

# COURSE PROGRESS AND STUDENTS' ENGAGEMENT MONITORING POLICY

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## 1. PURPOSE

The purpose of this policy is to provide a broad framework, set of principles and minimum requirements for the circumstances under which a student may seek remission of a VET Student loan (VETSL) debt or refund of fees under special consideration, or other circumstances, where the application of Envirotech Education (“Envirotech”) policies requires consideration of special circumstances.

## 2. SCOPE

This refund policy applies to all domestic students who were found eligible and are enrolled at Envirotech.

## 3. RESPONSIBILITIES

The following staff are responsible for the management of student refunds for international students:

- i. Finance Manager; and
- ii. Chief Officer – Client Relations and Services

## 4. DEFINITIONS

ASQA	Australian Skills Quality Authority, the national VET regulator
CENSUS DATE	A published date, set by Envirotech, no earlier than 20% of the way through an approved course.  There are at least three (3) census dates for a course. Census dates are defined on the student’s offer letter and on Envirotech website under ‘Schedules’ for each individual course.
COURSE	The program of study which leads to a qualification
COURSE COMMENCEMENT DATE	The date the course or unit is due to start
COURSE COMPLETION DATE	The date the course or unit is due to be completed
DEFAULT DATE	The last day when students can file a Withdrawal/Cancellation Request. This is the last day of the 2 <sup>nd</sup> week after term commences
EXCEPTIONAL CIRCUMSTANCES	Circumstances that involve something exceptional, compelling or compassionate that has affected a student and the cause of which was outside the student’s control.

FEES	A total of tuition, materials, application, and any other fees during the course of study
MATERIALS FEE:	Covers the cost of learning materials and resources provided by Envirotech
REFUND	An amount of fees paid by the student to Skills Australia Institute, which is returned to the student under specific circumstances defined in this policy. Under the ESOS Act (2012 Amendment), a refund may only be paid to the student (unless another person is specified in the Student Agreement as being able to receive the refund on behalf of the student).
STANDARDS	Standards for Registered Training Organisations (RTOs) 2015 from the VET Quality Framework
STUDY PERIOD	A period of study within a course, namely term, semester, trimester, short course of similar or lesser duration, or as otherwise defined by Envirotech Education.
TUITION FEES	Covers the cost of providing the course of study and use of resources at Envirotech Education. Tuition Fee does not include Overseas Student Health Cover (OSHC), administration costs including enrolment/application fee, home stay booking fee, airport pick-up fee and costs related to equipment or training material purchases
VSL STUDENT	VSL student, for the purposes of this policy, refers to a student who is an Australian citizen, Permanent humanitarian visa holder or qualifying New Zealand citizen (eligibility criteria applies), who will be resident in Australia for the duration of their VET Units of study, and who access VSL for payment of their tuition fees in respect of the VET unit of study in which they are enrolled.
VSL TUITION FEES	Are fees will be paid for the eligible student by the Commonwealth in a VET Unit of Study for Envirotech approved course under the VET Student Loans Act 2016.
UNIT OF STUDY	A VET unit of study approved for VSL that a student may undertake with Envirotech, for which the student may access VSL to pay for all or part of their tuition fees.
UNUSED TUITION FEES:	Tuition fees paid by a student to Envirotech and that are repayable to the student in any of the circumstances set out in this Agreement
WITHDRAWAL	Cessation of registration in a course or unit, initiated by a student after acceptance of the Offer Letter.

## 5. RELEVANT LEGISLATIONS

- i. National Vocational Education and Training Regulator Act 2011
- ii. Higher Education Support Act 2003
- iii. Corporations Act 2001
- iv. Privacy Act 1988 - Tax File Number Guidelines 2011
- v. Privacy Act 1988
- vi. Fit and Proper Person Specified Matters 2012

## 6. RELEVANT DOCUMENTS AND POLICIES

- i. Refund Application Form/ Re-Credit Application Form, available on Envirotech website
- ii. Pre-Enrolment and Enrolment Policy, including Student's Letter of Offer
- iii. Student Handbook
- iv. Complaints and Appeals Policy
- v. Course Progress and Students' Engagement Monitoring Policy
- vi. Domestic Learners' Deferral, Suspension and Cancellation of Enrolment Policy

## 7. POLICY PROVISIONS

### 7.1. Principles

This policy aims to:

- i. provide transparent processes for refunds of tuition fees, where applicable;
- ii. set out the circumstances where a full refund or a partial refund may apply; and,
- iii. set out the calculation of refunds in the event of a student or provider default.

