

# Fee Policy – International Students

## 1. POLICY STATUS AND DETAILS

Policy Number	3.2a
Approving Authority	Board of Directors
Date Implemented	August 2022
Current Version	3.2a_BD_08_2022
Date of Review	August 2024
Contact Officer	Director Learning and Innovation
Related Policies, Procedures and Documents	<ul style="list-style-type: none"> <li>• Offer Letter – International students</li> <li>• Fee Schedules – International</li> <li>• NIDA Student Charter (incorporating the NIDA Code of Conduct)</li> <li>• NIDA Student Handbook</li> <li>• Non-Academic Complaints and Appeals for Students Policy</li> <li>• Non-Academic Complaints and Appeals for Students Policy Form</li> <li>• Refund Application Form</li> </ul>

## 2. DEFINITIONS

Term	Definition
<b>Accredited Course</b>	A program that is recognised under the Australian Quality Framework (AQF) and is registered with one of the two main regulatory agencies, being TEQSA (Tertiary Education Quality Standards Authority) for Higher Education and ASQA (Australian Skills Quality Authority) for Vocational Programs. An accredited course is one that leads to the conferral of a degree or the award of a certificate or diploma.
<b>Appeal</b>	A request by an individual for review of a decision about a complaint.
<b>Census Date</b>	The final date for a student to apply for or withdraw from government funded FEE-HELP or VET Student Loan assistance and the date at which a student incurs a FEE-HELP or VET Student Loan debt for the subjects or units in which they are enrolled. The census date is set by the education provider and for both Higher Education and VET it is no greater than 20% of the subject/unit duration.
<b>Compassionate or Compelling Circumstances</b>	Compassionate or Compelling Circumstances are those that are outside of the control of the student, and which have an impact on the student's course progress or wellbeing. These could include, but are not limited to: <ul style="list-style-type: none"> <li>• Serious illness or injury, where a medical certificate states that the student was unable to attend classes</li> <li>• Bereavement of close family members such as parents or grandparents</li> <li>• major political upheaval or natural disaster in the student's home country requiring emergency travel and this has impacted on the student's studies; or</li> </ul>

- A traumatic experience; or inability to begin study on the course commencement date due to the delay in receiving a student visa

<b>Confirmation of Enrolment</b>	A Confirmation of Enrolment (CoE) is an electronic document issued by a registered educational provider to an international student who intends to enrol and study with that institution. An official Confirmation of Enrolment is the only accepted evidence of enrolment when applying for a student visa through the Australian Government's Department of Home Affairs.
<b>Course Commencement</b>	The published effective start date of a course and is inclusive of the orientation/induction period.
<b>Default (provider)</b>	(1) A registered provider defaults, in relation to an overseas student or intending overseas student and a course at a location, if: (a) either of the following occurs: (i) the provider fails to start to provide the course to the student at the location on the agreed starting day; (ii) the course ceases to be provided to the student at the location at any time after it starts but before it is completed; and (b) the student has not withdrawn before the default day.
<b>Default (student)</b>	An overseas student or intending overseas student defaults, in relation to a course at a location, if: (a) 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 (b) the student withdraws from the course at the location (either before or after the agreed starting day); or (c) the registered provider of the course refuses to provide, or continue providing, the course to the student at the location because of one or more of the following events: (i) the student failed to pay an amount he or she was liable to pay the provider, directly or indirectly in order to undertake the course; (ii) the student breached a condition of his or her student visa; (iii) misbehaviour by the student.
<b>Default Date</b>	The date on which either the provider or student defaults.
<b>Domestic student</b>	A student who is a citizen or permanent resident of Australia, a citizen of New Zealand or the holder of an Australian humanitarian visa.
<b>ESOS Act</b>	Education Services for Overseas Students Act 2000 (Cth).
<b>Financial Hardship</b>	Is a situation where a student was able to afford the fees when they commenced studying but a change in circumstances during the course resulted in difficulty being able to pay the semester payments by the due date.
<b>Grievance (non-academic)</b>	Those matters that pertain to conduct, behaviours and issues and breaches of policy that are not academic in nature and/or may be criminal in nature.
<b>HES Framework</b>	Higher Education Standards Framework (Threshold Standards) 2021.
<b>International student</b>	A student who is neither a citizen nor permanent resident of Australia, is not a citizen of New Zealand or the holder of an Australian Humanitarian visa.

