



# COURSE MODIFICATION AND TUITION FEE REFUND POLICY AND PROCEDURES

## Purpose

Lincoln Education Australia (LEA\*\*) understands the importance of fair and transparent processes with regard to students' enrolment and financial matters.

The *Course Modification and Tuition Fee Refund Policy and Procedures* defines the principles and procedures to be followed when a student applies for a course withdrawal, deferral, leave of absence, or fee refund.

\*\*The trading name for the Lincoln Institute of Higher Education (LIHE) is Lincoln Education Australia (LEA).

## POLICY

### Scope

This *Course Modification and Tuition Fee Refund Policy and Procedures* applies to all students at LEA, including domestic and international students.

### Principles

The principles and procedures outlined in this document are designed to be aligned with national legislation and regulatory requirements, including the *Higher Education Standards Framework (HESF) 2015*, *Tertiary Education Quality and Standards Agency Act 2011*, *Education Services for Overseas Students Act 2000 (ESOS Act)*, *Education Services for Overseas Students Regulations 2001* and *National Code of Practice for Providers of Education and Training to Overseas Students 2018*.

LEA shall conduct all enrolment administration and fee refund activities in a fair and transparent manner, ensuring that all students are treated equally.

LEA is committed to ensure that the terms and conditions and the stated tuition fee refund amounts under various circumstances in the Offer Letters and Student Admission Agreements are fair, reasonable and fully transparent.

The fees other than tuition fees will be refundable only under specific circumstances where the costs have not already been accrued and LEA will charge costs only when appropriate.



LEA shall ensure that all students are aware of their options, rights, and obligations through all enrolment and refund processes.

## PROCEDURES

### Student Information

LEA shall communicate to all students the following information:

- The Academic Calendar including the census date and administrative date for each semester, along with the implications of each
- The applications identified must be submitted by the administrative date to avoid late fees
- The availability of following application forms for online or through student portal or Learning Management System or via support/administrative staff at LEA
  - Change of Enrolment Application Form
  - Course Withdrawal Request Application Form
  - Special Consideration Form
  - Refund Request Application Form
  - Student Complaints and Appeals Form
- The availability of this policy (and all the other relevant policies listed under Compliance at the end of this policy) on the LEA website
- Student complaints and appeals processes, including the condition that LEA cannot alter a student's enrolment during the complaint or appeals process. For further information refer to: *Student Grievances, Complaints and Appeals Policy*.

For further information refer to: *Information for Students Policy and Procedures*.

## 1. Course Withdrawal, Deferral, and Leave of Absence

### Deferral

Students may defer studies only once during the duration of the Course and this is subject to the approval of the request for deferral. Tuition and other fees may change if and when a new offer is generated. Students may be permitted to defer the commencement of their studies for up to 12 months. Students must submit deferral requests through the Registrar. Deferred students are automatically re-enrolled at the end of the deferral period and are not required to re-apply for a place of study within their course.

For those students who have already arrived in Australia, deferral could be granted on compassionate or compelling grounds. If the student provides no acceptable evidence for compelling or compassionate circumstances, then LEA may cancel the CoE and the student would need to return home, and then apply for a new visa as and when required.



Students are automatically re-enrolled at the end of the deferral period and are not required to re-apply for a place of study within their course. For further information refer to: *International Students Deferral, Cancellation and Suspension of Study Policy and Procedures*.

## Leave of Absence

Students may apply for a leave of absence under extenuating circumstances that are negatively impacting their studies. A leave of absence may be granted for up to 12 months. Students are automatically re-enrolled at the end of the leave of absence and are not required to re-apply to the course. For further information refer to: *International Students Deferral, Cancellation and Suspension of Study Policy and Procedures*.

## Change of Enrolment

After enrolling, a student may modify their course by withdrawing from a subject, enrol in an additional subject, or changing the semester in which they commence a subject. This can be done through the online student portal, or through the Registrar, using the Change of Enrolment Application Form.

Students are advised to change their enrolment before the course administrative date in order to avoid being charged a fee for late changes to their enrolment.

