

<b>OTAGO POLYTECHNIC ACADEMIC POLICY</b>		<b>Number: MP0357.02</b>
Title:	<b>Cancellations, Withdrawals Transfers and Special Assessments for International Students at Auckland International Campus</b>	
Baldrige Criteria:	<b>6 Operations</b>	
Chief Executive Approval:	Date of Approval: <b>10 November 2017</b>	Effective Date: <b>10 November 2017</b>
Previous Policy No:	<b>n/a</b>	Review Date: <b>October 2017</b>
Contact Authority:	<b>Director: Quality Services</b>	Status: <b>Current</b>

**Purpose** This policy, which applies only to Auckland International Campus based full fee paying international students, is to ensure international students are treated fairly and consistently with regard to cancellations, withdrawals and transfers, while also ensuring that Otago Polytechnic recovers the full cost for international students as required by the Education Act 1989. This policy sets out the conditions under which an international student will be considered for a refund of tuition fees after the cancellation of a course or following withdrawal.

**Compliance** The Education Act 1989  
Education (Pastoral Care of International Students) Code of Practice 2016

- Policy**
1. All international students will be treated equitably and consistently with regard to cancellations, withdrawals and transfers, and the refund of fees.
  2. There is no automatic right to a refund of fees if an international student changes their mind about studying at Otago Polytechnic's Auckland International Campus.
  3. **Cancellations**
    - 3.1. Otago Polytechnic reserves the right to cancel a programme/course if there are insufficient enrolments prior to programme/course commencement.
    - 3.2. If the Polytechnic cancels or postpones a programme/course all international student fees will be refunded in full or credited to another course at the student's request.
  4. **Withdrawals**
    - 4.1. The date of withdrawal will be taken from the date the completed Change of Enrolment, Withdrawal and Refund Form (obtainable from the Auckland International Campus Office) is received by either the Auckland International Campus Office or Registry.
    - 4.2. Late Arrivals - If a student starts the course after the course start date on the accepted offer of place, the date of the withdrawal will be processed against the start date of the student's academic year not the student commencement date.
  5. **Refunds**
    - 5.1. By accepting a place in a programme at Otago Polytechnic's Auckland International Campus, a student enters a contract with Otago Polytechnic for the period defined on the Offer of Place. Unless the student's circumstances fall within specific criteria outlined in section 5 of this policy, there will be no refund of tuition.
    - 5.2. Any refund will be calculated from the date the Change of Enrolment, Withdrawal and Refund form is received by either Registry or the Auckland International Campus Office. Refund amounts can only be held in credit for



the year the refund has been processed unless agreed in writing by the CEO Auckland International Campus.

5.3. Where New Zealand Immigration regulations require payment of one year's tuition fee in order to be granted a visa or permit, there is no refund or transfer of tuition fees if a student does not complete the whole year of study.

5.4. International students will be eligible for a full refund if:

5.4.1. Otago Polytechnic declines or withdraws an offer of a place to a student.

5.4.2. Otago Polytechnic is unable to provide the programme offered.

5.4.3. A student's permit/visa application is rejected or an extension to their visa/permit application is rejected by the New Zealand Immigration Service, provided the International Student Refund and Transfer Application form (accompanied by satisfactory evidence that the student's application has been rejected by the New Zealand Immigration Service) is received by Auckland International Campus Office or Customer Services within thirty 30 days of the student receiving notification from the New Zealand Immigration Service. A \$100.00 (including GST) administration fee will be charged.

5.5. International students will be eligible for a partial refund if:

5.5.1. A student wishes to withdraw their application, and notice is received by either Registry or the Auckland International Campus Office prior to the course start date on the student's Offer of Place letter, 75% of the tuition fees will be refunded (25% is retained for administrative purposes).

5.5.2. A student commences their programme of study and decides within the first two weeks to withdraw 75% of tuition fees will be refunded (25% is retained)

5.5.3. A student wishes to transfer to another institution, and notice is received by either Registry or the Auckland International Campus Office prior to the start date on the student's Offer of Place letter, 75% of the tuition fees will be refunded (25% is retained for administrative purposes).

