



AREA	V – VET Policy
TITLE	REFUND POLICY
CODE	V1.05
POLICY VERSION	1

DATE OF ORIGIN/LAST APPROVED CHANGE	DATE EFFECTIVE FROM	AUTHORISED BY	EMENDATIONS TO THIS DOCUMENT MADE BY
170511	170511	Policy Review Committee	Amon Broughton

SUMMARY

1.01.1 Domestic students i) Student withdrawal before census date ii) VET Student Loans iii) Full fee paying iv) Student withdrawal after census date v) Application for a refund if special considerations apply vi) Review of decision vii) Appealing a refund decision. 1.01.2 International students i) Application for a refund ii) Refund guidelines iii) Course money refunds following provider default iv) Course money refunds following student default v) Course money refund for student withdrawal before commencement. 1.01.3 Short courses i) Short course refunds.

SCOPE

This policy is applicable to all students at The New York Film Academy Australia (NYFAA) and covers all forms of Refunds.

This policy explains when refunds will be granted and when they will not be granted.

The aim of this policy is to:

- Outline when a DOMESTIC student can receive a refund of their course fees.
- Outline when a student will not receive a refund of their course fees.
- Outline how students can appeal a decision relating to a refund.
- Outline when an INTERNATIONAL student can receive a refund of their course fees.
- Outline when a student can receive a refund for a short course.

POLICY

1.01.1 – DOMESTIC STUDENTS

i) STUDENT WITHDRAWAL BEFORE CENSUS DATE

- DOMESTIC students who withdraw before the close of business on the nominated census date of each semester is eligible for a 100% refund of course fees for that semester.
- NYFAA will publish Census dates via the NYFAA website and Learning Management System (LMS).
- Under no circumstances is the \$65.00 application fee refundable.

ii) STUDENT WITHDRAWAL BEFORE CENSUS DATE - VET STUDENT LOANS

- VET Student Loan students who withdraw before the Census date will not incur a VET Student Loans debt for that unit of study or subsequent unit(s) of study.

iii) STUDENT WITHDRAWAL BEFORE CENSUS DATE - FULL FEE PAYING

- Full fee paying DOMESTIC students who withdraw before Census date will not be charged for the course, or, if they have already paid for the course will receive a full refund (less the deposit).
- Full fee paying DOMESTIC students who withdraw before the Census date will NOT be refunded their deposit.

iv) STUDENT WITHDRAWAL AFTER CENSUS DATE

- DOMESTIC students (Full fee paying and VET Student Loans) who withdraw from a course after the Census date are NOT eligible for a refund of course fees.
- A student who withdraws after the Census date may apply for a refund if special considerations apply.

v) APPLICATION FOR A REFUND IF SPECIAL CONSIDERATIONS APPLY

- The application for a refund must be made to the Refund Officer of NYFAA via Student Services citing the special considerations.
- The Refund Officer is the designated person at NYFAA tasked with reviewing the application.

vi) REVIEW OF DECISION

Students can apply for a review of the decision of the application for a refund if special considerations apply. This application will be made to the designated Review Officer who is senior to the designated officer responsible for the original decision and was not involved in making the original decision. This is the final internal NYFAA review.

The application for review must:

- Be made within 28 days of the receipt of the original decision.
- Include the date of the original decision.
- Fully state the reasons for applying for the review.
- Include any relevant additional evidence.

The application for review must be made in writing to *Review Officer at New York Film Academy Australia, 19 Greek Street, NSW 2037.*

vii) APPEALING A REFUND DECISION

Students who wish to appeal the decision of the Review Officer may lodge an appeal with the Administrative Appeals Tribunal (AAT).

- NYFAA staff will notify students of their review rights and responsibilities at the time of the original decision and the subsequent review decision.

- The application must be lodged at the AAT within 28 days of receiving notice of the review decision.
- This time limitation may be extended in limited circumstances by order of the AAT.

1.01.2 – INTERNATIONAL STUDENTS

INTERNATIONAL students who withdraw from NYFAA within or after 4 (four) weeks prior to commencement, are not eligible for a refund.

i) APPLICATION FOR A REFUND

An INTERNATIONAL student may apply for a refund if special considerations apply.

