



Overseas Student Fees, Charges and Refunds Policy and Procedure  
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## **Overseas Student Fees, Charges and Refunds Policy and Procedure**

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### **Purpose**

The purpose of this document is to clarify HCLA's policies and procedures with regard to the setting, changing and refunding of fees for tuition and other services provided to overseas students.

### **Scope**

This policy applies to all overseas students and prospective overseas students enrolled or enrolling in ELICOS program provided by HCLA. The policy does not apply to fees charged by third parties such as textbook suppliers for services relating to HCLA courses, except where students are required to pay such fees in order to complete an HCLA course of study.

### **Responsibility**

The Finance and Resources Manager is responsible for setting fees in consultation with the Senior Management Team. The administration and management of fees is provided by the Student Admission and Registration Services Manager.

### **Definitions**

#### **Fee**

Money payable by a student for tuition or similar services

#### **Obligation period**

A period which applies under specific circumstances and for specific durations, as defined by sections 46D, 47D or 47E of the Education Services for Overseas Students Act 2000

#### **Scholarship**

Funds allocated for the tuition fees (or part thereof), associated charges and in some cases a stipend, based on a measure of scholarly achievement

#### **Bursary**

Funds allocated for the tuition fees (or part thereof), associated charges and in some cases a stipend for reasons other than those applying to a scholarship

### **Principles**



### **Charging of fees for tuition**

HCLA as a commercial entity has both the right and the responsibility to charge fees for tuition, which is our primary source of income and the main service we provide.

### **Charging of costs in addition to fees for tuition**

In addition to tuition fees, HCLA may charge other fees for additional services relating to study, provided that students are informed of those fees prior to enrolment.

### **Charging of fees for services other than tuition**

Though tuition is HCLA's primary business, HCLA may provide other services to students and other clients and charge for those services. Charges for services other than tuition are also subject to the terms of this policy.

### **Refunding of fees and charges**

Fees will be refunded to students if there is an obligation to provide a refund under the Education Services for Overseas Students Act 2000 or other relevant legislation.

### **Avoidance of Cash Handling**

Accepting fees in cash as payment for tuition fees would pose a significant security risk, both financially and to the safety of HCLA employees. All fees must therefore be paid by electronic means, or by cheque, bank cheque or money order.

### **Collecting fees for only one study period in advance**

Fees will only be collected from students for a single study period. Should a course be implemented that exceeds one study period in duration, fees will be collected at the beginning of the course only for the first study period, with fees for the second study period being collected after completion of the first and so forth in accordance with the Education for Overseas Students (ESOS) Act 2000.

### **Fees to be retained in a designated bank account**

All tuition fees collected will be held in a designated bank account which is not used to store money from any other source. The money is placed in this account for each consecutive intake of students and no part of that money will be withdrawn until the students who paid the fees have commenced the units of study for which the fees were paid, unless:

- a. The fees for one or more students, or part thereof, are to be required to be refunded in accordance with section 46D, 47D or 47E of the Employment Services for Overseas Students Act 2000;
- b. The fees for one or more students, or part thereof, are to be required to be refunded in accordance with section of the of the Employment Services for Overseas Students Act 2000 or;
- c. A payment is required to be made to the Tuition Protection Service (TPS) Director in



accordance with section 50C of the Employment Services for Overseas Students Act 2000;

If a withdrawal of fees is made due to any of the above exceptions, the fact that it has been made and the amount withdrawn will be stated in the Notice to the Secretary and the TPS Director, which is issued within 7 days after the provider obligation period ceases, in accordance with section 47H of the Education Services for Overseas Students Act 2000 incorporating subsequent amendments.

### **Privacy and freedom of information**

Information about the fees and charges owing on a student's account is considered private information. No person other than the student will be given any information, including outstanding balances, about a student's account, without having first presented a proxy letter of power of attorney document.

Information provided by a student while paying fees such as credit card details, billing address and payment history, will be provided to students upon request.

### **Indexing of fees and charges**

Fees and charges will not automatically increase with indexation. However, measures of inflation, currency exchange rates and market factors, both locally and in target markets, will be taken into account during each regular review of fees and charges. An extraordinary review will be conducted if major changes to the rate of inflation or other factors occur.

### **Tuition protection**

IHM will pay the Overseas Student Tuition Fund levy and the TPS levy in accordance with Section 52 of the Education Services for Overseas Students Act 2000 and with the Education Services for Overseas Students (TPS Levies) Act 2012.

## **Procedures**

### **Determination of the amount to be charged for tuition and other fees payable by overseas students**

All fees for tuition and other services will be set in accordance with the following procedure:



1. A proposed fee is put forward by a member of the senior management team;
2. The Marketing and Business Development Manager drafts an amended fee schedule;
3. The Marketing and Business Development Manager conducts market research to ascertain the impact of the proposed fee on the target market for the course to which it pertains;
4. The fee schedule is examined by the Quality Standards and Compliance Manager, who notes any changes that are required in order to comply with legislation and registration standards;
5. The data, notes and predictions are tabled at a Finance and Resource Committee meeting;
6. The Finance and Resource Committee deliberates upon and amends the fees as necessary;
7. The Marketing and Business Development Manager makes any further amendments to the fee schedule;
8. The amended fee schedule is ratified by the Board of Governors;
9. The newly ratified version of the fee schedule is distributed to all HCLA staff with noting the changes that have been made to it and a copy is made available online;
10. The Marketing and Business Development Manager arranges for any marketing and communication materials that include information about fees are emended in accordance with the Communication Policy and Procedure and the Marketing of Courses to Overseas Students Policy and Procedure and that updated materials are distributed to overseas education agents.

