Policy Development to ensure compliance with the Higher Education Support Act (HESA) 2003

Purpose

To propose the adoption of new policies and amendments to existing policies to ensure that the University complies with requirements of the Commonwealth Higher Education Support Act (HESA) 2003.

Background

The Commonwealth Higher Education Support Act (HESA) 2003 became law in December 2003. The new legislation introduced a number of key changes and requirements for universities and students, effective 1 January 2005, including:

- the requirement that a student must be charged either the student contribution amount or a tuition fee (unless the student is exempt or has been granted an Exemption Scholarship);
- a limit on the length of time domestic students may receive financial support from the Commonwealth (though the introduction of the Student Learning Entitlement (SLE));
- changes to the HECS and PELS loans schemes, which were incorporated into the Higher Education Loan Program (HELP); and
- the requirement that universities process all applications for remission of debt accrued under HELP, including appeals (previously applications for remission of deferred HECS debts were assessed by DEST).

Policy on Continuity of Study

This new policy is necessary to enable domestic students, who are not eligible, or have ceased to be eligible, for a Commonwealth supported place, to continue with their studies. Under the Commonwealth Higher Education Support Act (HESA) 2003, the University is required to charge tuition fees for students in such circumstances. The groups of students who are affected by this legislative requirement are:

- International students who are granted permanent resident visas during their course of study;
- Domestic students who have exceeded their Student Learning Entitlement; and
- Domestic research higher degree students who have exceeded their Research Training Scheme (RTS) entitlement and have not been granted an Exemption Scholarship.

The policy sets out the tuition fee arrangements for these three categories of students. In the case of domestic research higher degree students who have exceeded their RTS entitlement (4 years full-time equivalent at doctorate level and 2 years full-time equivalent at masters level), the Vice-Chancellor’s Committee has agreed to fund Exemption Scholarships for one further year of equivalent full-time study. As a transition arrangement, students enrolled in 2004, who have exceeded their RTS entitlement by more than one year of equivalent full-time study, will be granted an Exemption Scholarship for 2005 only.

The policy re-states the University’s public position that it does not provide direct admission to fee-paying places for domestic undergraduate students and domestic research higher degree students.
The new policy is set out in Appendix 1, which also includes consequential amendments to provisions in existing University policies as follows:

- Section 8.7 of Policy on International Students – Students who Obtain Permanent Residence Status; and

- Section 14 of the Research Higher Degree Policies and Procedures – Status, Duration and Extension of Candidature.

**Policy on Refund of Student Contribution Amounts and Tuition Fees, and Remission of Higher Education Loan Program (HELP) Debts**

It is a requirement of HESA 2003 that the University administer and publish its procedures for the assessment of applications for the refund of student contribution amounts and tuition fees, and remission of Higher Education Loan Program (HELP) debts. HESA 2003 sets out specific requirements for assessing applications for a refund or remission, which include:

- the time period for lodging an application;
- circumstances under which the University may grant a refund or remission;
- the requirement for a written notice of decision and reasons for decision;
- the requirement for an internal review of the decision at a higher level;
- the range of decisions available to the reviewer of the original decision;
- the right of a student to seek external review of the decision through the Administrative Appeals Tribunal (AAT).

The new Policy complies with these provisions and sets out the time periods for notifying students of the decision on the application and the outcome of the review of decision. It is set out in Appendix 2, along with a number of consequential changes to the following provisions in existing policies:

- Section 6.1 of the Student Appeals and Complaints Policy and Procedures in order to clarify that requests for a review of decision cannot be heard by the Student Appeals Committee;

- Section 13 of the Assessment Policies and sections 20 and 21 of the Assessment Procedures, in order to delete the provisions for retrospective award of Withdraw, Not Fail notations as these provisions will be covered by the new policy.

**Charging of Materials Fees Policy**

This policy has been renamed the Policy on Charging of Incidental fees to conform with the terminology used in HESA 2003. A number of clauses on permitted fees have been amended to comply with Chapter 12 of the Commonwealth Grant Scheme Guidelines. Key amendments are:

- clarification of the costs that can be recouped in relation to food, transport and accommodation costs associated with field trips; and

- clarification of the restrictions on the charging of fees for equipment and material used in laboratory and practical work.
Policy and Procedures on Payment of Postgraduate Course Fees by Domestic Students

This policy has been amended to comply with DEST reporting requirements, which require the University to report the fees charged and fees collected from students. Under these reporting requirements these two figures must be equal at the census date. This requirement prevents the University from allowing students to pay tuition fees by instalments and these provisions have been removed.

