

Student Refund Policy

Policy

Sydney Metro College (SMC) adheres to the ESOS (Education Services for Overseas Students) Act 2000 and the VET Quality Framework in its refund policy. This policy applies to all new and re-enrolling students and details circumstances and amounts for refunds in cases of provider default and student default.

Definitions

- **Tuition Fees:** Fees for course provision. Students must pay Tuition Fees in advance. Refer to program brochures and SMC website for specific course fees.
- **Other Fees and Charges:** Non-refundable fees including Application Fees, Materials Fees, and other charges incurred during enrolment.
- **Unused Prepaid Tuition Fees:** Tuition paid in advance but not yet delivered by SMC.
- **Nature of Guarantee:** SMC's commitment to complete training and/or assessment once a student has commenced study. Detailed in points 1.2 to 1.9.

1.0 Provider Default

1.1 Conditions for Provider Default

- The course does not start on the agreed date.
- The course ceases after it starts but before completion.
- The course is not fully provided due to a sanction on SMC.

1.2 Notification of Default:

- Students will be notified in writing within 10 working days of default by Sydney Metro College.

1.3 Refund Calculation and Offers:

- Within 12 weeks of the default date, SMC will calculate the refund based on unused prepaid tuition fees and offer placement in an alternative course at Sydney Metro College or with its affiliate colleges or provide a full refund in case of unsuccessful placement.

1.4 Acceptance of Alternative Placement:

- Students accepting alternative placement with another provider must sign a document indicating acceptance. SMC will take reasonable measures to assist the student's transition into the new course. Additional fees may apply for the new course, and charges to the new provider, such as purchasing any texts or materials, as well as tuition fees that have not been covered by their unused prepaid tuition fees.

1.5 Full Refund:

- Refunds will be processed within 12 weeks of the date of default. International students must contact the Department of Immigration and Border Protection, after ceasing their studies as this may impact their visa.

1.6 Inability to Refund or Place:

- If SMC cannot provide a refund or find alternative course placement, the Australian Students Tuition Assurance Scheme (ASTAS) for domestic students or the Tuition Protection Services (TPS) for international students will attempt to provide alternative courses with other providers or provide refunds if unsuccessful in placement.

1.7 Fee Protection Measures:

- SMC uses the services of the following fee protection measures for tuition fees paid in advance:
 - The Australian Students Tuition Assurance Scheme (ASTAS) for domestic students ASTAS for domestic students. This scheme is implemented by the Australian Council of Private Education and Training (ACPET).
 - The Tuition Protection Services (TPS) for international students. This scheme was implemented by the Tuition Protection Services Director.

1.8 Membership Compliance:

- SMC keeps current membership and compliance with fee protection schemes.

2.0 Student Default

2.1 Definition of Default:

- Failure to pay fees.
- Withdrawal after the agreed start date.
- Breach of visa conditions.
- Expulsion for misconduct.

2.2 Refund Policy for Student Default:

- No refunds will be provided for student default. SMC reserves the right to claim outstanding fees.

3.0 Refund Situations

No.	Refund Situation	Offshore Applicable Refund	Onshore Applicable Refund
1.	Provider default	Full refund of prepaid Tuition Fees	Full refund of unused prepaid Tuition Fees (less application Fee)
2.	Student default	No refund	No refund
3.	Visa Refusal (New Visa application / Visa extension / Visa renewal)	Full refund of Tuition Fee (less Application Fee)	Full refund of unused prepaid Tuition Fees (less Application Fee and material fee)
4.	Offer withdrawn by SMC due to incorrect/misleading/fraudulent or incomplete information provided by a student	Refund of 85% of Tuition Fee (less application fee)	Refund of 50% of the 1 st Terms Tuition fees (less application fees and material fees)
5.	Student withdraws at least 10 weeks prior to course commencement	Refund of 85% of the total Tuition Fees (less application fee)	Refund of 85% of the total Tuition Fees for 1 st Term (less application and material fees)
6.	Student withdraws at least 7 weeks prior to course commencement	Refund of 80% of the total Tuition Fees (less application fee)	Refund of 80% of the total Tuition Fees for 1 st Term (less application and material fees)
7.	Student withdraws at least 4 weeks prior to course commencement	Refund of 70% of the total Tuition Fees (less application)	Refund of 70% of the total Tuition Fees for 1 st Term (less application and material fees)
8.	Student withdraws at less than 4 weeks prior to course commencement	Refund of 50% of the total Tuition Fees (less application)	Refund of 50% of the total Tuition Fees for 1 st Term (less application and material fees)
9.	Student withdraws after the agreed course commencement date	If a Visa is granted - No refund	No refund
10.	Visa cancelled due to student actions	No refund	No refund
11.	Expulsion for misconduct	Not applicable	No refund
12.	Withdrawal from study (current students)	Not applicable	Refund policy applies the same way as stated above for any future course

4.0 Refund Guidelines

4.1 Timeframes:

- Refunds are considered from the day the complete application is received.

