

Withdrawal, Transfer, Cancellation and Refund

Section	Academic		
Approval Date	01 Jun 2020	Approved by	Executive Leadership Team
Next Review	30 Nov 2020	Responsibility	Deputy Chief Executive: Corporate Services
Baldrige Criteria	Operations		

PURPOSE

This policy applies to the withdrawal and refund of compulsory Otago Polytechnic Ltd fees, transfer to other courses and/or programmes, and course and/or programme cancellation for all learners.

COMPLIANCE

- Education Act 1989
- Education (Pastoral Care of International Learners) Code of Practice 2016 Fair Trading Act 1986
- Funding Rules Tertiary Education Commission (TEC) StudyLink regulations <https://www.studylink.govt.nz/>
- Immigration New Zealand <https://www.immigration.govt.nz/new-zealand-visas/options/study>

POLICY

1. All learners will be treated equitably and consistently with regard to withdrawals, transfers, programme/course cancellations, and the refund of fees.
2. The rules for determining withdrawal, transfer, cancellations and refunds are set out in the annually published *Terms and Conditions* <https://www.op.ac.nz/students/important-information/terms-and-conditions/>
3. Application for changes to enrolment, transfer, withdrawal, and/or refund should be made using *Withdrawal, Transfer, Cancellation and Refunds SOP001 - Change of Enrolment, Withdrawal and Refund Form*, available online and from Academic Registry or School/College administration office. This form can also be completed electronically with assistance from the school/college through the Student Management System (SMS) or in hardcopy.
 - 3.1 Verbal notice of withdrawal will not be accepted as a learner's intention to withdraw.
4. A learner cannot be withdrawn from a programme or course(s) where the final assessment and/or the course/programme end date has taken place and final results are due to be, or are, entered in the SMS.

Cancellation of programme/course/course occurrence

5. Otago Polytechnic Ltd reserves the right to cease or cancel a programme/course/course occurrence at the earliest opportunity if there are insufficient enrolments prior to programme/course commencement, it is no longer considered necessary or does not fit with Otago Polytechnic Ltd's investment plan and/or strategic direction.
 - 5.1 The Head of College, or equivalent, with authorisation from the Chief Executive or Deputy Chief Executive: Corporate Services, is responsible for cancelling a programme/course/course occurrence and ensuring approved procedures are followed, including notifying learners enrolled, or in the process of enrolling, external stakeholders, lecturers, school/college administration staff, Academic Registry, Customer Services, People and Culture, Finance, Marketing and Communications, Contact Centre, and the Quality Team.
 - 5.2 Where possible affected learners will be provided with alternative options for study and if accepted, the standard enrolment process shall continue.

6. If the Polytechnic ceases, cancels or postpones a programme/course all learner fees will be refunded in full or credited to another course at the learner's request.
7. To meet the requirements of the Fair Trading Act 1986, all advertising, application and enrolment forms must contain the following statement (or similar) "enrolment in this programme/course/course occurrence is conditional upon, and subject to, sufficient numbers of students enrolling in this programme/course/course occurrence".

Withdrawal and/or refund

8. The responsibility for withdrawal is with the learner.
9. Heads of Discipline will counsel learners who wish to fully withdraw to see whether there are other study opportunities for the learner and should also refer the learner to the Learner Services Team.
10. The learner will also be advised regarding any consequences to eligibility for loans and allowances as well as any academic implications for progression and results.
11. Learners may be entitled to a full or partial refund where:
 - 11.1 Otago Polytechnic declines or withdraws an offer of a place to a learner.
NOTE: *Otago Polytechnic Ltd reserves the right to retain up to 25% of the tuition fee if the offer is declined or withdrawn as a result of fraudulent information being supplied by the learner.*
 - 11.2 Otago Polytechnic is unable to provide the programme offered and considers it is necessary to cease, cancel or postpone a programme.
 - 11.2.1 The documentation will be completed by Otago Polytechnic on behalf of the learner and no administration fee will be charged.
 - 11.2.2 For international learners 100% refund of fees paid will be calculated in New Zealand dollars and refunded to the person (or agent) who paid the fees in the applicant's country of origin.
 - 11.3 Course occurrences have not started.
 - 11.4 The international learner's permit/visa application is rejected or an extension to their visa/permit application is rejected by Immigration New Zealand. Satisfactory evidence of the rejected permit/visa by INZ must accompany the *Withdrawal, Transfer, Cancellation and Refunds SOP001 - Change of Enrolment, Withdrawal and Refund Form*
 - 11.5 A learner wishes to transfer to another institution, and notice is received by Academic Registry prior to the start date on the learner's offer of place letter.
 - 11.6 There has been an overpayment of fees, refunded to the applicant upon request. Otago Polytechnic will not be liable for any interest accrued on the amount of the overpayment.
12. Learners are eligible for a refund of the compulsory course/programme fee if they withdraw from a course/programme (in the current year of enrolment) prior to 10% after the commencement date of the course/programme. This is usually 10-20 working days, depending on whether course occurrences are for one semester or for the full academic year.
 - 12.1 For programmes that commence outside of the main intake periods, stand-alone courses, and short courses the last date for withdrawal with a refund is up until 10% from the commencement of the programme, stand-alone course or short course.
 - 12.2 When a learner has been admitted to a programme after the commencement date, the last date for withdrawal must be highlighted to the learner. The learner must also be alerted to the fact that late admission is not a reason for compassionate withdrawal.
13. When a learner fails a pre-requisite course and is not able to commence course(s) they are already enrolled in, a refund will be paid for the courses which required the prerequisite.
16. Learners requesting a refund must formally withdraw from a course/programme by personally completing and signing the *Withdrawal, Transfer, Cancellation and Refunds SOP001 - Change of Enrolment, Withdrawal and Refund Form* and returning it to Academic Registry. Forms can be obtained from Academic Registry or School/College Administration.
17. The withdrawal date from a programme is taken as the date the *Change of Enrolment, Withdrawal and Refund*