### 7.2. Policy Review

The Domestic Students Refund Policy is subject to regular review under Envirotech Education's quality assurance process.

### 7.3. Refund Calculation

This policy outlines how refunds are calculated when a domestic student requests to cancel/withdraw or asks for a refund on their course fees, which can include:

- i. Enrolment fee;
- ii. Tuition fees;
- iii. Materials fee;
- iv. Payment plan

#### 7.4. Refund for students paying full fee for service

- i. Students who are paying for their course directly to Envirotech are required to pay a deposit as agreed in their payment plan and offer letter. Refunds will be offered to full fee-paying students per Table 1 below.
- ii. In cases where the refund request involves special or compelling circumstances, the student needs to submit a Refund / Re-credit Request Form together with valid supporting documents to the Student Registrar for review and approval by Management.
- iii. A refund can only be made for Units of Competency which have not yet started and where not available to the student at the time of request.

<b>Table 1 - Refund Calculation</b>		
<b>Notification Period</b>	<b>Refund</b>	<b>Cancellation Fee</b>
No less than 48 hours before course commencement with an initial deposit	Full refund less \$300	\$300
During the first 3 months from course commencement	Course fee paid less full cost of current term	Full cost of current term
After 3 months from course commencement	No refund	100% course fees
Special / Compelling Circumstances	Cancellation Fee + Pro Rata of Tuition Fee for used units (calculated on a weekly basis)	\$300 + Pro Rata of Tuition Fee for used units (calculated on a weekly basis)

## 7.5. Refund for students under the VET Student Loans (VSL)

- i. Students who are paying for their course through VSL will be able to request a Refund Re- Credit for their loan in case they have withdrawn from the course due to special circumstances after their census date passed. Students will have to complete the Refund / Re-Credit Request Form online and submit together with supporting documents and await the review of Envirotech staff.
- ii. Should the application meet the criteria referred to in the Special or Compelling Circumstances, the student will be withdrawn from the VET Unit of Study or a VET Course which is being supported via VET Student Loans and the outcome of the refund/re-credit request will be advised to the student via email and the student will be issued with a new Commonwealth Assistance Notice (CAN) that will reflect the recredit of the VETSL Debt balance.
- iii. Envirotech will assess if compassionate reasons exist, these are generally outside of the control of the student and include but not limited to:
  - a. serious illness or injury where medical certificate states unable to attend classes
  - b. bereavement of close family members such as parents and grandparents (Death Certificate should be provided where possible)
  - a. major political upheaval or natural disaster in home country requiring emergency travel which has impacted on student's studies
  - b. a traumatic experience such as involvement in, or witnessing a serious accident or witnessing or being the victim of a serious crime
- iv. Special Circumstances need to be:
  - a. beyond the student's control; AND
  - b. do not make their full impact until on or after the census date for the unit of study in question; AND
  - c. make it impracticable for a person to complete the requirements for the unit of study.
- v. For circumstances to be beyond a student's control, the situation should be that which a reasonable person would consider is not due to the student's action or inaction, either direct or indirect, and for which the person is not responsible.



- vi. Envirotech needs to be satisfied that a student's circumstances did not make their full impact until on or after the census date for a unit of study. If satisfied, Envirotech will provide a re- credit/refund 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 of magnitude does not become apparent until on or after that day; or
  - c. on or after the census date.
  
- vii. A student may apply to the Secretary for the student's FEE-HELP balance to be recredited under section 71 of the Act for the following reasons:
  - a. the provider, or a person acting on the provider's behalf, engaged in unacceptable conduct in relation to the student's application for the VET student loan; or
  - b. the provider has failed to comply with the Act or an instrument under the Act and the failure has adversely affected the student.
  - c. that applications for re-crediting under section 68 of the Act must be made within 12 months after the census day for the course, or the part of the course, concerned, or within that period as extended by the provider
  - d. that application for re-crediting under section 71 of the Act must be made within 5 years after the census day for the course, or the part of the course, concerned, or within that period as extended by the Secretary
  - e. that there is no charge for reconsideration or review of decisions, other than review by the Administrative Appeals Tribunal
  - f. that the Secretary may re-credit a student's VETSL debt balance in relation to special circumstances if a course provider:
  - g. is unable to act or is being wound up or has been dissolved; or
  - h. has failed to act and the Secretary is satisfied that the failure is unreasonable.