5.5.4. A confirmed offer is withdrawn by Otago Polytechnic as a result of fraudulent information being supplied by the student. Otago Polytechnic reserves the right to retain up to 25% of the tuition fee.

5.6. Students will not be eligible for any refund if:

5.6.1. A student is withdrawn from study following academic or disciplinary procedures.

5.6.2. A student is on a student visa and fails to attend Otago Polytechnic. There will be no refund for the period the visa was granted once the Accepted Offer of Place start date or the student's academic year has passed, unless there are compassionate or exceptional circumstances (refer sections 5.10 and 5.11).

5.6.3. Once the start date on the Accepted Offer of Place has passed, unless there are compassionate circumstances.

5.6.4. A student has commenced study and has not maintained or obtained a student permit visa.

5.6.5. A student is excluded/has their enrolment terminated due to unsatisfactory progress and/or poor attendance.

## 5.7. Returning students

5.7.1. Where an international student has commenced study and has not maintained or obtained a student permit/visa, they will not be entitled to a refund of any fees.

5.7.2. An international student with a section 35A (late visa application) will not get a refund of fees even though Immigration NZ require the enrolment to be cancelled.

## 5.8. Fees set by external bodies

External examination fees will be refunded (less a \$50.00 (including GST) administration charge) if a withdrawal is advised before the cut-off date as set by Otago Polytechnic each year. If fees have been sent to the examining body a request for refund must be made directly with the appropriate organisation within the publicised time frame.

## 5.9. Agent fees and commission

Any commission or fee paid by Otago Polytechnic relating to the student's recruitment, enrolment or accommodation will be deducted from the amount of any refund payable to the student. This includes (but is not limited to) any homestay placement fees, airport shuttle fees and E-visa administration fees.

## 5.10. Compassionate Circumstances

5.10.1. Where a student withdraws and wishes to apply for a refund under compassionate circumstances, a written application should be submitted to the CEO Auckland International Campus and Programme Manager accompanied by appropriate supporting evidence from the student.

5.10.2. All applications will be considered by the CEO Auckland International Campus and Programme Manager.

## 5.11. Exceptional Circumstances

Refunds, or transfer of funds to another programme/course or to the same programme/course for a different intake, may be made in exceptional circumstances at the sole discretion of the CEO Auckland International Campus (in consultation with the relevant Head of School/College where appropriate) upon written application by a student. In exceptional circumstances, and for specific courses, the CEO Auckland International Campus may also approve a change to the policy regarding refunds for specific courses.

## 5.12. Refund arrangements

5.12.1. Refunds will be paid in New Zealand dollars or a nominated currency:

- i. Directly into an overseas nominated bank account; or
- ii. By bank draft sent to the applicant's registered address; or
- iii. To another institution; or
- iv. If it is known that the student's fee has been paid by a recognised third party, any refund will be paid back to that third party and not the student, unless the student produces a written authority from the third party authorising payment directly to the student. Agents are excluded as a third party unless there is written authority from the student.
- v. To the student in NZ on sighting a changed permit (e.g. work permit).

5.12.2. The refund will be paid to the student on production of documentation to show that they have cancelled their student permits and that they have returned home or a changed permit (as per 5.12.1.v) has been sighted.

- 5.12.3. If a student has other fees owing to Otago Polytechnic, those fees will be deducted from any refund.
- 5.12.4. A refund may take up to three weeks to be processed, except in the case of Compassionate or Exceptional Considerations which may take longer.
- 5.12.5. A withdrawal application from a course will only be accepted within the enrolment period that the student is enrolled on that course.
- 5.12.6. In any case no refund less than \$20.00 (including GST) will be made.
- 5.12.7. Credit balances of less than \$20.00 (including GST) sitting in a student's fees account at the end of the current enrolment will be transferred to the Otago Polytechnic Student Assistance Fund account, unless an objection in writing is received before that date.

5.13. Permanent Residency

An international student who gains Permanent Residency will not receive a refund of fees for the year in which residency is granted. However they will be treated as a New Zealand Permanent Resident for the following year.

