

Refund of Tuition Fees (Domestic Students) Procedure

Section 1 - Background and Purpose

(1) All requests for refunds of tuition fees paid are conditional on the following:

- a. the funds for the refund must be available (e.g. cheques must have cleared, electronic funds transfers must have been received); and
- b. any debts to the University must be paid in full or the outstanding amounts will be deducted from the refund; and
- c. the relevant college must have processed the student's withdrawal or deferment from the relevant course or subject; or
- d. the University must have cancelled the course or subject which the student is undertaking, making it impossible for the student's enrolment to continue.

(2) For purposes of these Procedures, 'subject' includes both higher education subjects and VET units of study.

Section 2 - Scope

(3) These Procedures apply to:

- a. all campuses
- b. all fee-paying courses
- c. all fee-paying domestic students

(4) They do not apply to Commonwealth Supported students.

Section 3 - Policy Statement

(5) Refer to Refund of Course Money Policy.

Section 4 - Procedure

Part A - Information Prior to Enrolment

(6) Before students enrol in a course they receive clear information about the learning, assessment and support services to be provided and their rights and obligations. This must include information about the fees they will be charged. The fee may be indicative, since course fees may vary with the specific subjects chosen.

Part B - Payment and Receipt of Fees

(7) Before attending the first session of a course or subject, all fee-paying students will receive a letter of offer. On the basis of the actual subjects in which each student enrolls, an invoice will be generated. Payment of fees will be required by cash, EFT, credit card or cheque by the due date specified on the invoice. On payment, a receipt or reference number will be supplied as appropriate.

Part C - Withdrawing on or Before the Census Date

(8) A student who withdraws or defers from a subject on or before the Census Date for the subject will be withdrawn without financial or academic penalty. All associated tuition fees will be refunded in full, or credited to future enrolments, on application; see Part D and H below.

Part D - Application for Refund

(9) Students seeking a refund of course money must submit an application on the prescribed University application form with supporting documentation to:

Student Centre
Academic Services Division
La Trobe University
Bundoora VIC 3086

(10) The prescribed form may be downloaded from
<http://www.latrobe.edu.au/students/fees/documents/application-for-refund.pdf>.

(11) For details of appropriate supporting documentation, see Part G.

(12) The University's preferred payment method is by electronic funds transfer (EFT).

Part E - Full Refund Where Course is Not Provided

(13) In either of the following circumstances, the University will refund in full tuition fees paid in advance:

- a. the University was unable to provide the course that was offered, on the date(s) specified in the letter of offer;
or
- b. the course ceases to be provided by the University at any time after it starts but before it is completed. (Note that there is no refund of fees paid for tuition received.)

Part F - Partial Refund Where the University Withdraws an Offer of a Place

(14) The University reserves the right to retain up to 10% of tuition fees that have been paid where an offer is withdrawn in circumstances where the Executive Director, Student Services and Administration is satisfied the offer was made on the basis of fraudulent documentation provided by the student.

Part G - Full Refund of Fees Paid in Advance, in Event of Refusal of

Re-enrolment

(15) If the University does not allow a student to re-enrol in a course because of unsatisfactory academic progress, but tuition fees have been paid for a semester/term after the semester/term in which a student was refused re-enrolment, the student will be refunded any tuition fees paid for the semester/term for which he or she will be unable to re-enrol.

Part H - No Refund After Census Date

(16) Where the student withdraws or is excluded by the University after the Census Date for academic or general misconduct, no refund will be given.

Part I - Credit of Overpaid Amounts Against Current and Future Liabilities

(17) The University reserves the right to credit any overpayment in fees against current and future liabilities with the University, except where the student specifically requests a refund of the overpayment.

(18) If an application for a refund is received from a continuing student and is approved, then a credit for the overpaid amount normally will be applied to the next semester's fees. If the student is in the last semester of the course of study, a refund will be paid.

(19) All applications are assessed on a case by case basis.