## Course Withdrawal

Students who wish to withdraw from a course at LEA are strongly encouraged to speak with the Course Coordinator and/or a Student Experience Manager in order to discuss their reason for withdrawal and future plans. For further information refer to: *International Students Deferral, Cancellation and Suspension of Study Policy and Procedures*.

Students may apply to the Registrar to withdraw from their course, using *the Course Withdrawal Request Application Form* either on-line or by submitting a hard copy.

Students are not guaranteed a place in the course from which they have withdrawn. If they wish to be re-admitted in future, they must go through the course application and admissions process.

## International Students

All procedures defined above are available to international students, however international students must remain aware of their visa conditions and the effect that course modification may have on their enrolment and consequent visa requirements. LEA shall take into account the impact of an international student's application on their visa when evaluating applications. For further information refer to: *International Students Deferral, Cancellation and Suspension of Study Policy and Procedures*.

LEA shall only grant course deferrals and leaves of absence, and impose temporary suspensions on serious grounds such as:

- Compelling or compassionate circumstances
- Serious breaches of the student Code of Conduct.

LEA recognises its obligation to report any changes to the enrolment details of an international student through the Provider Registration and International Student Management System (PRISMS) system maintained by the Australian Government Department of Education and Department of Home Affairs.

## Academic Transcript

Students that cancel enrolment in a subject after the seventh week of semester shall receive a fail grade for that subject as recorded on their Academic Transcript (Record of Results).

## 2. Fee Refunds

### Tuition Fee Refunds

In order for a student to be eligible for a subject change refund, or course withdrawal or deferral refund, students are required to submit their application to change their enrolment prior to the census date, by completing the *Change of Enrolment Application Form or Course Withdrawal Request Application Form* either on-line or to the Registrar.

The written application for a refund is only considered complete, where the Refund Request Application Form is signed by the student, must be accompanied by official documentary evidence of the grounds for the request and the correct refund details have been provided (including any third party recipients) in accordance with this Policy.

LEA will process all student refund requests and will provide written responses within 10 working days from the date of receipt.

LEA may provide the refund to the following persons or agencies other than the student and or in the following circumstances:

1. Where a student provides evidence that the initial payment was made by that third party and the student requests that the refund be made to that third party
2. A third party which is a scholarship provider or a sponsor of the student
3. Another Australian institution if the student is released by LEA to that institution and the students requests LEA to provide the refund to that institution. (A copy of letter of offer from the other institution must be provided)
4. The continuing student has enrolled in a course at another Australian education institution (copy of letter of offer from the other institution must be provided) - the refund will be transferred to the new provider.
5. The specified person(s), other than the overseas student, who can receive a refund in respect of the overseas student identified in the written agreement, consistent with the ESOS Act.



Refunds will be paid:

- To the person or entity from whom the original payment was received or the designated person or entity as indicated above;
- In Australian dollars.
- to the same account or credit card from which the original payment was made at the time of enrolment; and
- Within four (4) weeks from the time a refund claim was received by LEA, provided all banking information for payment of refund is received on application.

All bank transfer fees will be deducted from the refund amount. In the event of a refund being rejected by the bank due to insufficient data or incorrect data supplied by the student, any bank fees charged by LEA’s bank to LEA will be deducted from the amount due to the student.

In the event that a student has incurred fees due to an administrative error, they shall be refunded 100% of the fees deducted. In the event that a course has been discontinued by LEA, students shall be refunded in line with the measures detailed in the *Course Discontinuation Policy and Procedures*.

In the event that students are entitled to a refund due to an administrative error or course discontinuance, the student shall be refunded automatically and is not required to submit a *Request for Refund Form*.

Tuition Fees and Material Fees include the following items where applicable:	
LEA and program orientations	Administration
Student identification card	Student support services
Graduation ceremony	Lectures, tutorials, laboratory, learning resources*, including library, online journals and reference
Australian Goods and Services Tax (GST) where applicable to items listed above	

\*The learning resources including all the software requirements for BBIS course will be provided

The following items need to be paid for by the student in addition to their course fee if applicable.