Where a student lodges a successful application for a refund of a fee, HESA 2003 requires the University to refund the tuition fee in full. The Policy has been amended, therefore, to remove references to a “non-refundable deposit.” The refund section of this policy has also been amended to cross-reference with the new policy on Refund of Student Contribution Amounts and Tuition Fees, and Remission of Higher Education Loan Program (HELP) Debts

Non-award Studies Policy

The Legislation states that the fee for non-award topics must be greater than or equal to the highest student contribution amount or tuition fee being charged for that topic. The Policy has been amended to comply with this requirement.

Changes to terminology

The proposed new policies and the existing policies have been drafted to take into account changes in terminology arising from:

- The Higher Education Support Act 2003;

- The publication of the University’s award courses in the Council Register of Degrees, Diplomas and Other Awards; and

- The change in title of the Pro-Vice-Chancellor (Academic) to Deputy Vice-Chancellor (Academic), which will come into effect on 1 January 2005.

Recommendation

That Academic Senate endorse the new policies and amendments to existing policies as set out above and recommend their approval to Council.

Mr Stephen Jones  
Director, Academic and Student Services

5 November 2004
Appendix 1: Policy on Continuity of Study

1. Preamble

Fees for domestic students must be established in accordance with relevant legislation and guidelines issued by the Commonwealth.

2. Definitions

2.1 The Student Learning Entitlement (SLE) is the length of time in equivalent full-time student load that a person is entitled to a Commonwealth supported place.

2.2 The Research Training Scheme (RTS) entitlement is the length of time in equivalent full-time student load a research higher degree student receives funding under the Commonwealth’s Research Training Scheme.

2.3 Domestic students are Australian citizens, Australian permanent residents and New Zealand citizens.

3. Policy

3.1 Flinders University does not provide direct admission to fee-paying places for domestic undergraduate students and domestic research higher degree students.

3.2 Tuition fees may be charged for the following categories of students to enable such students to continue in their course of study:

3.2.1 *International students who are granted permanent resident visas during their course of study.* Where a Commonwealth supported place is available the full student contribution amount will apply. In the event that there is no Commonwealth supported place, students will:

(a) in the case of undergraduate courses, be charged a tuition fee not less than the full student contribution amount but not more than the tuition fees applying to international students. Such fee to be approved by the Deputy-Vice-Chancellor (Academic) on the recommendation of the relevant Faculty;

(b) in the case of postgraduate coursework courses, be charged the domestic student tuition fee;
(c) in the case of a research higher degree, be charged the equivalent fee to that charged for postgraduate coursework courses in the fee band for that discipline.

3.2.2 *Domestic students who have exceeded their Student Learning Entitlement.* In this case students will be charged a tuition fee not less than the full student contribution amount for the topics in which they are enrolled for that teaching period.

3.2.3 *Domestic research higher degree students who have exceeded their Research Training Scheme (RTS) entitlement* and have not been granted an Exemption Scholarship in accordance with clause 3.3. In this case students will be charged the equivalent fee to that charged for postgraduate coursework courses in the fee band for that discipline as set out in the schedule of topic fees determined under the *Policy on Fixing of Fees for Postgraduate Coursework Courses and the Distribution of Revenue*.

3.3 Research higher degree students who have exceeded their RTS entitlement will be granted an Exemption Scholarship of one further year of equivalent full-time study. Students enrolled in 2004, who have exceeded their RTS entitlement by more than one year of equivalent full-time study, will be granted an Exemption Scholarship for 2005 only.

**Consequential changes**

Amend section 8.7 of the *Policy on International Students* to provide a cross-reference to the *Policy on Continuity of Study*.

8.7 *Students who obtain Permanent Resident Status*

8.7.1 An international student who is granted a Permanent Resident Status in Australia visa is liable to pay the Higher Education Contribution Scheme (HECS) levy full student contribution amount (subject to the availability of a HECS-liable Commonwealth supported place) or tuition fees applying to domestic students as determined by the University in accordance with the *Policy on Continuity of Study*. Permanent Resident status commences from the date stamped on the student’s passport, not the date on which the application for status is made.

Section 8.7 is no longer required as it is covered by the new *Policy on Continuity of Study*. A cross reference is therefore made to the new Policy.
8.7.2  If the student has paid the tuition fees applying to international students for the semester, a total refund of these fees will be payable if the student has: (i) obtained Permanent Resident status by the census date for that semester; and (ii) (a) satisfied section 41 of the Higher Education Funding Act 1988, that is, has supplied a valid HECS Payment Options Declaration Form by the census date; or (b) has made arrangements with the University to pay fees as a domestic student.