Part J - Applying After the Census Date on the Basis of Special Circumstances

(20) A student who withdraws from a subject or course after the Census Date may apply for a refund or credit only on the basis of special circumstances; see Part J below.

(21) A student cannot apply for a refund or credit for a subject that he or she has successfully completed.

Part K - Refund on the Basis of Special Circumstances

(22) The Manager, Student Financial Services or nominated officer will consider applications for refunds or re-credits on the basis of special circumstances. Special circumstances are circumstances that:

- a. were beyond the applicant's control;
- b. did not make their full impact on the applicant until on, or after, the Census Date; and
- c. made it impracticable for the applicant to complete the requirements for the subject(s) in the period during which the applicant undertook, or was to undertake, the subject(s). See Part K below for more details.

(23) The applicant's statement of the special circumstances must include supporting documentation from an independent source or authority that clearly:

- a. identifies the special circumstances;
- b. dates the occurrence of the special circumstances;
- c. states the duration of the special circumstances; and
- d. describes the level of impact of the special circumstances.

(24) For example, supporting documentation may include a detailed:

- a. medical statement from a medical professional (a medical certificate is not sufficient)
- b. statement from a minister of religion
- c. statement from a counsellor
- d. statement from a police officer
- e. statement from an employer regarding significant changes in employment circumstances
- f. copy of death certificate or death notice of a close family member and proof of relationship to the deceased
- g. letter from a lecturer, Head of School or other University staff familiar with the applicant's circumstances.

(25) Each application is examined and determined on its merits. The University considers the applicant's claims, together with any independent supporting documentary evidence that substantiates these claims.

Part L - Explanation of Special Circumstances

(26) This section explains in more detail what is meant by the various elements of special circumstances.

Beyond a Person's Control

(27) Circumstances are beyond an applicant's control if a situation occurs that a reasonable person would consider is not due to the applicant's action or inaction, either direct or indirect, and for which the applicant is not responsible. This situation must be unusual, uncommon or abnormal.

Do Not Make Full Impact Until on or After the Census Date

(28) Circumstances do not make their full impact on the applicant until on or after the census date for the subject if the applicant's circumstances occur:

- a. before the census date, but worsen after that day;
- b. before the census date, but the full effect or magnitude does not become apparent until after that day; or
- c. on or after the census date.

(29) Note: A person does not need to demonstrate that they were prevented from withdrawing from the unit prior to the census date.

Impracticable for the Person to Complete the Unit of Study Requirements

(30) Circumstances that make it impracticable for the applicant to complete the requirements for their unit may include:

- a. medical circumstances (for example, where an applicant's medical condition has changed to such an extent that he or she is unable to continue studying);
- b. family/personal circumstances (for example, death or severe medical problems within a family or unforeseen family financial difficulties, so that it is unreasonable to expect an applicant to continue studies);
- c. employment related circumstances (for example, where an applicant's employment status or arrangements have changed so that the applicant is unable to continue his or her studies, and this change is beyond the applicant's control); or
- d. course related circumstances (for example, where the University has changed the subject it had offered and the applicant is disadvantaged by either not being able to complete the subject, or not being given credit towards other subjects or courses).

(31) An applicant is unable to complete the requirements for a subject, for example, if the applicant is unable to:

- a. undertake the necessary private study required, or attend sufficient lectures or tutorials or meet other compulsory attendance requirements in order to meet their compulsory subject requirements; or
- b. complete the required assessable work; or
- c. sit the required examinations; or
- d. complete work placements; or
- e. complete any other subject requirements because of their inability to meet the above.

(32) Consideration is also given to whether at the time the applicant's special circumstances emerged, it was already not practicable for the student to meet the requirements of the subject. This situation may arise where an applicant has not met progressive requirements relating to compulsory assessment and/or attendance at classes for the subject. If an applicant has not met the ongoing compulsory requirements of the subject, their failure to sit the final examination (and/or the special examination) does not of itself make it impracticable for them to complete the subject. In this case the University may make a decision not to refund or credit. Note: The requirements for continuous assessment and attendance would need to be stated explicitly in the University's rules (e.g. the Handbook) prior to the commencement of the subject (and substantiated if the need arises).

