



## TUITION FEE REFUND POLICY

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|---------------------------|--|
| Responsible officer       | ACT Registrar, Simon Davies  |
| Contact                   | <a href="mailto:registrar@acttheology.edu.au">registrar@acttheology.edu.au</a> |
| Approved by               | Academic Board   |
| Responsible Body          | Academic Board   |
| Approval date             | 10 August 2018   |
| Effective date            | 1 January 2019   |
| Review date               | 10 August 2020   |
| Superseded documents      | <i>FEE-HELP Re-Crediting policy</i>  |
| Related documents         | none   |
| Student Lifecycle Stage/s | Admission  |

### 1. PURPOSE

To outline a student's rights to apply for a refund of tuition fees of a unit enrolment which has not been successfully completed.

### 2. DEFINITIONS

**Academic Board** is the Academic Board of the ACT.

**ACT** is the Australian College of Theology Limited.

**ACT Registrar** is the officer of the **ACT** who manages academic administration and performance assessment.

**Census Date** is the last day **students** can withdraw their enrolment in a **unit** of study without incurring the **tuition fee** for that unit or the unit being permanently recorded on their academic transcript.

**Dean of the ACT** means the Dean and Chief Executive Officer of the **ACT**.

**Deputy Registrar** is the officer of the **ACT** who assists the **ACT Registrar** in managing academic administration and performance assessment.

**FEE-HELP** (*Fee Paying Higher Education Loan Program*) is an Australian Government loan scheme that assists eligible fee paying students to pay all or part of their tuition fees.

**Student** is a student of the **ACT**. They may be a prospective, enrolled or former student.

**Tuition Fee** is a fee paid by a candidate to cover the cost of tuition, covering registration, administration, supervision and examination fees.

**Unit** is a block of study in a particular field.

**Up-front payment** is the payment made for a unit (i.e. up-front) by FEE-HELP students in respect of part of the tuition fee associated with a unit or by a fee-paying student who does not defer the payment of fees to FEE-HELP in respect of the full tuition fee associated with unit.



*The following definitions apply for the purpose of this Policy:*

**Up-front student** is a student who has chosen to pay for a unit with their own funds or another party, but not deferring the payment of funds to a FEE-HELP loan.

### 3. SCOPE

This policy applies to students who enrolled in a unit(s) of study and have not successfully completed that unit(s), who have been unable to complete the unit(s) of study due to special circumstances.

### 4. POLICY STATEMENT

A student who had enrolled in a unit of study may apply after the census date to have their tuition fees refunded (up-front paying students) or their FEE-HELP balance re-credited (FEE-HELP students) if the student has been unable to complete the requirements of a unit of study and the student believes that this was due to special circumstances. Where a refund of up-front paid tuition fees is granted, the amount of tuition fees paid for the unit(s) by the student or other party will be refunded. Where a refund of a FEE-HELP student is granted, a student's FEE-HELP debt for the unit(s) will be removed from the student's records with the Australian Taxation Office and any up-front payment is refunded.

### 5. PRINCIPLES

#### General

- 5.1 A student can apply to the ACT to have their tuition fees refunded if he or she withdraws from a unit of study after the census date and/or the student has not completed the requirements for the unit of study, and believes that this was due to special circumstances. The student must apply in writing, within twelve (12) months of the withdrawal date, or if the student has not withdrawn, within twelve (12) months of the end of the period of study in which the unit of study was or was to be undertaken. The ACT can exercise its discretion to waive this requirement if it is satisfied that the application could not be made within the time limit.

ACT's Tuition Fee Refund Officer will consider the student's application within 28 days of receiving the student's written application.