Form is lodged with Academic Registry who record the withdrawal date in the Learner Management System (SMS).

- 17.1** For learners enrolled in a programme that is taught by distance or on-line, the date of withdrawal will be taken from the date Otago Polytechnic Ltd received formal notification by e- mail or letter that confirms the learner wishes to withdraw. This information must be attached to the Change of Enrolment, Withdrawal and Refund Form when it is completed. A staff member will sign on behalf of the learner in these cases.
- 18.** Verbal notice of withdrawal will not be accepted as a learner's intention to withdraw.
- 19.** If a learner is withdrawing from all courses within a programme and a Learner ID card has been issued it must be attached to the withdrawal form, otherwise the withdrawal will not be processed. If the learner advises that their ID Card has been lost, may be required to sign an ID Card Declaration.
- 20.** No change to the learner's enrolment status on the Otago Polytechnic Ltd SMS may be made unless formal withdrawal takes place.
- 21.** Where a learner withdraws from a programme after commencement, but before fees are paid and before the last date for withdrawal, any refund amount is deducted from the fees payable and the learner is responsible for payment of outstanding fees as notified.
- 22.** A request for deferral of commencement does not incur any additional costs. Only one deferral is allowed per learner to a maximum period of one academic year.
- 23.** An international learner who gains Permanent Residency will not receive a refund of fees for the enrolment period during which the Permanent Residency was granted, however the learner will be entitled to pay domestic fees for subsequent enrolment periods that start after Permanent Residency was granted (excluding courses that go across a full year), and will be refunded any difference between domestic and international fees for those semesters.

No refunds

- 24.** Otago Polytechnic Ltd is unable to claim TEC funding for any learner who has never attended (or, in the case of online learning, never logged on), even if they have paid their fees. If the learner does not formally withdraw, Otago Polytechnic will set his/her record to 'Withdrawn' after 31 March, there will be no refund and the record will be removed from the Single Data Return (EFTS claim).
- 25.** A learner who is excluded, or has had their enrolment terminated due to academic or disciplinary procedures is not entitled to any refund. Refer to policy *Learner Discipline*.
- 26.** There is no refund for any learner for withdrawal after 80% of programme duration has occurred (this includes CapableNZ facilitation), except in exceptional circumstances refer to clauses 29 - 32.
- 27.** When a learner stops attending, including engagement with online activities, after the last date for withdrawal with a refund, and does not formally withdraw, Otago Polytechnic Ltd will withdraw the learner when a period of at least four weeks has elapsed.
- 27.1** These withdrawals are documented using the *Withdrawal, Transfer, Cancellation and Refunds SOP001 - Change of Enrolment, Withdrawal and Refund Form* and signed by the Head of School/College or delegate.
- 27.2** These withdrawals must only be made after two written attempts to contact the learner and the emails, letters must be on file in the SMS, or a written declaration from a staff member that the learner has been spoken to. In such cases there must be a followup letter on file.

Capable NZ withdrawals and refunds

- 28.** Where the facilitation and assessment process has commenced, the Director: Business Services may authorise that a refund be made on the proportionate balance remaining after all service and administration and other costs (such as NZQA credit fees, travel costs, assessor costs, and \$250 GST incl. administration fee) incurred have been deducted.

- 28.1** Where a Capable NZ Facilitator considers that a change is required to the qualification being sought and different fees apply to that qualification, Otago Polytechnic Ltd will be responsible for ensuring any balance of fees is used for further APL services, or any balance is refunded to the candidate.