Tuition Fees and Materials fees <u>do not include</u> the following items:	
Compulsory textbooks	Stationary – books, pens, photocopying
Off-campus excursions	Overseas Student Health Cover (OHSC)
English Language Courses	Study tours
Supplementary Assessments (if applicable, conditions apply)	Repeating classes where a student has failed (if applicable, conditions apply)
Travel to and from campus and airport pick-up	Accommodation, food and living expenses



### Refund Amounts:

The following conditions are applied for both LEA and Student defaults. The amount of refund is determined as follows:

Total Refund of Tuition Fee	
Request is more than 10 weeks before the start of the term of the course into which the student has enrolled.	A total refund will be granted under any one of these circumstances.
In the unlikely event that LEA is unable to provide the course for which an offer has been made, either an alternate offer of a place will be offered at no extra cost to the student or a refund.	
If an offer of a place for the student is withdrawn by LEA, except when the offer was made on the basis of intentional incorrect information provided by the student.	
The applicant is unable to obtain a visa from the Department of Home Affairs (DHA), except if this was due to a default or breach by the student.	

### Note:

The student must provide a certified copy of the official letter of rejection of the visa application by the Department of Home Affairs (DHA) along with their completed Refund Request Application Form.

The amount of partial refund is determined as follows. Administrative fees and applicable deductions are applied:

Partial Refund of Tuition Fee	
Request for refund is less than 10 weeks but more than 4 weeks before the start of term in which the student has enrolled in.	Refund is 80% of tuition fees paid
Request is less than 4 weeks but before the LEA Census date for that course.	Refund is 50% of tuition fees paid
Withdrawal from a course due to illness and / or compassionate grounds.	Refund will be decided on a case-by-case basis.

**Exceptional circumstances for withdrawal from the course:** LEA will consider the following exceptional circumstances as grounds for a student's withdrawal from the course.

- a) Serious illness or injury or disability.
- b) Death of a close family member.
- c) Major political upheaval or a natural disaster in the home country requiring emergency travel.



- d) A traumatic experience, which could include: involvement in, or witnessing of a serious accident; or witnessing or being the victim of a serious crime.

**Overpayment of fees:** A student who has overpaid fees may, by written notice to LEA, request a refund. If no request is made, the overpayment may be credited by LEA towards the student's following subject(s) of study with LEA.

Refunds will **not be** approved under the following circumstances:

No Refund of Tuition Fee	
If a student withdraws from the course after the Census date	No refund
If a student provides intentionally false or misleading information in application forms or during the course of the study	Automatically disqualifies any refund
If a student’s enrolment is terminated due to serious breach of LEA rules or a breach of visa conditions including non-attendance or unsatisfactory progress	No refund
If a student defers enrolment after the commencement date	Tuition fees will be held by LEA until course commencement date. If the student doesn't commence the course after deferment – no refund.
If there is a cancellation of CoE and reporting for breach of student visa conditions, conditions of enrolment and/or National Standards (Unsatisfactory Attendance, Unsatisfactory Academic Progress, Non- payment of Fees, etc.)	No Refund

**Note:** Where a student has requested for a refund of any monies received by LEA from a company, on behalf of a student for services other than tuition fees, the student must request the refund directly from the company delivering the services. Accordingly students will be subject to that company's refund policy. The student will be advised on how to contact these companies in the refund response letter.

**How to Claim a Refund:**

**Provider Default:** Where the refund is necessary because of a default by LEA, LEA will initiate the refund process on the date of the decision of the default and notify the student within 10 working days from the decision date. A refund letter with calculations showing fees to be refunded will be sent to the student. No administration fee applies.

**Student Refund Request:** To claim any refund, a student must complete a Refund Request Form and return it with their receipt of course fees and certified copies of any supporting documents (such as Visa rejection letter, etc.) to LEA. The refund will be paid in Australian dollars and the student will be provided with a letter explaining how the refund was



calculated. It will be posted to their address in their home country within 14 days from the receipt of the Refund Request Form, in accordance with Section 46D of the ESOS Act.