**6. Transfers**

6.1. By accepting a place in a programme at Otago Polytechnic, an international student enters a contract with Otago Polytechnic for the period defined on the Offer of Place. Unless the student's circumstances fall within specific criteria listed in this section 6 there will be no transfer of tuition fees for study within this period.

6.2. An international student must complete and submit an official Change of Enrolment, Withdrawal and Refund form to Auckland International Campus Office or Registry to transfer from any programme/course in which he/she is enrolled.

6.3. Transfers outside Otago Polytechnic

If an international student wishes to transfer to another institution, and notice is received prior to the start date on the student's Offer of Place (refer section 5.5.ii) at Otago Polytechnic, 75% of the tuition fees will be refunded (25% is retained for administrative purposes). An offer letter from the other institution will be required for the refund to be arranged. The refund will be paid directly to the institution to which the student is transferring as per 5.5.ii.

6.4. Transfers between Programmes at Otago Polytechnic

6.4.1. Transfers will usually only be accepted within two weeks from the student's course start date and within the current year, calculated from the start date of the course in which the student initially enrolled. All applications will be considered for approval or declination by the Programme Manager.

6.4.2. The international student must pay any direct costs incurred, e.g. equipment, uniforms, books.

6.5. New Zealand Immigration Service Notification

In all circumstances the New Zealand Immigration Service will be notified of any transfers.

6.6. Company Fees

If a company has stated that they are paying the fees for an international student, by producing an order number or a letter confirming payment, the company is then liable for any outstanding fees if a student withdraws or transfers. They are still liable even if a student has left their employ.



## 7. Special Assessments

- 7.1 Where a student fails to reach the required pass level in a course, that student may be offered an opportunity to sit a special assessment outside the timeframe of the course.
- 7.2 Special assessment opportunities will be available to students who have attended classes, completed course work requirements, made a genuine attempt at the course and have achieved a D grade for the course.
- 7.3 Any special assessment will be considered as a second attempt to pass the course.
- 7.4 Successful completion of a special assessment will result in a maximum grade of C-.
- 7.5 A special assessment will not be available for either the Industry Project in the Graduate Diplomas or the Internship Project in the Bachelor of Applied Management. Failure to reach the required pass level in either the Industry Project or the Internship Project will require a student to re-enrol in that course.
- 7.6 A maximum of three special assessments will be permitted in any one year for any student.
- 7.7 Special assessments are to be completed by the end of the block/term following the end of the failed course.
- 7.8 The cost for a special assessment will be \$200.
- 7.9 The design and content of the special assessment will be determined by the course lecturer in consultation with either the Academic Leader or the Quality Specialist.

## 8. Complaints and Appeals

International students who believe they have been unjustly treated by any decision, action or omission in respect of the administration of this policy should seek to have their complaint dealt with in accordance with the provisions of policy *AP0603 Resolution of Student Complaints*.

## 9. General

- 9.1. The policy must be available on the intranet and on the website.
- 9.2. All international students who are offered a place at Otago Polytechnic's Auckland International Campus must know how to access a copy of the policy and procedures at the time the offer is made.
- 9.3. All International Agents must have a copy of the policy and procedures.
- 9.4. Review periods and new policy suggestions are monitored by the Director: Quality Services and the Quality Specialist Auckland International Campus.
- 9.5. The Registry Team Leader and Programme Manager will report annually to the Director: Quality Services via the Quality Specialist at Auckland International Campus, on Cancellations, Withdrawals and Transfers for Auckland International Campus Students and any issues that arise.
- 9.6. An International student must complete an official Change of Enrolment, Withdrawal and Refund form to withdraw and apply for a refund from any course that he/she is enrolled in. These forms are available from Registry Otago Polytechnic or Auckland International Campus Office. All applications must be submitted to either Registry Dunedin or Auckland International Campus Office along with supporting written information.



## Definitions

**Registry** means Otago Polytechnic, located in F Block on the Otago Polytechnic's Forth Street, Dunedin or Private Bag 1910 Dunedin and the Auckland International Campus is Otago Polytechnic's Auckland International Campus Office, Level 7, 350 Queen Street, Auckland.