<b>National Code</b>	The National Code of Practice for Providers of Education and Training to Overseas Students 2018 established under the Education Services for Overseas Students Act 2000.
<b>NIDA Code of Conduct</b>	Framework outlining the rights and responsibilities of all members of the NIDA community in terms of behaviour whilst at NIDA, working for NIDA or involved in NIDA related activities offsite.
<b>NIDA Student Charter</b>	A document that establishes the expectations for student conduct for the duration of their enrolment. It includes the NIDA Code of Conduct.
<b>Offer</b>	The written advice to an applicant that NIDA is offering them a place in an accredited program of study.
<b>Permanent resident</b>	A permanent resident is a non-citizen who has been granted the right to reside permanently in Australia by the Australian Government. Permanent residency is taken from the date the status is granted NOT the date of application.
<b>PRISMS</b>	Provider Registration and International Students Management System (PRISMS). A government portal for providing education providers with the Confirmation-of-Enrolment (CoE) and reporting facilities required for compliance with the Education Services for Overseas Students (ESOS) Legislation.
<b>Recognition of Prior Learning</b>	The assessment process that involves assessment of an individual's relevant prior learning (including formal, informal and non-formal learning) to determine the credit outcomes of an individual application for credit.
<b>Study Abroad Student</b>	A student, usually, though not always, who is an international student who is enrolled in 1 or 2 semesters of a NIDA degree program as a part of a Study Abroad program at their offshore home institution.
<b>Study Period</b>	A published period of time scheduled for the delivery of a subject or Unit of Study. For Higher Education at NIDA it is a semester and for Vocational Programs it is known as a term.
<b>Unit/Unit of Study</b>	A qualification is broken down into a number of Units of Study, which each have a Census Date. Each Unit of Study comprises a proportion of the learning and assessment that contributes to completion of the whole course.

### 3. SCOPE OF POLICY

This policy and its related procedure apply to:

- All international NIDA students enrolled in accredited courses.
- All international students with prior enrolment, withdrawn or deferred, where the relevant fee liability was incurred while they were enrolled or is directly related to their enrolment.
- All students on Study Abroad programs at NIDA where the fees relate to their NIDA experience.

This policy has rights and responsibilities as follows - the Director Learning and Innovation is responsible for -

- Ensuring the accessibility of this policy to staff and students.
- Implementation of this policy.

## 4. PRINCIPLES

- When setting tuition fees NIDA considers the cost of delivery of the course and strategic and commercial considerations. Tuition fees vary based on residency status and course type.
- NIDA will endeavour to support students whose study has been impacted by exceptional circumstances.
- Tuition fees are approved by the Board of Directors and are reviewed annually.
- NIDA will manage complaints and appeals in a timely manner in alignment with the principles of natural justice, regulatory requirements and the NIDA Complaints and Appeals for Students Policy. This written agreement, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies.

## 5. POLICY

### 5.1 Payment of Tuition fees – International Students:

- 5.1.1 An international applicant who has been offered a place at NIDA must pay a deposit of 100% of the first study period's tuition fee upon being offered and accepting a place in a course. Once the monies are paid and receipted the students will be enrolled and issued a Confirmation of Enrolment (CoE) for the purposes of their obtaining a visa.
- 5.1.2 Existing international student tuition fees are payable upfront on a per study period basis and must be paid within 14 days of invoicing. Failure to pay the tuition fee owing will result in cancellation of their enrolment and cancellation of their student visa.
- 5.1.3 International students are solely responsible for their financial liability to NIDA, regardless of any arrangement they may have with another individual or organisation to cover tuition costs.
- 5.1.4 All tuition fees are to be paid in Australian dollars and students are responsible for incurring any currency exchange costs or covering deficits that may result from funds transfers or currency exchanges.

### 5.2 Refunds of Tuition Fees – International Students:

5.2.1 An international student who lodges a written request for withdrawal from a Unit of Study after commencement but on or before the published census date, will be withdrawn from the Unit/s of Study in which the student is enrolled and refunded 50% of the tuition fees for the study period.

5.2.2 An international student who withdraws after the census date for the current study period will not receive a refund of the tuition fees for that study period.

5.2.3 No fees will be applied, and a full refund will be granted if the student is not granted a student visa for the course, is unable to commence study on the grounds that the course is no longer being offered, or that the student has experienced exceptional circumstances or misadventure. Proof of visa refusal from the Australian Government must be supplied to NIDA Student Administration.

5.2.4 In the event of exceptional circumstances or misadventure that prevents an international student from continuing to study, the student may be granted a full or partial refund of fees on application. Refunds are authorised at the discretion of the NIDA CEO. No refunds will be available where a student's visa is cancelled.