4.2 Evidence:

- Applications must be supported by sufficient evidence.

4.3 Outstanding Fees:

- SMC may withhold awards if fees are unpaid.

4.4 Equal Application:

- This policy applies to all SMC students, regardless of visa status.

4.5 Non-Refundable Fees:

- Application fees and other stipulated fees are non-refundable.

4.6 Appeals:

- Students may appeal refund decisions as per the SMC complaints and appeals policy.

4.7 Consumer Protection:

- The policy does not remove students' rights under the Australian consumer protection laws.

5.0 Written Agreement

5.1 Agreement Prior to Commencement:

- SMC enters into a written agreement with each student before course commencement, detailing terms in the Letter of Offer and Student Acceptance Agreement, which when signed becomes the Contract of Enrolment, a binding Contract.

5.2 Cancellation and Liability:

- Students canceling before or after course commencement are liable for outstanding tuition fees and recovery costs, including debt collection agency and solicitor's fees, in line with the stipulation in this policy.

6.0 Non-Commencement of Studies

6.1 Default for Non-Attendance:

- Students not attending on the agreed start date without notice are considered to have defaulted, entitling SMC to retain tuition fees for the first 6 months. This applies to students recommencing studies after an approved suspension or deferment.

7.0 Deferring/Rejoining Student

7.1 Deferral:

- Tuition fees are transferred to the next intake with new fee structures and re-enrollment fees applicable.

7.2 Refund for Deferred Students:

- Refunds for students not taking up deferred places are assessed based on the original start date.

7.3 Compassionate Deferrals:

- Deferrals for overseas students are approved only on compassionate or compelling grounds.

8.0 Exceptional Grounds for Refunds

8.1 Special Consideration:

- Refunds in extenuating circumstances are considered by the Academic Manager upon receiving a written application.

8.2 Withdrawal Notice:

- Notice of withdrawal due to exceptional circumstances must be lodged before the agreed starting day.

8.3 Grounds for Refund:

- Exceptional circumstances include illness, disability, death of a close family member, or significant political/civil events preventing fee payment.

9.0 Refund Application Procedure

a) Application Forms:

- Complete the Application for Refund and Application to Withdraw forms.

b) Written Statement:

- Attach a detailed written statement and supporting evidence.

c) Supporting Evidence:

- Including visa refusal, medical certificates, etc.

d) Review Process:

- Applications reviewed within 12 weeks.

e) Outcome Notification:

- Applicants receive a written decision explaining the outcome.
- For approved applications refunds will be issued.
- For not approved applications students will be required to make payment of outstanding fees.

f) PRISMS Update:

- For international students, PRISMS updates and CoE cancellations will be made once their application has been approved. The CoE will be cancelled, and the student advised in writing of their CoE cancellation and notified to contact the Department of Home Affairs, to find out the actions the student needs to take regarding their student visa.

g) Continued Attendance:

- Students must attend classes and maintain progress until a decision is reached.

h) Appeal Rights:

- Unsuccessful applicants can appeal as per the complaints and appeals policy.

i) Refund Payment:

- Approved refunds are paid within 12 weeks of the date of lodgment, in Australian Dollars. If it is identified that another organisation or person has paid the original fees, the refund will be made to the prospective person or organisation instead of the student.

10.0 Administrative Notes

10.1 Accessibility:

- Policy and related documentation are available on the SMC website and through student services.

10.2 Record Keeping:

- Refund application notes are recorded in the Student Management System.

10.3 Transfer Approval:

- Approval of transfer does not guarantee a refund, which is governed by this policy.

10.4 Provider Default Obligations:

- SMC notifies relevant authorities and meets tuition protection obligations within specified timeframes.

10.5 Student Default Obligations:

- SMC notifies relevant authorities and meets obligations for student default within specified periods.

Related Documents

- Application for Refund
- Application to Withdraw
- Brochures

Related Policies

- Deferment, suspension and cancellation policy
- Compassionate and compelling circumstances policy
- Student fees and charges policy