8.7.3  If the student obtains Permanent Resident status after the census date in a semester, the student will be classified as an international student for the remainder of that semester and will be liable to pay the fees applying to international students. From the following semester the student will be liable to pay the HECS contribution in accordance with the HECS Guidelines subject to the availability of a HECS-liable place, or pay fees as a domestic student.

Section 14 of the Research Higher Degrees Policies and Procedures – status, duration and extension of candidature

Add an additional clause 14.6 as follows:

Where a candidate has exceeded their RTS entitlement under the Commonwealth Research Training Scheme an extension of candidature may be subject to the payment of fees as determined by the University in accordance with the Policy on Continuity of Study.
Appendix 2: Policy on Refund of Student Contribution Amounts and Tuition Fees, and Remission of Higher Education Loan Program (HELP) Debts

1. Preamble

This statement has been written in accordance with legislation and guidelines issued by the Commonwealth.

2. Scope

2.1 This policy applies to domestic students. Domestic students are Australian citizens, Australian permanent residents and New Zealand citizens. International students should refer to the specific provisions on refund of fees in the Policy on International Students.

2.2 This policy does not apply to OS-HELP debts.

3. Withdrawal on or before the census date

Where a student withdraws from a topic(s) on or before the census date for that teaching period they will not be liable to pay the student contribution amount, will not incur a HELP debt, or will be refunded in full any up-front payments of the student contribution amount or tuition fee.

4. Requests for Refund/Remission

4.1 Students who withdraw after the census date for the teaching period or have not successfully completed the requirements for the topic(s) can apply to have their:

- HECS-HELP debt remitted; or
- FEE-HELP debt remitted; or
- up-front payment of the student contribution amount refunded; or
- tuition fee refunded.

4.2 A full refund of up-front student contribution amounts or tuition fees or remission of HECS-HELP or FEE-HELP debt will be granted where it can be established that:

4.2.1 special circumstances applied to the student that 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 topic(s); or

4.2.2 an offer of a place was withdrawn; or

4.2.3 the University was unable to provide the course either in whole or in part; or

4.2.4 the student enrolled in a course or topic on the basis of misleading or incorrect information.

4.3 To meet the requirement that special circumstances did not make their full impact on the student until on or after the census date the student’s circumstances must occur either:
  • before the census date, but worsen after that day;
  • before the census date, but the full effect or magnitude does not become apparent until after that day; or
  • on or after the census date.

4.4 Special circumstances that make it impracticable for the student to complete the requirements for the topic(s) include:
  • Medical circumstances. For example, where a medical condition has changed to such an extent that a student is unable to continue studying;
  • Family/personal circumstances. For example, death or severe medical problems within a family, or unforeseen family financial difficulties, so that it is unreasonable to expect a student to continue studies;
  • Employment related circumstances. For example, where a student’s employment status or arrangements have changed so that the student is unable to continue his or her studies;
  • Course related circumstances. For example, where the University has changed the topic(s) offered in such a manner that the student is disadvantaged by either not being able to complete the topic(s), or not being given credit towards other topics or courses.

4.5 Special circumstances do not include a lack of knowledge or understanding of the University's policies and procedures, or a person’s incapacity to repay a Higher Education Loan Program (HELP) debt.

4.6 Where a student’s application is successful they will automatically receive a re-crediting of their Student Learning Entitlement (SLE), where applicable, and a notation of Withdraw, Not Fail (WN) will be recorded against the topic(s).
5. Application Procedures

5.1 Applications must be made on the standard form, be accompanied by appropriate documentation, and submitted to Student Finance Services as soon as possible given the circumstances. An application will normally not be accepted if it is lodged later than 12 months from the end of the semester in which the topic(s) were taken.

5.2 Late applications may be considered where the nature of the circumstances prevented the student from submitting an application within 12 months. Late applications must include evidence from a relevant professional practitioner that the circumstances prevented submission within the usual timeframe.

6. Notice of decision

The Student Finance Manager (or nominee) will consider the application for a remission or refund, as soon as practicable, and no later than 28 calendar days, after the receipt of the application. Once a decision has been made on the application, the Student Finance Manager (or nominee) will notify the student in writing of the decision and the reasons for that decision.

7. Internal Review

7.1 If a student is not satisfied with the decision on the application for remission or refund, they may apply for a review of that decision. Applications for a review of decision must be made in accordance with the following provisions.