5.2.5 A student must provide independent supporting documentary evidence and demonstrate that there are exceptional circumstances as per the definition outlined in this policy and that these circumstances:

- Were beyond the student's control
- Did not make their full impact on the student until on, or after, the census date; and
- Made it impracticable for the student to complete the requirements for the Unit of Study during the period in which the student undertook or was to undertake the Unit of Study.

5.2.6 Students who have their visa cancelled for breach of their international student visa conditions or for breach of NIDA's policies and procedures will not be eligible for a refund.

5.2.7 Students who temporarily defer or suspend their studies will not be granted a refund for any monies paid in advance for study periods.

5.2.8 After enrolment, international students who apply for RPL/credit transfer will receive a refund for any units for which credit transfer /recognition of prior learning is granted.

5.2.9 If for any reason NIDA fails to start delivery of a course on the expected starting date, NIDA will refund all tuition fees paid within 14 days.

5.2.10 If for any reason NIDA fails to deliver components of the course before the course in its entirety is completed, NIDA will either refund any unspent tuition funds or may offer to arrange for the student to be offered a place in an alternative course that is acceptable to the student at no additional expense. Students may be supported by the Tuition Protection Service (TPS). The TPS will attempt to place the student in a suitable alternative course or if this is not possible the student will be eligible for a refund to be determined by the TPS. Further information can be found at <https://www.homeaffairs.gov.au/Trav/Stud/More/Education-Providers-default>

### **5.3 Applying for a Refund:**

5.3.1 Except in cases of Provider default, all refund applications must be made via the NIDA Tuition Refund form on the NIDA website <https://fs3.formsite.com/NIDAed/bxmovtickn/index.html> as soon as practicable after withdrawal/cessation of the incomplete Unit/s of Study but no later than 3 months after the withdrawal/cessation date.

5.3.2 Students should provide relevant supporting documents as part of their application for a refund.

### **5.4 Payment of refunds:**

5.4.1 Where a student is eligible for a refund because of provider default, NIDA will pay the refund within 14 days of the default.

5.4.2 Where a student is eligible for a refund because of student default, NIDA will pay the refund within 4 weeks of the student default.

5.4.3 Students eligible for refunds will sign a refund agreement, and funds will be transferred into their nominated bank account by electronic funds transfer.

5.4.4 Refunds of fees will not be paid into third-party accounts.

### **5.5 Change of Visa Status**

Where an enrolled international student is granted permanent residency status (PR) in Australia, they will be eligible to pay upfront domestic fees from the next census date. Proof of PR status must be supplied to Student Administration before the next census date from when PR is granted.

### **5.6 Non-Payment of Fees**

Students who are paying up-front fees, have outstanding tuition fees and do not have a payment plan in place will not be allowed to attend classes or participate in productions. Tuition fees that are outstanding beyond 90 days of invoice may result in a student's enrolment being cancelled.

### **5.7 Debt and Indebtedness**

Students with outstanding tuition fees or owing monies to the library for lost or non-returned books will not receive a statement of results, academic transcript and will not be able to graduate until all fees are paid.

## 5.8 Grievances and Appeals

Students wishing to apply a decision around fee payments or refunds may do so by following the Grievances and Appeals – Non-Academic policy and process. This policy and associated grievances and appeal policies and processes does not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies.

## 5.9 Communication

All communication regarding fee-related matters, including invoicing, receipting and refunds are made by email.

## 5.10 Record Keeping

5.10.1 All payments and receipts for tuition fees are managed through the Student Management System software (SMS).

5.10.2 All records of variations to fees and written agreements are saved electronically to the student's enrolment portal and or their student record's box in NIDA's Content Manager record keeping system for a period of no less than 2 years after a student is no longer an accepted student.

## 5.11 Support and Advice

Support and advice regarding tuition fees is available from Student Services in person or via email (education@nida.edu.au).

## 6. CHANGE HISTORY

Date	Change Description	Reason for Change	Author	Version
July 2022	Amended policy to include timelines for refunds, information about student and provider default conditions.	CRICOS audit feedback	Learning and Innovation	
January 2020	Reworked policy to ensure it met the National Code 2018 and met business requirements.	Review of all P&P	Learning and Innovation	
December 2014				14/06081

## 7. CONSULTATION/BENCHMARKING

Benchmarked against policies and practice from a number of higher education providers and other sources Relevant policy documents from the following are gratefully acknowledged:

- AFTRS
- Sydney University
- UNSW
- National Arts School
- JMC Academy

Legislation and Regulatory Frameworks	<a href="#">TEQSA Act 2011</a> <a href="#">National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) - ESOS National Code 2018, Part B, Standard 3</a> <a href="#">ESOS Act (2000)</a> <a href="#">Higher Education Standards Framework (Threshold Standards) 2015</a>
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