**Compassionate Considerations** means if a student withdraws and wishes to apply for a refund under compassionate circumstances, the application must be accompanied by appropriate evidence from the student.

**Course** means a self-contained block of study.

**Enrolment period** means period for a student is enrolled (i.e. first day of the first course to last day of the last course).

**Full Fee Paying International Students** is as defined by the Ministry of Education Single Data Return. It excludes Ministry of Foreign Affairs and Trade sponsored students and ITO off job training foreign students.

**Institute** means Otago Polytechnic.

**International Student** means a Full Fee Paying international student enrolled on a programme/course at the Polytechnic.

**Programme** means a stand-alone course, or the combination of courses, with which a student is required to be credited in order to be awarded a specified qualification.

**Returning Student** means a student who has completed one year of study at Otago Polytechnic and is returning to continue further study.

**Section 35A** means any application received by Immigration New Zealand after an international student's permit has expired must be treated and considered as a request under Section 35A of the Immigration Act 1987

## Related Policy, Forms and Documents

AP0302 Fee Payments – International Students  
AP0513 International Students – Terms and Conditions of Enrolment  
AP0521 Programme Entry, Continuation and Exclusion  
AP0602 Student Discipline  
AP0603 Resolution of Student Complaints  
MP0351 Students Withdrawal and Refund Policy for Year XXXX (current year)  
MP0354 Student Fees

Approved by Chief Executive

Date: 10 November 2017





## SPECIAL ASSESSMENT APPLICATION

A Special Assessment may be offered where a student fails to reach the required pass level in a course. Special assessment opportunities will be available to students who have attended classes, completed course work requirements, made a genuine attempt at the course and have achieved a final grade of D for the course. The design and content of the special assessment will be determined by the course lecturer in consultation with either the Academic Leader or the Quality Specialist.

*Please Note:*

- Any special assessment will be considered as a second attempt to the pass the course.
- Successful completion of a special assessment will result in a maximum grade of C-.
- A special assessment will not be available for either the Industry Project in the Graduate Diplomas or the Internship Project in the Bachelor of Applied Management. Failure to reach the required pass level in either the Industry Project or the Internship Project will require a student to re-enrol in that course.
- A maximum of three special assessments will be permitted in any one year for any student.
- The cost for a special assessment will be \$200.

***An application for consideration for a Special Assessment must be handed in to the Academic Leader within two weeks of receiving their course result.***

### Student to Complete

Student ID Number	
Family Name	First Names
Address	Phone Number
Qualification / Programme of Study	

### Assessment Result

Course Code	Course Title	Result Achieved	Term	Lecturer

### Reason for Special Assessment Application

Brief reason for application (must be supported by evidence)

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*Continue on a separate sheet if necessary*

Signature:

Date:

I have attached the following items in evidence (please list):



**SPECIAL ASSESSMENT – CAMPUS RECORD****Checklist**

Student ID: \_\_\_\_\_

Student Name: \_\_\_\_\_

Programme: \_\_\_\_\_

Date information received: \_\_\_\_\_

Head of School receives from student

- Special Assessment Application

Head of School obtains Programme Manager/Lecturer's recommendation   
*(copy to be attached to this checklist)*

**Quality Specialist/Academic Leader Decision**

- Special Assessment opportunity **granted**
- Special Assessment opportunity **not granted** (provide reasons below)

*Details of Special Assessment*


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*Comments*


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**Quality Specialist**      *Signature* \_\_\_\_\_      \_\_\_\_\_      *Date*

**Academic Leader**      *Signature* \_\_\_\_\_      \_\_\_\_\_      *Date*

**Student Notified**  \_\_\_\_\_      *Date*

**School Records Updated**  \_\_\_\_\_      *Date*

**Programme Manager and Assessing Lecturer notified of result**  \_\_\_\_\_      *Date*

**Change of Assessment form completed** (if relevant)  \_\_\_\_\_      *Date*