7.2 Applications for a review of decision must be made in writing on the standard form and made no later than 28 calendar days after receipt of the notice of the decision. At the discretion of the Director, Academic and Student Services (or nominee) an extension may be granted to enable a student to lodge an application for a review. Students requesting an extension must notify the Director, Academic and Student Services (or nominee) of their intention to lodge a review of decision and set out the reasons for requesting a late application.

7.3 The Director, Academic and Student Services (or nominee) will acknowledge receipt of the application for a review of decision and inform the student, that if they have not been notified of a decision within 45 calendar days from the date of receipt of the application, the original decision can be taken to be confirmed and the
student may make an application to the Administrative Appeal Tribunal (AAT) for an external review of decision.

7.4 The Director, Academic and Student Services (or nominee) will review the original decision, and will, within 28 calendar days of receipt of the application for review:
   (a) confirm the original decision; or
   (b) vary the original decision; or
   (c) set the original decision aside and substitute a new decision.

7.5 The Director, Academic and Student Services (or nominee) will notify the student in writing of the decision to confirm, vary or set aside the original decision and the reasons for the decision. The notice will advise the student that if they are not satisfied with the review of decision they may make an application to the AAT for an external review of decision.

Consequential changes

1) Section 6.1 of the Student Appeals and Complaint Policies and Procedures.

6.1 The following provisions apply to complaints by individual students concerning some action, inaction, procedure or decision relating to academic matters. Examples of such matters are:
   * students' academic records and matters arising from these such as calculation of liability for the Higher Education Contribution, the student contribution amount or tuition fees;
   * administration of admission to courses of study;
   * administration of topic enrolment quotas;
   * administration of examinations;
   * administration of student applications associated with courses of study eg credit transfer, enrolment in a topic without having satisfied the prerequisite, late withdrawal from a topic without failure;
   * failure by the relevant person or body to act on the directions of a Student Appeals Committee.

Decisions relating to non-academic matters eg the student services fee, parking, student loans, refund of tuition fees or student contribution amounts, or remission of Higher Education Loan Program (HELP) debts are not subject to complaints under the terms of this policy.

Change of terminology to reflect terminology used in HESA 2003.

Clarifies that request for a review of a decision in relation to the refund of tuition fees or student contribution amounts, or remission of Higher Education Loan Program (HELP) debts is outside the jurisdiction of the Student Appeal Committee.
2) Retrospective Withdraw, Not Fail provisions within the Assessment Policies and Procedures

These provisions are covered by the Policy on Refund of Student Contribution Amounts and Tuition Fees, and Remission of Higher Education Loan Program (HELP) Debts, see below, and can therefore be deleted.

Assessment Policies

13 — Retrospective Withdraw, Not Fail

13.1 The award of a retrospective Withdraw, Not Fail may be granted where it can be established that special circumstances beyond a student's control:

- arose prior to the withdrawal date and prevented the student from completing all of the requirements for the topic or impaired the performance of the student in one or more components of the assessment. In such cases, the student should establish that he or she was not able to recognise at the time that the circumstances were having such an effect or that the circumstances impaired his or her ability to make such a judgement; or

- arose after the withdrawal date and prevented the student from completing all of the requirements for the topic or impaired the performance of the student in one or more components of the assessment. In such cases the student should establish that he or she was unable to apply for or take advantage of extensions, supplementary assessment and/or special consideration to overcome the difficulties he or she faced; or

- prevented the student from withdrawing by the due date.

13.2 Special circumstances may include:

- Medical reasons – where a medical condition prevented a student from continuing his/her studies or impaired his/her performance.

- Family/personal reasons – where unforeseen personal/family reasons prevented a student from continuing his/her studies or impaired his/her performance.
- Employment related reasons – where employment status or employment arrangements changed unexpectedly and prevented a student from continuing his/her studies or impaired his/her performance.

13.3 Special circumstances do not include a lack of knowledge or understanding of the University’s policies and procedures.

Clause 13.3 of the Retrospective WN provisions is covered by clause 4.5 of the new policy.
Assessment Procedures

20. Application for the Award of a Retrospective Withdraw, Not Fail

20.1 An application should be submitted as soon as possible given the circumstances. An application will normally not be accepted if it is lodged later than one year from the end of the semester in which the topic was taken. Late applications may be considered where the nature of the circumstances prevented the student from submitting an application within one year. Late applications must include evidence from a relevant professional practitioner that the circumstances prevented submission within the usual timeframe.

20.2 Applications must be made on the standard form available from the Student Centre and Faculty Offices and should be lodged with the ‘home’ Faculty Office (i.e. the Faculty offering the course being studied) which will ensure appropriate consultation with other faculties as required. An application should:
• describe the circumstances that arose and the effect these had on the student’s ability to study;
• indicate when it became apparent that studies could not be continued or that performance was impaired;
• indicate how the circumstances were beyond the student’s control.