## 8. SPECIAL CIRCUMSTANCES

- 8.1. Envirotech will determine where special circumstances have made it impracticable or the student to complete the course, or part of the course because of, but not limited to:
  - i. Medical reasons
  - ii. Family/personal reasons
  - iii. Employment-related reasons

8.2. In considering these circumstances Envirotech will consider whether the student could meet course requirements through;

- i. Private study.
- ii. Attending training sessions and other activities.
- iii. Engaging online.
- iv. Completion of assessments, or demonstration of competencies.

8.3. Special circumstances DO NOT apply to:

- i. A normal change in work arrangements such as a change of shift or planned holiday.
- ii. Students under VSL who have changed their mind by taking the course after a census date or did not complete a Unit of Competency.

## 9. SPECIAL CIRCUMSTANCES APPLICATION AND SUPPORTING DOCUMENTS

### 9.1. Refund / Re-credit Form

Students must complete a Refund/ Re Credit Request Form available on Envirotech website to be processed by Envirotech staff

### 9.2. Provisions of supporting documents

They must complete this form, and provide supporting documentation should their special circumstances fall under the following one (1) or more categories:

- i. Medical reasons.
- ii. Family/personal reasons.
- iii. Employment-related reasons.
- iv. Course-related reasons.

### 9.3. Acceptable documentation

A student must provide original, independent documentation as part of any application due to special circumstances. The documentation must clearly indicate the following:

- i. The level of impact of the special circumstances.
- ii. What the special circumstances were.
- iii. When they occurred.
- iv. How long they lasted.



- v. For applications relating to a remission/refund of debt, that the circumstances made their full impact on the student on, or after, the census date.

#### 9.4. Medical Reasons

Where the severity of a medical condition results in a student being unable to continue studying, the student will need to provide a statement from a duly accredited health care practitioner that states:

- i. The date the medical condition began.
- ii. How the condition affected the student's ability to study.
- iii. When it became apparent that the student could not continue their studies.
- iv. Recommendation

***NOTE: The student should inform their doctor that the statement will be sent to Envirotech in support of the Application for a Refund/Remission/Waiver under special circumstances.***

#### 9.5. Family / Personal Reasons

Due to unforeseen personal/family reasons that occur or worsen after the last date to withdraw without penalty and is beyond the student's control, resulting in the inability to continue with studies. The student will need to submit a statement from a doctor, counsellor or independent member of the community, for example, a Justice of the Peace or a Minister of Religion, stating:

- i. The date family/personal circumstances began or changed.
- ii. How these circumstances affected the student's ability to study.
- iii. When it became apparent that the student could not continue their studies.

#### 9.6. Employment-related Reasons

After the last date to withdraw without penalty, the student's employment status or arrangements change unexpectedly due to circumstances beyond the student's control, resulting in the inability to continue with studies. The student will need to submit a statement from his/her employer stating:

- i. Previous work hours and location.
- ii. Current work hours and location and date applied.
- iii. The reason for changed hours and location.

## 9.7. Course-Related Reasons

Where Envirotech has changed the unit of competency it has offered and the student is disadvantaged by not being able to complete the unit, or not being given credit towards other units or course.

## 10. APPLICATION PROCESS

- 10.1. The student will be required to submit a Refund/ Re Credit Request Form. Refund requests are to be completed online and submitted together with supporting evidence. The form is available on Envirotech's website ([www.envirotech.edu.au](http://www.envirotech.edu.au))
- 10.2. Refund Request is assessed by the relevant Envirotech staff and Compliance Manager. Envirotech management will assess the tuition fees refund applications due to special circumstances according to the quality of the independent supporting evidence provided by the student to substantiate their claim.
- 10.3. The student will be provided with a written decision, including reasons for the decision and appeal options, within twenty-eight (28) calendar days from the date of refund application request submitted.

## 11. APPEALING A DECISION

Students may appeal Envirotech decision by accessing the Complaints and Appeal mechanism. Students must first appeal internally by submitting a written appeal form and follow the Complaints and Appeal policies and procedures.

## 12. EXTERNAL APPEALS

For external appeals, a student may apply with the following:  
The Administrative Appeals Tribunal (AAT) for a Review of Decision  
AAT website: <http://www.aat.gov.au/contact-us>  
Fees: <http://www.aat.gov.au/FormsAndFees/Fees.htm>

Training and Education Ombudsman  
<http://www.ombudsman.qld.gov.au/training-and-education>

VSL Ombudsman  
<http://www.ombudsman.gov.au/about/vet-student-loans-ombudsman>  
Students may supply additional information they did not provide to Envirotech