

CHS Tuition Protection Policy

Document ID	CHS Tuition Protection Policy
Category	Administration
Document Owner	Academic Registrar

Version control

Version	Summary of changes	Approval date	Next review date
1.0	Document established	Academic Board: 16 Oct 2018 Board of Directors: 23 Oct 2018	
1.1	Minor formatting	Not applicable	20 October 2020
1.2	Minor changes to the job title and extension of review date.	CEO: 12 October 2023	12 October 2024
1.3	Extension of review date	CEO: 30 January 2025	12 October 2025

1. Purpose

This policy defines how the ECA College of Health Sciences (CHS) will fulfil its obligations under the various legislations with regard to tuition assurance for both international and domestic students.

2. Preamble

The Australian Government has decided to extend the Tuition Protection Service to cover all students enrolled in VET Student Loan Providers and Non-University Higher Education Providers (NUHEP). The new arrangements are planned to come to effect as of 1 January 2019. As such, and given the commencement date of CHS's operation (July 2020) it is anticipated that the College will only need to secure Tuition Assurance through the Australian Tuition Protection Service (TPS) for both domestic and international students. The levy payable under the TPS is computed for each provider considering the size and risk.

Transitional arrangements are currently in place with respect to tuition protection requirements as the Australian Government is extending their TPS to all students enrolled in a VET Student Loan Providers and NUHEP. However, the HESF also obligates the providers to put in place adequate financial and tuition safeguards to protect students (see section 6.2.1(i)).

Refer to <https://www.education.gov.au/tuition-assurance-and-provider-closures> for more details¹.

3. Guiding Principles

- All providers have default obligations to protect their students from the consequences of cancellation of the course a student has enrolled in or provider closure
- The default obligations include offering the student a place in a similar course internally or transfer to an alternative provider offering the same or a similar course

¹ It is not clear what tuition assurance arrangements are required for domestic students who are not accessing the students loan (FEE-HELP) scheme.

- Should a student decline to take the offer to transfer to a similar course or move to an alternative provider, the provider must refund the student of the unspent tuition fees²
- If the provider fails to meet its obligations, the student has recourse to the tuition assurance service who will organise to place the student in a similar course with an alternative provider or arrange a refund of the unspent tuition fees
- The intent of the legislation is to ensure that students will not be disadvantaged in the event of the provider ceasing to offer a course or ceasing to trade.

4. Policy Statement

The ECA College of Health Sciences (the College) is committed to providing tuition safeguards to protect both domestic and international students as required by the applicable legislations, the Higher Education Standards Framework and related guidelines. The College shall follow the due process set out by the Tuition Protection Service and shall pay the respective administrative and risk levies that the Tuition Protection Service advises upon the College's commencement of operations.

In the event that the College ceases to offer a course in which a student has enrolled the College shall make every effort to offer an alternative enrolment within the College if a similar course is available. Otherwise the College shall move the student to another higher education provider who is offering the same or a very similar course.

As an option and should the student decide not to accept the offer to either transfer to a similar course within the College or move to another provider that is offering the same or a similar course, the College shall refund the fees paid for the units of study that the student does not get to finish due to College default.

In the event that the College is unable to meet its default obligations, students shall be referred to the relevant tuition protection scheme for assistance within the prescribe time limit.

The College shall publish its Tuition Assurance Policy and relevant information on its website and ensure students are made aware of the policy, tuition assurance frameworks, roles and responsibilities of students and that of the College in the event of College failing to meet its default obligations. The College shall review and update its Tuition Protection Policy and approach to remain compliant with changes in the respective legislations or regulations.

5. Procedures

If the College cease to provide a course of study, the following procedures shall be followed:

1. The Board of Directors of the College shall direct the CEO to inform the Tuition Protection Service and the affected students in writing within 20 working days.
2. The notice shall outline the rights and responsibilities of both students and the College, and include:
 - Details of the course under consideration, including date that it will cease to be offered
 - The alternative course(s) offered internally, including credit transfer arrangements, fee transfer etc.
 - The alternative provider, should the student decide not to accept the internal transfer or such transfer is not available

² Ceasing study may lead to student visa cancellation. Students should consult Immigration Authorities prior to exercising this option.

- Or in the event that the above options are not acceptable to students, the option to receive a refund for the unexpended, pre-paid tuition fees.
3. Should the College fail to meet its default obligations in respect of tuition protection then the CEO shall notify students within 5 working days and refer students to the Tuition Protection Service, who will place students with an alternative provider or provide a refund of the unexpended pre-paid tuition fees.

6. Responsibilities

The Director of Administration and Student Services at CHS is the responsible officer and shall ensure that the College meets all of its obligations under the applicable legislations. He or she shall also ensure that all internal administrative services are compliant with the legislative requirements.

7. Records

Records associated with this policy will be maintained according to the Records Management Policy and Record Retention and Disposal Schedule.

8. Related Documents

- CHS Governing Board Charter
- CHS Admissions Policy and Procedures
- CHS Student Fees Policy
- CHS Delegation Policy and Schedule
- CHS Overseas Students Refund Procedure
- CHS Overseas Students Withdrawal and Refund Policy
- CHS Domestic Students Withdrawal and Refund Policy and Procedure

9. Related legislation

- Higher Education Support Act 2003
- Tertiary Education Quality and Standards Agency (TEQSA) Act 2011
- TEQSA Higher Education Standards Framework (Threshold Standards) 2015
- Education Services for Overseas Students (ESOS) Act 2000 and National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)
- Australian Qualifications Framework (AQF).