20.3 An application based on medical or family/personal reasons must be supported by a statement from a relevant professional practitioner, such as a doctor or counsellor indicating:
• the date the medical condition or personal circumstances began or changed to the extent that the student’s ability to study was affected;
• how the condition or circumstances affected the student’s ability to study;
• when it became apparent that studies could not be continued or that performance was impaired.

20.4 An application based on employment reasons must be supported by a statement from the employer or other relevant professional practitioner indicating:
• the date the employment began or the conditions of employment changed to the extent that the student’s ability to study was affected;
• how the circumstances were beyond the student’s control.

The application procedures are covered by clause 5 of the new policy. Details about the information to be included in applications and accompanying documentation will be specified on the application form.
21.1 A student who wishes to appeal against a decision not to award him or her a retrospective Withdraw, Not Fail must do so in accordance with the following procedures:

- The student must discuss the matter with the Chairperson or Secretary of the relevant Faculty Committee. As part of that discussion the Secretary or Chairperson will inform the student of the reasons for the decision.

- The student may then make a written request for the Faculty to review its decision and lodge this with the Chairperson or Secretary. The request must be lodged within ten working days of the discussion with the Chairperson or Secretary and must include the grounds for the appeal against the decision and any new information in support of the application which the student has not previously provided.

- The Chairperson or Secretary will arrange for the matter to be considered by the Committee as expeditiously as possible. The student may request an interview with the Chairperson of the Committee to discuss the case. If requested, an interview will be granted. Once a decision has been made by the Committee on the appeal, the Chairperson or Secretary will notify the student in writing of the outcome, and the reasons for the decision, and of the right of the student to appeal to the Student Appeals Committee where the student believes there are grounds for appeal. Such advice must contain information on the procedures, specified below, to be followed in lodging an appeal to the Student Appeals Committee.

21.2 A student may appeal to the Student Appeals Committee against a refusal to grant the award of a retrospective Withdraw, Not Fail only on one or both of the following grounds:

- the appropriate policy was not adhered to or correct procedures were not followed in considering the matter;

- the decision was made without due regard to facts, evidence or circumstances.

21.3 An appeal to the Student Appeals Committee must be lodged with the Director, Academic and Student Services...
within 21 days of the date of the dispatch of the notification from the Chairperson or Secretary of the Faculty Committee.

The appeal must:

- be accompanied by a copy of the letter the student has received from the Faculty notifying him/her of the outcome of their appeal to the Faculty;

- include details of the action which the student has taken thus far and the grounds for the appeal, including the evidence in support of the student’s case, together with supporting documentation.
Appendix 3: Charging of Materials Fees Policy

Policy on Charging of Materials Incidental Fees Policy

1. **Preamble:**
In accordance with the requirements of the Higher Education Funding Act 1988 no fees shall be charged for any item or activity which is a compulsory part or requirement for completion of a course.

In accordance with the Higher Education Support Act 2003, fees may be charged for items or services, which are incidental to studies undertaken as part of a course of study, provided these fees meet criteria specified in the Commonwealth Grant Scheme Guidelines.

2. **Permissible Fees and Charges**

2.1 **Course Materials**

2.1.1 Charges may be made for reading lists reading material such as anthologies of required reading, and practical or lecture notes provided that their purchase is voluntary. Alternative sources must be provided in the library so that students who do not wish to purchase the compiled materials can refer to them and make their own copies if desired.

2.1.2 No charge shall be made for topic outlines, or reading lists, or practical workbooks which form part of the assessment of a topic or course.

2.2 **Field trips**

Fees for tuition or materials shall not be charged for field trips which form a compulsory part of the assessment requirements of a course. Costs for transport in the Adelaide metropolitan area and for food associated with the field trip may be recouped as these constitute normal living costs for a student for the duration of the field trip. A student may choose not to pay these charges and provide their own transport and food while attending the field trip. All other transport and accommodation costs shall be funded by the University.

2.2 Where a field trip is a compulsory part of the assessment requirements of a topic or course:

2.2.1 fees shall not be charged for tuition or materials associated with the field trip;
2.2.2 costs for food, transport and accommodation associated with the field trip may be recouped, provided students have the choice of making their own arrangements for purchasing these items from an alternative supplier. Where students are required to use transport and accommodation specified by the University these costs will be met by the University.