### **Informing prospective overseas students about fees and charges**

Prior to applying for a course of study, prospective overseas students will be provided with the following information about fees, charges and refunds, plus additional information as required:

- The total cost of undertaking the course for which they intend to apply;
- A breakdown of any fee components such as fees per study period and any additional costs such as textbooks and services;
- The timeframe for paying fees;
- The circumstances under which a refund may be granted;

### **Collection of fees**

1. In accordance with the Student Registration Procedure, or prior to the commencement of a new tuition period, an invoice is issued to an overseas student for the collection of fees;
2. The student makes payment by any of the methods specified on the invoice;



3. The payment is deposited directly into the designated bank account and verified by the Finance and Resources Manager;
4. The invoice is marked as 'Paid' and the Student Administration and Registration Services Manager is notified and updates the student's enrolment status in accordance with the Overseas Student Registration Procedure.

### **Collection of fees by an education agent or third party**

Any education agent or third party involved in recruiting students on behalf of HCLA will provide students with the same information that is listed in the procedure for informing students about fees and charges and will sign a checklist indicating that this has been done. A random sample of students will be asked by the Quality Standards and Compliance Manager whether they were provided with this information by the education agent involved in their application as a quality control measure.

### **Notice to the Secretary and the TPS Director**

In the event that a default occurs under Subdivision A or Subdivision B of the Education Services for Overseas Students Act 2000:

1. The Student Administration and Registration Services manager prepares a draft Notice to the Secretary and the TPS Director, using the Notice to the Secretary and the TPS Director Template;
2. Obligations to the student are discharged;
3. The Quality Standards and Compliance Manager inspects the notice and provides conditional approval for its submission;
4. If amendments have been made, the Quality Standards and Compliance Manager inspects the notice once more and grants final approval;
5. If no amendments were made, or once step 4 has been completed and no later than 5 days after the cessation of the obligation period, the Student Administration and Registration Services Manager lodges the notice.

### **Procedure for waiving fees**

The Student Administration and Registration Services Manager may determine that a fee is to be waived if it is a minor fee of less than one hundred Australian dollars. Fees of over one hundred dollars may only be waived with authorisation from the PEO. Fees will only be waived where it is in the interests of HCLA, or if there is a legal or moral obligation to do so.

### **Refunding of fees**

This procedure may be initiated either by a request for a refund being made by a student or where circumstances under which HCLA is required to provide a refund are identified. Where a refund is requested or thought to be required:

1. A Refund Request Form (RRF) is completed by a student, education agent or staff member and submitted to the Student Administration and Registration Services Manager.



This may be done either electronically or in hard copy;

2. The refund is granted if:

a. An obligation to provide the refund under sections 46D, 47D or 47E of the Education Services for Overseas Students Act 2000 is identified;

b. An obligation to provide a refund under any other applicable legislation such as the Competition and Consumer Act 2010 is identified;

c. Compelling circumstances exist that justify the provision of a refund;

3. The Student Administration and Registration Services Manager reviews the refund request, consulting as necessary with the Quality Standards and Compliance Manager regarding any applicable legislative, regulatory or policy requirements, and may grant and process the refund using petty cash if the amount is less than one hundred Australian dollars;

4. If the amount exceeds one hundred Australian dollars, the Student Administration and Registration Services Manager seeks authorisation from the Managing Director, then submits the authorised request to the Finance and Resources Manager;

5. The Finance and Resources Manager processes the refund, no later than 21 days after the lodgement of the RRF;

6. If the Finance and Resources Manager uses funds from the designated account for prepaid tuition fees, the Student Administration and Registration Services manager adds appropriate information to the Notice to the Secretary and the TPS Director.

### **Scholarships and bursaries**

Scholarships and bursaries will be subject to endorsement by both the Finance and Resource Committee and the Academic Board and final approval by the Board of Governors. Where a scholarship or bursary is proposed, its terms will be drafted by the Finance and Resources manager and tabled at meetings of each committee. Where funds from any 3<sup>rd</sup> party are used to provide a scholarship, the funds will be stored in an account or investment fund separate to HCLA's accounts and the funds will be accessed only for the purposes of that scholarship, with regular statements and reports sent to the provider of the funds. Tuition fees and charges will be processed as usual, but with payment made from the scholarship fund.

### **Permanent residency**

In the event that an overseas student obtains permanent residency after having paid tuition fees for a course as an overseas student, the following procedure will apply:

1. The Student provides documentation to the Student Administration and Registration Services Manager;



2. The Student Administration and Registration Services Manager informs the student that a full refund will be provided for any prepaid tuition fees and a refund is organised for the student;

**Supplementary Information**

**Related policies/procedures:** Fees, Charges and Refunds Policy and Procedure

**Benchmarking:** Not applicable

**Supporting research and analysis:** Not applicable

**Related documents:** Pre Enrolment Checklist

**Fee Schedule**

**Related legislation:**

**Guidelines:** Not applicable



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