- The application for a refund or remission must be made to the International Student Administrator citing the special considerations.
- The International Student Administrator will present the application to NYFAA Management who will make a decision.
- The application process will take 28 days.
- The International Student Administrator will provide to the student in writing the decision of NYFAA Management.

ii) REFUND GUIDELINES

- A refund will be less the maximum of 5% or \$500, whichever is the lesser, for administrative expenses.
- Should NYFAA Management withdraw its offer or fails to provide the program offered or terminates its course delivery before or after the study period commences, NYFAA will calculate the refund amount according to the specified method for working out the amount of unspent pre-paid fees.
- Should NYFAA Management withdraw a student from a course because the student has seriously breached international student visa conditions or NYFAA rules of enrolment, no refund for tuition fees for the current study period will apply.
- Under no circumstances is the \$65.00 application fee refundable.

iii) COURSE MONEY REFUNDS FOLLOWING PROVIDER DEFAULT

NYFAA will provide a total refund of course fees paid in advance or for tuition already received where:

- The course does not start on the agreed starting day; or
- The course ceases to be provided at any time after it starts but before it is completed; or
- The course is not provided in full to the student because a sanction has been imposed on the registered provider under Part 6 (ESOS Act).

iv) COURSE MONEY REFUNDS FOLLOWING STUDENT DEFAULT

An INTERNATIONAL student or intending INTERNATIONAL student defaults, in relation to a course provided by NYFAA at any NYFAA educational location, if:

- The course starts at the location on the agreed starting day, but the student does not start the course on that day and has not previously withdrawn; or
- The student withdraws from the course at the location either before or after the agreed starting day; or
- NYFAA refuses to provide, or continue providing, the course to the student at the location because of one or more of the following events:
 - The student failed to pay an amount he or she was liable to pay NYFAA, directly or indirectly, in order to undertake the course;
 - The student breached a condition of his or her student visa;
 - The student has breached the NYFAA Code of Conduct.

An INTERNATIONAL student or intending INTERNATIONAL student does not default in relation to a course at a NYFAA location if the student:

- does not start that course because NYFAA defaults in relation to the provision of the course at the NYFAA location.
- does not default for reasons of misbehaviour unless NYFAA accords the student natural justice before refusing to provide, or continue providing, the course to the student at the NYFAA location (natural justice is accorded to all students of NYFAA through the provision of NYFAA's complaints and appeals process).

v) COURSE MONEY REFUND FOR STUDENT WITHDRAWAL BEFORE COMMENCEMENT (STUDENT DEFAULT)

An enrolled student will be eligible for a tuition fees refund if they provide a written 'request for course withdrawal' notice to NYFAA Management within 4 (four) weeks before the day of course commencement.

- The refund will be in respect to the total amount of tuition fees paid by the student for the current study period less the maximum of 5% or \$500, whichever is the lesser, for administrative expenses.
- No tuition fees for a current study period will be refunded to a student where a student fails to provide a written 'request for course withdrawal' notice before 4 (four) weeks of study period commencement. However, subsequent study periods with tuition fees paid for in advance will be refunded in full.

1.01.3 – SHORT COURSES

Refunds will be paid up to 7 days of the (advertised) first day of the course. Within 7 days of the course starting and after the start date, and NYFAA has not been informed in writing, there will be no refund. Extenuating circumstances, such as documented medical issues will be considered if a refund is requested which must have supporting documentation.

i) SHORT COURSE REFUNDS

- 30 days' notice before course start date and advised in writing – full refund of 100% of course tuition fees.
- 21 - 29 days' notice before course start date and advised in writing – partial refund of 75% of course tuition fees.
- 14 - 20 days' notice before course start date and advised in writing – partial refund of 50% of course tuition fees.
- 7 - 14 days' notice before course start date and advised in writing – partial refund of 25% of course tuition fees.
- 7 days or less notice before course start date – no refund.
- Course start date and after – no refund.
- Under no circumstances is the \$65.00 application fee refundable.