2.4 2.3 Clinical, Laboratory or Workshop Materials and Equipment

2.3.1 There shall be no requirement for students to purchase a piece of equipment nor shall there be any charge made by the University for the sale use of equipment which is compulsory for students to participate fully in a topic, except as provided for in clause 2.3.3. Hire fees in the form of a deposit may be charged for the loan of equipment provided that they are the deposit is fully refunded on completion of the topic if the item of equipment is returned in a satisfactory condition.

2.3.2 Students must not be charged for basic clinical, laboratory, workshop and creative materials which are compulsory for students to participate fully in a topic and are consumed during the course of study.

2.3.3 Students may be charged for items that become their physical property and would be required by a professional in the field (e.g “tools of the trade” such as stethoscopes), provided the items are not consumed during the course of study and students have the choice of acquiring the items from a supplier other than the University.

2.4 Uniforms

2.5 Purchase of uniforms or particular types of dress shall not be required by the University for any topic. In some cases uniforms may be required by external agencies engaging students for field or clinical work as a condition of participation in those topics and in these cases students may be liable for the cost of the uniform.
3. **Grievances**

3.1 Students who believe they have been charged a fee contrary to this policy shall in the first instance discuss this with the relevant Faculty Registrar.

3.2 Where the Faculty Registrar determines that the fee charged was not permissible under this policy, the student will be entitled to a refund.

4. **Procedures**

Procedures relating to the charging of materials fees will be subject to approval by the Executive Director of Administration.
Appendix 4: Postgraduate Courses, Fee-paying
POLICY AND PROCEDURE ON PAYMENT OF
POSTGRADUATE COURSEWORK COURSE FEES BY DOMESTIC STUDENTS

Preamble
This statement has been written in accordance with the principles contained in the AV-CC ‘Guidelines on Postgraduate Fee Courses for Australian Students’, and with reference to the DEST procedures for HECS liable students and the DEST guidelines for assessing applications for remission of HECS-OLDPS debts in special circumstances.

Fees for postgraduate coursework courses must be established in compliance with relevant legislation and guidelines issued by the Commonwealth.

Domestic students are Australian citizens, Australian permanent residents and New Zealand citizens.

1 Payment of Course Fees

1.1 Payment of postgraduate coursework course fees by domestic students must be made in full by the due date specified by the University and may be made in any of the following ways:

1.1.1 in full for the relevant teaching period by the due date specified by the University;

1.1.2 by instalments, in accordance with Section 2 below;

1.1.3 through the Commonwealth’s Government’s Postgraduate Education Loans Scheme FEE HELP Scheme (subject to eligibility criteria);

1.1.4 through the Postgraduate Equity Assistance Scheme* in the form of either a scholarship covering the full amount of the fee or fees reduced to the level of discounted HECS;

1.1.5 by an employer, sponsor or through a scholarship, in which case the terms of any agreement made with an employer, or conditions agreed by a sponsor or funding body will apply in place of the provisions of this policy. Where no such agreement exists, the provisions of this policy will apply.

A more general preamble is proposed to take into account any future changes in the titles of Commonwealth legislation and guidelines.

DEST validation of reporting requires the University to show that payments made by fee-paying students equal the fees charged. This requirement precludes payment by instalment.

There is only one student who will be in receipt of assistance under the Postgraduate Equity Assistance Scheme in 2005. The reference in Policy is therefore no longer necessary.
1.2 A schedule of course fees approved by the Academic Senate will be published annually.

1.3 Irrespective of the method of payment a student enrolled after the DEST census date for the teaching period during which the topic is undertaken will incur liability for the full fee for that teaching period, except where alternative provisions apply as specified in In special circumstances a student may be granted a refund or remission of their FEE-HELP debt in accordance with the provisions of Section 2 ‘Refund of Course Fees’.

1.4 Course fees will be payable by the due date specified on the relevant fee account issued by the University. A student who has failed to make a payment by the due date will receive a reminder notice, and advice about alternative payment options, and the actions that may be taken by the University. A student who does not take action in accordance with the reminder notice will be subject to the Policy on Outstanding Debts.

1.5 A non-refundable deposit may be required for a particular course or topic. Such a deposit will be determined by the relevant faculty and will be payable on acceptance of admission to the course or enrolment in the topic.

1.6 A student will be entitled to elect to pay by a different payment option at any time during the course. Students will be advised that a request for FEE-HELP must be completed and submitted on or before the census date for the period during which the topic is undertaken.

1.7 Once a student has enrolled in a course the approved fee for the year of commencing enrolment will apply for the duration of the course except that where the student does not enrol in the following calendar year, and has not been granted leave of absence, the approved fee for the year in which the student re-enrols will normally apply.