**Appeal and Refund Payment:** In both situations of either Provider Default or Student Refund Request, the student will have 10 working days to lodge an appeal if he/she is not satisfied with LEA's decision. Refunds of prepaid tuition fees will be paid within 28 days of the starting date of the course to which the withdrawal applies. The refund will be paid in Australian dollars to the person or bank account nominated in the Refund Request Form regardless who initially paid the tuition fee. For an overseas refund payment, an international money transfer fee will be deducted from the refund amount.

## **Default by LEA (LEA Unable to Provide a Course):**

In the event that LEA ceases to provide a course of study in which students are enrolled, students are entitled to:

1. an offer of a place in a similar course of study with a second provider without any requirement to pay the second provider any student contribution or tuition fee for any replacement units (this is known as the 'Course Assurance Option'); or
2. a refund of students' up-front payments and/or re-crediting of any FEE-HELP balance for any subject of study that the students commence, but do not complete, because LEA ceases to provide the course of study of which the subject forms part (this is known as the 'Tuition Fee Repayment Option').

## **If LEA ceases to provide a course of study:**

1. the Tuition Protection Service Administrator, which is the LEA' Finance Officer, will send the students enrolled in the course of study a written Tuition Assurance Offer (the Offer) advising the options available under the tuition assurance requirements;
2. the Offer will include directions that students must follow in order to notify LEA of the choice they have made for each affected subject; and the LEA Finance Officer will provide this Offer as soon as possible after LEA knows that it will cease to provide that course of study.

## **Two Options for Tuition Assurance:**

In terms of Tuition Assurance, students may choose either of two options:

1. the Course Assurance Option; or
2. student's Contribution/Tuition Fee Repayment Option.

**The Course Assurance Option:** If students do not wish to continue with an alternative course at LEA, then the Tuition Protection Service (TPS) from the Australian Department of Education will assist students to find an alternative course.





TPS will contact students, and if they accept this option, the TPS online system will assist them to find a similar course of study at an accredited provider. Several options may be offered for their consideration.

The TPS will aim to provide a replacement course which meets the following requirements:

1. the course leads to the same or comparable qualification as the original course;
2. the mode of delivery of the replacement course is similar to the mode of delivery for the original course;
3. the location where the replacement course is primarily delivered must be reasonable, having regard to the costs of, and the time required for, students' travel; and
4. students will not incur additional fees that are unreasonable and will be able to attend the replacement course without unreasonable impacts on their prior commitments.
5. If the new provider has lower contribution amounts or tuition fees compared to the subjects LEA is unable to offer, then the TPS will arrange a refund of the difference in costs to the students.

## Non-Tuition Fees

Refund payments will only be calculated and processed based on LEA's tuition fees. It is important to recognise that the following fees and charges are not tuition fees and are therefore, non-refundable:

- Application fees
- Enrolment fees
- Learning materials fees
- Change of course fees
- Late payment administrative charges
- Ancillary charges, including credit card surcharges
- Graduation fees
- Library fines
- Re-marking of assessment fees (where applicable)
- Reprints of transcripts
- Postage, printing or Student ID Card replacement charges.
- Accommodation placement
- Airport pickup
- Photocopying credits

These are the additional fees for services we provide to students which are not covered by tuition fees. GST is added where applicable.

<b>LEA Administration (non-tuition) Fees</b>			
Application Fee (Enrolment Fee)	\$250	Credit transfer fee per subject	\$50



Overdue tuition fee – 7 days	\$200		
Overdue tuition fee – 14 days	\$400	Replacement qualification testamur	\$100
Re-enrolment fee	\$200	Reinstatement Fee	\$200
Change of CoE details	\$100	Transfers processing fee	\$250
Cancellation and course variation fee	\$200	Re-issue of record results	\$50
Deferral of initial enrolment	\$0.00	Deferral of a continuing student	\$0.00

Note that the fees quoted are for the current calendar year only. LEA reviews its fees every calendar year. LEA may apply the revised fees in subsequent calendar years. The increase in Tuition fees for each calendar year will be no more than 5% or CPI, whichever is greater

All fees, including tuition fees and associated costs are published on the LEA website [Fees and Charges | Lincoln Education Australia \(lincolnaustralia.nsw.edu.au\)](https://lincolnaustralia.nsw.edu.au) and are charged based on the current fees at the time of offer. Fees are reviewed annually, and updated fees are published by 30 September for the following calendar year. No increase will be applied to any fees fully paid in advance.