Part M - Timeframe for Making Decisions

(33) An application for a refund or credit must be made, in writing:

- a. within 12 months of the withdrawal date; or,
- b. if the student has not withdrawn, within 12 months of the end of the period of study in which the subject was, or was to be, undertaken.

(34) Where a student has deferred, the 12-month period applies from the end of the period of deferment. The University has the discretion to waive this requirement if it is satisfied that the application could not be made within the time limits.

The University considers an application within 14 days of receipt.

Part N - Notifying Students of the Decision

(35) The University will notify the applicant of its decision and the reasons for making the decision within 28 days of receipt.

(36) The University will advise the applicant of the right to a review of the decision if the applicant is unsatisfied with the outcome. The advice will include an explanation of the time limit for applying for the review.

Part O - Review of Decision

(37) The time limit for applying for a review of a decision is 28 days from the day the applicant first received notice of the decision. The applicant is taken to have received notice of the decision 1 day after the date on the notice of decision and the 28 days timeframe begins on this day. For example:

- a. Notice of decision is dated 1 September.
- b. Applicant is taken to have received notice of decision on 2 September.
- c. The 28 days count begins on 2 September.
- d. The request for a review of the decision must be received by close of business on 29 September.

(38) The applicant must state the reasons for applying for a reconsideration of the decision.

(39) On receipt of the request for a reconsideration, the reviewer (i.e. the person reconsidering the decision) will

acknowledge receipt in writing within 14 days. The acknowledgement will include:

- a. a unique reference number
- b. a statement of the time frame within which a decision will be made
- c. advice that if the reviewer has not advised the applicant of a decision within 45 days of receiving the application for review, the reviewer is taken to have confirmed the original decision
- d. notification of the applicant's right to appeal to the Administrative Appeals tribunal (AAT) if not satisfied with the review decision, the contact details of the nearest AAT registry, and the approximate cost of an appeal to the AAT.

(40) On making his or her decision, the reviewer will notify the applicant in writing of:

- a. the reviewer's decision and the reviewer's reasons for making the decision (the reviewer may confirm the decision, vary the decision, or set the decision aside and substitute a new decision);
- b. the applicant's right to appeal to the AAT if not satisfied with the review decision, and the contact details of the nearest AAT registry.

(41) All applications for a review of a decision must be directed to:

Manager, Student Administration
Student Services Division
La Trobe University
Bundoora VIC 3086

Part P - Review by the Ombudsman

(42) If an original decision has been confirmed, varied or set aside, an applicant has the right to apply to the University Ombudsman for a review of the decision not to refund or credit. The University Ombudsman can investigate whether correct procedures were followed in the making of the decision. There is no charge for the investigation. More details are available at the University Ombudsman website.

(43) If an applicant feels that their issue has not been resolved satisfactorily through the University Ombudsman, they may lodge a complaint with Ombudsman Victoria. Ombudsman Victoria resolves complaints concerning administrative actions taken by public authorities including universities. There is no charge for an Ombudsman's investigation and can be contacted at:

Ombudsman Victoria
Phone: 03) 9613 6222
Email: ombudvic@ombudsman.vic.gov.au
Website: www.ombudsman.vic.gov.au/

Section 5 - Definitions

(44) For the purpose of this Procedure:

- a. **Census Date:** the last date on which a student may withdraw from a subject or unit of study without being liable for the tuition fees for that subject. For higher education subjects, the census date falls approximately one-third into the subject. For VET units of study, it is a predetermined date.

Status and Details

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Unit Head	Richard Frampton Executive Director, Student Services and Administration +61 3 94793666
Author	Rebecca Sawyer Senior Advisor, Policy and Planning
Enquiries Contact	Student Services and Administration