


POLICY AND PROCEDURE		
<p>Ref. to Legislative Frameworks:</p> <p>ESOS Act 2000: Section 45</p> <p>Higher Education Support Act 2023</p> <p>Standards for RTOs 2015</p> <p>Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)</p> <p>HESF (2021): 6, 7.2, 7.3</p>	Tuition Protection Scheme	
Version: 1	Approved by: Board of Directors	Approved on: 07/11/2024 Review by: 07/11/2026

Revision History

Version	Description of Change	Procedure Developer(s)	Effective Date
1	New policy	CEO, Compliance Manager	07/11/2024

PURPOSE

This policy and procedure apply to International and domestic fee-for-service students who apply for or are enrolled in AAPoly's VET and Higher Education programs and will be active in the event AAPoly is unable to continue delivering their course of study.

POLICY STATEMENT

The Australian Government's Tuition Protection Service (TPS) supports students when their education provider cannot complete course delivery. Established under the Education Services for Overseas Students Act 2000 (Cth), this service ensures continuity for affected students.

AAPoly has arrangements in place for tuition assurance of current and prospective international students, ensuring that students are given a suitable alternative course with an external provider or have their unused tuition fees refunded in case that AAPoly is unable to continue delivering the course for which students paid for.

Under these arrangements, AAPoly follows the TPS requirements established by the Australian Government for:

- International students on an Australian student visa, and
- domestic fee-for-service students.

SCOPE

This policy and procedure apply to all courses offered by AAPoly.

DEFINITIONS

TPS	the Tuition Protection Service which is an initiative of the Australian Government to assist eligible students, whose education providers are unable to fully deliver their course of study. The TPS ensures that these students are able to either: a) Complete their studies in another course or with another education provider; or b) Receive a refund of their unspent tuition fees (international students and domestic up-front fee-paying students) or a re-credit of their FEE-HELP loan If a provider fails to assist an eligible student, the Tuition Protection Service (TPS) will contact the student directly and offer the option to either receive a refund of tuition fees for affected parts of the course, or assistance to move to a similar replacement course.
Provider Default	Situations of provider default include the following: <ul style="list-style-type: none">• The course does not start on the agreed starting day; or• The course ceases to be provided at any time after it starts but before it is completed; or• The course is not provided in full to the student because a sanction has been imposed on the registered provider by the regulatory authorities; and• The student has not withdrawn before the default day.

Alternative / Replacement Course	An alternative/replacement course is a comparable course offered to affected students who are at risk of not completing their current course within the teach-out period. It may be provided by AAPoly or another external Higher Education provider.
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PROCEDURE

1. AAPoly pays the TPS levy for each calendar year to the TPS Director by the date stated in the notice issued by the TPS Director.
2. In the event that AAPoly is not able to deliver or continue to deliver the course, the CEO will establish whether there are other options within AAPoly's scope of registration that a student could change to or if that is not possible, make arrangements with another provider to offer a place to a student. In making arrangements with other providers, the CEO will:
 - a) Negotiate a suitable arrangement with another provider offering a comparable award/qualification as the original course
 - b) Ensure that suitable information is available to inform the student about the alternative arrangement, and
 - c) Work with the alternative provider to enable the student to transfer in a timely manner.
3. Alternative / Replacement courses must meet the following criteria:
 - a) The course must lead to the same or a comparable award/qualification as the original course.
 - b) The mode of delivery for the replacement course must be the same as, or similar to, that of the original course, with the student's consent.
 - c) The primary location for the replacement course must be reasonable, considering the cost and travel time required for the student.
 - d) The student should not incur unreasonable additional fees and must be able to attend the replacement course without significant impacts on prior commitments.
4. In the event of provider default, AAPoly will notify the ESOS Agency and the TPS Director of the default in writing within three (3) business days of the default occurring. The notice will include:
 - a) The circumstances of the default;
 - b) The details of the students affected;
 - c) Advice as to whether AAPoly intends to discharge its obligations to those students, and how AAPoly intends to discharge those obligations.
5. Within fourteen (14) days of the provider default, AAPoly will contact all the affected students in writing and may:
 - a) Arrange for a place with the alternative provider, which the students may accept the offer in writing; or
 - b) Provide a refund of any unspent tuition fees to the student in accordance with the Refund Policy.
6. AAPoly will give notice to the ESOS agency and the TPS Director of the outcome of the discharge within seven (7) business days after the end of the obligation period including providing evidence of:
 - a) Arrangements made for the students including:

- i. Details of the students for whom AAPoly has arranged alternative courses;
 - ii. Details of the courses arranged; and
 - iii. Evidence of each student's acceptance of an offer of a place in an alternative course; or
- b) Refunds paid to the students and:
 - i. Details of the students to whom AAPoly provided refunds; and
 - ii. Details of the amounts of the refunds provided

7. In the event that the Board of Directors decides to cease operations, the CEO will notify the TPS about the provider default. Prior to the Board making such decision the CEO will provide the Board of Directors the list of current and prospective students affected and arrangements to place students to alternative courses. Where students are not able to be offered alternative courses AAPoly will arrange a refund of unused pre-paid tuition.

RESPONSIBILITIES

- The Board of Directors are responsible for approving the temporary or permanent discontinuation of a course, and approving the cease of operations.
- The CEO is responsible for notifying and communicating with the ESOS Agency and TPS Director and other shareholders in case of provider default
- The Academic Dean is responsible for overseeing the transition arrangements with alternative providers

RELATED POLICIES

Refund Policy and Procedure

Teach-out Management (Higher Education) Policy and Procedure

FEEDBACK

Please email the CEO through suggestionstotheceo@aapoly.edu.au if you have any questions or feedback about this procedure. The CEO will respond to your written question or feedback within two weeks of receipt, unless extenuating circumstances require an urgent response. The query or feedback will be recorded in the Continuous Improvement or Corrective Action register for quality assurance purposes.

References

Source	Document Title
Internal	Refund Policy and Procedure
	Teach-out Management (Higher Education) Policy and Procedure
	AAPoly Comparable Courses List
	Risk Management Policy and Procedure
External	Education Services for Overseas Students Act 2000 (Cth)
	Higher Education Support Act 2023
	Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)
	Standards for RTOs 2015
	TEQSA Course accreditation: Withdrawing a course/teachout
	Higher Education Standards Framework (Threshold Standards) 2021
	National Code of Practice for Providers of Education and Training to Overseas Students