set each year and will apply at the time that a letter of offer is issued. Tuition fees do not include incidental, administrative and other charges.
- **Unit:** is a discrete unit of study with its own name, code and value that makes up part of a course.
- **Withdrawal:** A formal procedure where a student decides to discontinue a course without the intention of returning or discontinues a unit with the intention of enrolling in it at a later date.

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