Refunds on compassionate grounds

- 29.** In exceptional circumstances refunds may be considered for compassionate reasons upon receipt of written evidence which must be submitted by the learner, or the school/college on the learner's behalf, to Academic Registry at the same time as the completed *MP0351a Withdrawal, Transfer, Cancellation and Refunds SOP001 - Change of Enrolment, Withdrawal and Refund Form*.
- 29.1** Compassionate grounds are considered to be events outside the individual's control that could not have been predicted and that have had a significant impact on the person's ability to continue studying in the current academic year or the foreseeable future. This may include, but not limited to, such things as significant accidents or personal injury to self or a close family member that would affect the learner's ability to continue studying.
- 29.2** Compassionate grounds will not be considered sufficient for a refund of fees where the learner could have continued in the programme with support or where the learner has chosen to withdraw for other reasons.
- 30.** Other exceptions may also be considered on the grounds of:
- 30.1** Medical - supported in writing by a health professional.
- 30.2** Work related - supported by a letter from an employer.
- 31.** The application for compassionate withdrawal with refund should be made at the earliest possible time. After receipt of the application, Academic Registry shall seek evidence from the Head of School/College whether compassionate withdrawal/refund is reasonable in the circumstances.
- 32.** All withdrawals for compassionate consideration will be forwarded by Academic Registry to the Director: Business Services for a decision. In the Director: Business Services absence, these will go to the Deputy Chief Executive: Corporate Services or Te Kaihāpai.
- 32.1** Schools/Colleges do not have the delegation to make a decision regarding compassionate withdrawals.
- 32.2** The decision to refund fees on compassionate grounds will take into consideration the length of time in a programme/courses.
- 32.3** The Director: Business Services has authority to decide the refund on compassionate or other grounds for any individual case.
- 32.4** Fees funded by StudyLink are required to be refunded to StudyLink.

Refund of examination fees or NZQF credit fees

- 33.** External examination fees will be refunded if a Form is formally lodged with the Polytechnic before the cut-off date for the exam fees determined within each programme each year. If fees have been sent to the examining body, a request for refund must be made by the learner directly to the appropriate organisation.
- 34.** Refunds for NZQF credit fees are part of the refund of fees – refer to terms and conditions.

Change of enrolment / transfers

- 35.** Learners may make changes to their enrolment and/or transfer prior to starting the programme/course or within the first 10% of programme/course commencement with no academic or financial penalty after consultation and agreement of Head of School/College or Programme Leader.
- 36.** Depending on the different programme fees, learners may either be refunded or required to pay additional fees.
- 36.1** The refund amount will be credited to the new programme if a learner loan has not been used to pay fees. If a learner loan has been used, the refund is returned to StudyLink and a new loan drawn down for the new programme.
- 36.2** It is the responsibility of the learner to contact StudyLink to advise of the change in programme, and to advise Academic Registry that this has been done, before processing the withdrawal and re-enrolment.
- 37.** Learners wishing to transfer from one programme or course(s) to another outside the 10% delivery period window

may do so by negotiated agreement with the programme(s) Head of School/College or Programme Leader on a case by case basis.

37.1 Depending on the programme/course(s) stage of delivery any academic results entered cannot be changed and only a partial refund may be available.

38. It is not possible to transfer learners between calendar years although it is possible to transfer between years of the same programme if it occurs within the same calendar year.

Disputes

39. Any learner who wishes to dispute the transfer, withdrawal or refund decision must do so within one month of receiving the notification (letter, invoice or statement) showing the outstanding amount.

39.1 A request to review the outstanding amount must be made in writing to the Academic Registry Team Leader, Otago Polytechnic, within the specified time period. There is discretion to accept reviews lodged outside the normal one-month time limit if Otago Polytechnic considers that there was good reason for the delay.

39.2 The review should be completed within seven days of the date of receipt of the application for review. Any outstanding monies owing at the outcome of the review are to be paid to Otago Polytechnic immediately notification is received.

40. Any issues regarding withdrawal, transfer, programme/course cancellations, and the refund of fees that are unable to be resolved at Academic Registry are to be discussed with the Director: Business Services.

41. International learners who are still not satisfied following a review can make a complaint to iLearner complaints, complaints@ilearner.org.nz

REFERENCES

- Terms and Conditions - <https://www.op.ac.nz/students/important-information/terms-and-conditions/>
- Withdrawal, Transfer, Cancellation and Refunds SOP001 - Change of Enrolment, Withdrawal and Refund Form
- Cancellations, Withdrawals and Transfers for International Learners at Auckland International Campus
- Recognition of Prior Learning
- Application, Entry and Enrolment
- Student Discipline
- Resolution of Student Complaints
- Student Results