### Record Keeping

It is the LEA Registrar’s responsibility to ensure that each student’s records include all details of any course modification or tuition refunds they have received in their time at LEA.

### Compliance

All students at LEA are required to comply with this policy and its procedures, and with related policies and respective procedures. Non-compliance may result in disciplinary action.

<b>File Number</b>	LEA-GEN-COR-70021-D
<b>Responsible Officer</b>	Chief Executive Officer
<b>Contact Officer</b>	TBA
<b>Legislative Compliance</b>	<ul style="list-style-type: none"><li>• Education Services for Overseas Student Act 2000 (ESOS Act)</li><li>• Higher Education Standards Framework (HESF) 2015</li><li>• Tertiary Education Quality and Standards Agency Act 2011</li><li>• Education Services for Overseas Students Regulations 2001</li><li>• National Code of Practice for Providers of Education and Training to Overseas Students 2018</li></ul>
<b>Supporting Documents</b>	
<b>Related Documents</b>	<ul style="list-style-type: none"><li>• Course Discontinuation Policy and Procedures</li><li>• Data and Records Integrity Policy and Procedures</li><li>• Information for Students Policy and Procedures</li><li>• Academic Progress Policy and Procedures</li><li>• International Students Deferral, Cancellation and Suspension of Study Policy and Procedures</li><li>• International Student Transfer Policy and Procedures</li></ul>
<b>Superseded Documents</b>	
<b>Effective Date</b>	22 February 2023
<b>Next Review</b>	3 years from the effective date



## Definitions

**Administrative Date:** Latest date for students to complete enrolment at LEA, after which late enrolment fees may be charged.

**Census Date:** Latest date that a domestic student may withdraw from a course without financial and or academic penalty.

**Confirmation of Enrolment (COE):** Issued by education providers to verify the applicant's enrolment in a specified course

**Compassionate and Compelling Circumstances:** Those circumstances beyond the control of the student and which have an impact upon the student's course progress or wellbeing. These could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the student was unable to attend classes;
- bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
- major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the international student's studies;
- a traumatic experience, which could include:
  - involvement in, or witnessing of a serious accident; or
  - witnessing or being the victim of a serious crime, and this has impacted on the student (these cases should be supported by police or psychologists' reports)
- where LEA is unable to offer a pre-requisite subject, or the student has failed a prerequisite subject and therefore faces a shortage of relevant units for which they are eligible to enrol.

**Deferral:** Postponing the commencement of study.

**Department of Education and Training:** Department of the Government of Australia that is responsible for national policies and programs ensuring the quality and accessibility of early childcare and childhood education, school education, higher education, vocational education and training, international education and research.

**Education Services for Overseas Student Act 2000 (ESOS Act):** Australian federal legislation establishing legislative requirements and standards for the quality assurance of education and training institutions offering courses to international students who are in Australia on a student visa.

**Leave of Absence:** Time granted by LEA for a student to take time off study without academic penalty.

**Provider Registration and International Student Management System (PRISMS):** A system operated by the Australian Government Department of Education and Training that enables CRICOS-registered higher education providers to confirm and report changes to the enrolment of international students.



**Withdrawal:** Un-enrolling from a course or subject

## Review Schedule

This policy shall be reviewed by the Academic Board every three years.

Version History			
Version number:	Approved by:	Approval Date:	Revision Notes:
1.0	Academic Board	17/12/2020	New policy
1.1		11/01/2023	Major refund rules and others modified
1.2	Academic Board	22/02/2023	TEQSA and CRICOS requirements incorporated