1.8 A student enrolled in one of the component awards of a recognised nested postgraduate coursework program who continues their enrolment in the following year in another component of that program will be considered a continuing student for the purposes of course fee calculation.
1.6 Students will be required separately to pay all other fees associated with their enrolment, including the Student Services Fee.

2—Instalments

2.1 Students who wish to pay the fee for a postgraduate coursework course by instalments must complete an application form and agree to make payments in accordance with a specified payment schedule (normally a monthly payment during each teaching period).

2.2 Where a student withdraws from the course in full or in part prior to the DEST census date for the teaching period the student will be entitled to a refund as specified in Section 3 ‘Refund of Course Fees’.

2.3 Where a student withdraws from the course in full or in part after the DEST census date for the teaching period the student will incur full liability in respect of the fee for that teaching period except where alternative provisions apply as specified in Section 3 ‘Refund of Course Fees’.

2.4 Application to vary a student’s payment schedule may be made to the HECS and Fees Officer.

2.5 A payment schedule will not normally exceed a teaching period, and will not exceed a calendar year unless the course is conducted during the summer vacation period.

3. 2. Refund of Course Fees

The conditions and procedures for lodging requests for refund of fees or remission of FEE-HELP debts are set out in the Policy on Refund of Student Contribution Amounts and Tuition Fees, and Remission of Higher Education Loan Program (FELP) Debts.

3.1 A refund of a course fee for the whole or part of the course, for the most recent teaching period of enrolment, will apply in the following circumstances:

3.1.1 where an offer of a place is withdrawn (except where the offer was made on the basis of incorrect or incomplete information supplied by the student. In such circumstances the University reserves the right to retain up to 10% of the course fee paid); or

3.1.2 where the University is unable to provide the course either in whole or in part; or

As discussed above DEST reporting requirements preclude the option of payment of instalments.

This clause is replaced by the Policy on Refund of Student Contribution Amounts and Tuition Fees, and Remission of Higher Education Loan Program (FELP) Debts.
3.1.3 where the student withdraws before the DEST census date for the given teaching period. In this circumstance any non-refundable deposit paid will be retained by the University; or

3.1.4 where a student can demonstrate that he or she enrolled in a course or topic on the basis of misleading or incorrect information.

3.2 If a student withdraws after the DEST census date for the teaching period and special circumstances exist, a full refund of the fee for that teaching period (normally calculated on a pro rata basis), may be granted at the discretion of the Manager, Academic and Student Services. The following circumstances would normally be considered a basis for a refund to be granted:

3.2.1 where a medical condition has changed to such an extent that the student is unable to continue to study; or

3.2.2 where unforeseen family difficulties arise eg death or severe illness in immediate family member, financial difficulties; or

3.2.3 where an unforeseen change in employment status or residence forces the student to discontinue study.

3.3 An application for a refund must include all relevant information of the special circumstances and be accompanied by appropriate documentation.

* No new applications for assistance will be accepted from 2002 onwards.

Postgraduate Equity Assistance Scheme

No new applications for assistance have been accepted from 2002 onwards. Refer to the 2004 Edition of the Student Related Policies and Procedures Manual for the Rules for the Postgraduate Equity Assistance Scheme.
Appendix 5: Policy on Non-Award Studies

Preamble

Non-award studies include programs for professional development, educational development, general interest and preparation for study offered by the University. Non-award studies cater for a range of educational requirements outside of the University's award courses (award courses are specified in the Statutes 7.1, 7.3, 7.4 and 7.5 Council Register of Degrees, Diplomas and Other Academic Awards. Fees charged for non-award studies must be established in accordance with the requirements of relevant legislation and guidelines issued by the Commonwealth.

1 Policy

The University will facilitate, through the provision of non-award studies, opportunities for members of the University and members of the public to further their education.

1.1 Non-award studies will be offered in accordance with the provisions outlined below.

1.2 Administrative procedures pursuant to this policy will be subject to approval by the Executive Director of Administration.

2 Single Topic Studies

Single topic studies comprise study in a topic or topics normally offered within an award course, but for which the student is not enrolled in an award course, or the topics are excess to the student's approved course load.

2.1 The following admission requirements will apply:

- An applicant must be able to meet academic standards and other eligibility criteria as specified by the faculty.

- An applicant will be admitted only if the faculty is willing to accept the applicant and places are available in the topic concerned.

