

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

1. PURPOSE

The purpose of this policy is to outline JMC Academy's process for tuition fee refunds to students withdrawing from a course or unit of study, or due to provider default and are in accordance with the Higher Education Support Act 2003 and the FEE-HELP Guidelines.

2. SCOPE

This policy applies to new and continuing domestic students at JMC Academy.

3. DEFINITIONS

Beyond a person's control – A person's circumstances are beyond that person's control if a situation occurs which a reasonable person would consider is not due to the person's action or inaction, either direct or indirect, and for which the person is not responsible. This situation must be unusual, uncommon or abnormal.

Census Date – is the date set for each trimester that is the last date a domestic student can withdraw from a course of study and/or unit without incurring financial penalty.

Course of Study – is the award delivered by JMC Academy.

Deferral – A suspension of study for an agreed and approved period of time whereby a student's place in that course of study is held for them.

Domestic Student – a student who is an Australian Citizen or and Australian Permanent Resident or a New Zealand Citizen.

FEE-HELP Assistance – is the Commonwealth Government loans scheme that assists eligible domestic students to meet the cost of their tuition fees.

Serious illness – is an unexpected illness of a serious nature, a recurrence of a chronic illness or an accident with a serious impact on one's health

Special Circumstances – Circumstances which are an exception to the rule and beyond a student's control.

Unit of Study – a single component or subject that a student undertakes as part of a course of study that leads to an award.

Up-front Payment – Tuition fees that are paid by the student prior to the commencement of study directly to JMC Academy with no contribution from the Commonwealth Government.

Withdrawal – The cancellation of enrolment

4. POLICY

It is the responsibility of JMC Academy to provide accurate and accessible information to all applicants and students about student fees, census dates and access to comprehensive information about FEE-

HELP. JMC Academy will also ensure that there are fair and equitable processes for the issuing of tuition fee refunds to students in accordance to the relevant legislation and policy.

It is the responsibility of a JMC Academy student to ensure that all information provided for enrolment and fee collection, including personal information, is accurate and kept up to date. Each student acknowledges and agrees 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.

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 trimester.

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

Withdrawal or deferment after enrolment and prior to the commencement of the trimester, or prior to or on the CENSUS date

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.

A fee refund is not automatic on the withdrawal, deferral, cancelling or suspension of enrolment on or before the relevant Census Date. All students must formally submit either a signed 'Application for Withdrawal', or a signed 'Application for Deferral of Course Commencement'.

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.

Withdrawal or deferment after the CENSUS date

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 trimester, unless consideration under special circumstances has been approved by JMC Academy.

Special Circumstances

Under special circumstances, students may have their tuition fees refunded or their FEE-HELP debt re-credited. 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:

- were outside of the student's control and for which student had no opportunity to prepare themselves in advance, and
- made it impracticable for the student to complete the requirements for the assessment/s, and
- made their full impact on the student's ability to study after census date.

All applications will be considered and determined on their merits but must satisfy all three of the above criteria.

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:

- 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,
- Significant bereavement or hardship such as the death or serious illness of a close family member,

- Relationship breakdown,
- Domestic violence,
- Trauma – such as being a victim of crime, an accident or a severe Act of God.

Illnesses, disabilities or medical conditions existing prior to the Census Date will not qualify as grounds for a refund unless compounded by an unexpected change or an additional condition.

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.

Supporting documentation is required in the form of:

- a letter from a campus counsellor who has prior knowledge of the student and their circumstances, or/and
- an original certificate or letter on letterhead, depending on the nature of the condition from
 - a registered treating medical practitioner, or/and
 - a registered health practitioner, or/and
 - approved medical specialist, or/and
- a letter from a person qualified to assess and support the application (e.g. clergy providing grief counselling), and/or
- a certificate from a funeral director, and/or
- a death certificate.

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.

Supporting documentation will not be accepted from a relative or a student's friend or student's family's friend.

To be eligible to apply for a refund of tuition fees or the re-crediting of a FEE-HELP balance under special circumstances the:

- student must have still been enrolled in the unit(s) after the Census Date,
- student must not have successfully completed the requirements of the unit(s),
- application must be submitted in writing, and
- 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.

All applications for special consideration will be handled with confidentiality. For additional information on applying for special consideration, please refer to the Procedure, *Tuition Fee Refunds and Re-Crediting FEE-HELP debts – Domestic Students*.

4.1. NON-PAYMENT OF FEES

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:

- access to unit results,
- access to online and physical resources,
- enrolling in further units,
- receipt of an Academic Transcript or Transcript of Results,
- graduating.

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.

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.

4.2. PROVIDER DEFAULT

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:

- not commencing on the scheduled starting date, or
- ceasing to be provided at any time after it starts but before it is completed, or
- not being provided in full to the student due to sanctions that have been imposed on JMC Academy.

Students will be notified in writing and given the option to:

- transfer their enrolment to another course within JMC Academy or another study period, or
- 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
- 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. COMPLAINTS and APPEALS

To appeal against any decisions made under this policy

- Students may access the Student Complaints and Appeals Policy and its associated procedures,
- JMC Academy staff may access the Grievance Handling Policy.

6. POSITIONS RESPONSIBLE FOR IMPLEMENTING POLICY

- Governing Council
- Academic Board
- Senior Management
- JMC Academy Staff (academic and non-academic)
- JMC Academy students

7. RELATED DOCUMENTS

- Tuition Fee Refunds and Re-Crediting FEE-HELP debts – Domestic Students Procedure
- Student Complaints and Appeals Policy
- Student Complaints and Appeals Procedure
- Diversity Equity and Inclusion Policy
- JMC Academy Glossary

8. RELATED LEGISLATION

This Policy supports JMC Academy's compliance with the following legislation:

- Higher Education Support Act 2003 (Cth),
- Higher Education Standards Framework (Threshold Standards) 2015.

9. POLICY REVIEW DATE

13th August 2022

10. VERSION CONTROL TABLE

Title	<i>Tuition Fee Refunds and Removal of FEE-HELP Debts – Domestic Students Policy</i>			
Maintained By	Chief Executive Officer			
Approving Authority	Governing Council			
Approved Date	13/08/2019			
Version Number	Modified By	Modifications Made	Date Modified	Status
	A Broughton		07/03/2016	Superseded
2.0	G. Markakis	Consolidated all existing Fee Policies into one comprehensive policy	24/07/2019	Current Approved by the Governing Council on 13/08/2019