The current Tuition Fee Refund Officer is:

Deputy Registrar  
Australian College of Theology  
Level 5  
33 York Street  
Sydney NSW 2000  
ph. 02 9262 7890  
email: [deputyregistrar@actheology.edu.au](mailto:deputyregistrar@actheology.edu.au)



### Refund / re-credit rules

- 5.2 ACT will refund a student's tuition fees / re-credit a student's FEE-HELP balance if it is satisfied that special circumstances apply to the student. Special circumstances are deemed to be those circumstances which meet all of the following criteria:
- the circumstances are beyond the student's control;
  - the circumstances do not make their full impact on the student until on, or after, the census date; and
  - the circumstances make it impracticable for the student to complete the requirements for the unit during the period in which the student undertook, or was to undertake the unit.
- 5.3 ACT will be satisfied that the student's circumstances are beyond the student's control if a situation occurs which a reasonable student would consider is not due to the student's action or inaction, either direct or indirect, and for which the student is not responsible. The situation must be unusual, uncommon or abnormal.
- 5.4 ACT will be satisfied that a student's circumstances did not make their full impact until on or after the census date for the unit of study if the student's circumstances occur:
- (a) before the census date, but worsen after that day; or
  - (b) before the census date, but the full effect or magnitude does not become apparent until on or after that day; or
  - (c) on or after the census date.
- 5.5 Special circumstances would make it impracticable for the student to complete the requirements for the unit of study would include:
- (a) medical circumstances (ie illness, injury); or
  - (b) family /personal circumstances (ie family illness, carer responsibilities); or
  - (c) employment related circumstances (ie increase in hours, relocation); or
  - (d) bereavement.
- 5.6 Each application will be examined and determined on its merits. The Tuition Fee Refund Officer will consider a student's claims, together with independent supporting documentary evidence that substantiates these claims. The Tuition Fee Refund Officer will consult the applicant's college when determining the merits of any tuition fee refund application.
- The Tuition Fee Refund Officer will notify the student of the decision and the reasons for making the decision. The Officer will advise the applicant of



their rights for a review of the decision if the applicant is unsatisfied with the outcome.

If the decision is made to refund the tuition fee of an Up-front paying student, the ACT will refund all tuition fees paid to a nominated bank account. If the decision is made to refund the tuition fee of a FEE-HELP student, refunds of any up-front payment will be made in the same manner. In addition, ACT will notify the Department of Education, and will repay to the Commonwealth any FEE-HELP assistance received from it on the student's behalf, in order to re-credit the student's FEE-HELP balance. The Department of Education will inform the Australian Taxation Office that the debit has been removed.

## Appeals

- 5.7 Where a student is not satisfied with the decision made by the Tuition Fee Refund Officer, they may apply in writing for a review of the decision. The Review Officer is the Dean of the ACT. The time limit for applying for a review of the decision is 28 days from the student receiving notice of the decision. The student must state the reasons why he or she is applying for a review. The Review Officer will notify the applicant of his decision and the reasons for making the decision. The Review Officer is:

Dean and CEO  
Australian College of Theology  
Level 5  
33 York Street  
Sydney NSW 2000  
ph. 02 9262 7890  
email: [ceo@actheology.edu.au](mailto:ceo@actheology.edu.au)

The Reviewer Officer's available options are to:

- confirm the decision;
- vary the decision; or
- set the decision aside and substitute a new decision.

If the student was a FEE-HELP student, the Review Officer will advise the applicant of his or her right to appeal to the Administrative Appeals Tribunal (AAT) for a review of the Reviewer's decision if the applicant is unsatisfied with the outcome and will provide the applicant with the contact details and address of the nearest AAT registry.

The Review Officer must acknowledge receipt of an application for a review of a decision in writing and will inform the applicant 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.



Where a student is not satisfied with the reviewed decision made by the review officer, they may apply to the AAT for a further review of the decision not to re-credit a student's FEE-HELP balance. The student may supply additional information to the AAT that he or she did not previously supply to the ACT (including the Review Officer).

## 6. RELATED DOCUMENTS AND LEGISLATION

[Higher Education Support Act 2003](#)

## 7. REFERENCES

Study Assist <https://www.studyassist.gov.au/> – information for students about government assistance for financing tertiary study.

## 8. VERSION HISTORY

| Version | Approved by    | Approval Date | Effective Date | Changes made  |
|---------|----------------|---------------|----------------|---|
| 1       | Academic Board | 10/08/2018    | 1/1/2019       | New policy  |
| 1.1     | N/A            | 19/11/2019    |                | Updated postal address, removed office-holder names of Deputy Registrar and Dean. |

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