- A fee will be payable for single topic studies, being either the undiscounted HECS, or where the course is offered solely on a fee-paying basis, an appropriate proportion of the course fee calculated on a per unit basis. The fee rate for single topic studies will be available on application to the Enrolment Officer.
2.2 A tuition fee will be payable for single topic studies. Normally, the standard rate will be equal to the highest student contribution amount or the tuition fee charged for that topic. Faculties must apply to Deputy Vice-Chancellor (Academic) for permission to charge a fee greater than the standard rate.

2.2 2.3 A student who has successfully completed single topic studies will be eligible to apply for credit for relevant studies in an award course, in accordance with the University's Credit Transfer Policy.

2.3 2.4 Certification of completion of single topic studies will be a transcript of academic record.

2.4 2.5 A student may not qualify for admission to a course of study solely on the basis of the completion of single topic studies.

3 Cross-Institutional Studies

Cross-institutional studies are offered by arrangement between two institutions, in cases where a student is enrolled in an award course or an enabling course at one institution, and opts to undertake a unit or units offered by another institution. Subject to the policies or requirements of the relevant institutions, such studies can normally be counted towards completion of the award course in which the student is enrolled.

3.1 Where the applicant is enrolled at another institution and applies to undertake cross-institutional studies at Flinders University he or she will only be admitted if a place is available in the topic concerned and the relevant faculty accepts the student.

3.2 Normally students undertaking cross-institutional studies will incur liability for payment of fees and charges appropriate to the student load taken in both host institutions as follows:
- the Higher Education Contribution Scheme student contribution amount;
- the relevant course tuition fee if applicable;
- the Student Services Fee;
- optional Materials Fees for course materials incidental fees.

3.3 Certification of completion of cross-institutional studies will be a transcript of academic record.

The clause meets the requirements of s36 – 55(3) of HESA, which states that the fee for non-award topics must be greater than or equal to the highest student contribution amount or tuition fee being charged for that topic.

In the case of cross institutional studies, the Administrative Information for Providers 2005 manual states that the student contribution amount at the host provider need not be equal to the student contribution amount that would have been incurred had a unit of study been undertaken at the home provider (s16.2).

Terminology also changed in accordance with the terminology used in HESA.
3.4 A student may not qualify for admission to an award course solely on the basis of completion of cross-institutional studies.

4 Continuing Education Programs

Continuing education programs are those which cater for professional development, educational development or personal interest. The following provisions apply to continuing education programs offered by the University, or offered jointly with another institution, except where the student is informed that alternative provisions will apply for a particular program. Where the University is offering a program jointly with another institution, alternative provisions may apply for that particular program, as agreed by the two institutions.

4.1 Faculties will publish details of continuing education programs from time to time, and fees which will apply for such courses.

4.2 Admission requirements for continuing education programs will be determined by the faculty offering the program.

4.3 A student who has successfully completed a continuing education program may be eligible to apply for credit for relevant studies in an award course, in accordance with the University’s Credit Transfer Policy.

4.4 A student may not qualify for admission to an award course solely on the basis of the completion of studies within a continuing education program.

4.5 A student completing a continuing education program will be issued with a certificate by the faculty offering the program. The certificate will be of a design approved by the Executive Dean of the Faculty and the Executive Director of Administration.

5 Foundation Course

The Foundation Course is a short preparatory and orientation course for students who may wish to apply to study at Flinders University.

5.1 The aims, objectives, structure, content and assessment of the Foundation Course will be determined by the Pro-Deputy Vice-Chancellor (Academic).
5.2 No specific admission requirements will apply to the Foundation Course. If the number of applicants exceeds the number of places available preference will be given to educationally disadvantaged applicants. Applicants will be ranked in accordance with procedures approved by the Pro-Deputy Vice-Chancellor (Academic).

5.3 A certificate of completion signed by the Executive Director of Administration will be issued to students completing the Foundation Course. The certificate will be of a design approved by the Executive Director of Administration.

5.4 Applicants for places in University undergraduate degree and diploma courses may be admitted on the basis of completion of the Foundation Course in accordance with University entry requirements. No credit towards the completion of University degree and diploma programs may be granted on the basis of completion of the Foundation Course.

5.5 Fees for the Foundation Course will be published each year by the Executive Director of Administration.

6 Auditing of Topics

Auditing is the attendance by a person at lectures in a topic from an award course, for general interest.

6.1 A student will normally be entitled to attend lectures only. No assessment of student work will occur.

6.2 A student may not qualify for admission to an award course on the basis of completing audited topics.

6.3 A student may not gain credit within a University degree or diploma program on the basis of completing audited topics.

6.4 No certification will be provided for participation in or completion of audited topics.

6.5 Fees for auditing will be published by the Executive Director of Administration each year.