

VICTORIAN LEARNING AND EMPLOYMENT SKILLS COMMISSION

2006 GOVERNMENT FUNDED TRAINING PLACES PROGRAM

FEES AND CHARGES POLICY

Calculation of Tuition Contributions

- 1.1 Subject to clauses 1.2, 1.3, 1.4 and 1.5, providers must charge each student a tuition contribution on the basis of \$1.31 for each nominal enrolled hour of government-funded training or further education in which the student is enrolled (rounded to the nearest dollar) in any calendar year or continuous 12 month period of enrolment (the 'enrolment period').
- 1.2 For students commencing on or after 1 January 2006, providers must calculate student tuition contributions on the basis of a continuous 12 month period from the date of a student's enrolment.
- 1.3 Subject to clause 1.9, the minimum tuition contribution that must be charged in respect of the total enrolments by a student in government-funded training or further education in any enrolment period is \$52, based on 40 hours of tuition at the rate of \$1.31 an hour (rounded to the nearest dollar).
- 1.4 The maximum tuition contribution that may be charged in respect of the total enrolments by a student in government-funded training or further education in any enrolment period is \$839, based on 640 hours of tuition at the rate of \$1.31 an hour (rounded to the nearest dollar).

Indexation of fees and charges

- 1.5 The Minister for Education and Training will each year fix an amount to be known as the indexation rate by which the amount of the fees referred to in clause 1.1, 1.3 and 1.4 will be adjusted for the next calendar year.

Concessions and exemptions

- 1.6 Providers must allow concessions and exemptions on tuition contributions in accordance with this policy.
- 1.7 A provider must not charge a tuition contribution which is more than the minimum tuition contribution from a person who holds one of the following concession cards (or an alternative card or concession eligibility criterion approved by the Minister for the purposes of this policy):
- (a) Commonwealth Health Care Card;
 - (b) Pensioner Concession Card; or
 - (c) Veteran's Gold Card.
- 1.8 The concessions provided for in clause 1.7(a) and (b) also apply to the dependent spouse or dependant child of the card holder.
- 1.9 A provider may grant a concession on a tuition contribution where the provider considers that its collection in full would impose extreme hardship. This may include a concession on, or exemption from, the minimum tuition contribution.
- 1.10 A provider must not charge -
- (a) a tuition contribution in relation to a student enrolled in government-funded training or further education at another education institution who is undertaking part of that government-funded training or further education at the provider's institution under an arrangement between the provider and the other education institution which provides for payment to the provider for tuition and materials; or
 - (b) a tuition contribution or any other fee or charge for training or further education for which funding has been provided directly or indirectly by the Commonwealth or the Australian National Training Authority and where a condition of that funding prohibits the imposition of that fee or charge.
- 1.11 A provider must not charge a tuition contribution in relation to a student who is:
- (a) a prisoner within the meaning of the *Corrections Act 1986*; or
 - (b) an individual who is -
 - (i) detained (other than in weekend detention) under a sentence of detention in a youth training centre or a remand centre under the

Children and Young Persons Act 1989 or the *Sentencing Act 1991*; or

- (ii) detained (other than in weekend detention) in a youth residential centre established under the *Children and Young Persons Act 1989*; or
- (iii) held on remand in a youth training centre established under the *Children and Young Persons Act 1989*; or
- (iv) required to undertake the government-funded training or further education pursuant to a non-custodial order made under the *Children and Young Persons Act 1989*.

1.12 Where a student, who was previously eligible for an exemption under clause 1.10 or 1.11 or a concession under clause 1.7, 1.8 or 1.9, becomes ineligible for the exemption or concession and then enrolls in further government-funded training or further education during the enrolment period, the total tuition contribution payable by the student in respect of all government-funded training or further education in that enrolment period must not exceed the maximum tuition contribution.

1.13 Where a student, who was previously not eligible for a concession under clause 1.7, 1.8 or 1.9, becomes eligible for a concession and then enrolls in further government-funded training or further education within an enrolment period, the student, having paid or exceeded the minimum tuition contribution in that enrolment period, will not be liable for additional fees.

1.14 The concessions provided for in clauses 1.7, 1.8 and 1.9 do not apply if the student's tuition contribution is being met by a Commonwealth Government Agency or as part of a Commonwealth program or initiative.

Student Services and Amenities Fees

1.15 A provider may impose a compulsory non-academic fee, subscription or charge for the purposes of providing student services and amenities.

1.16 If a provider decides to impose a compulsory non-academic fee, subscription or charge, the provider must -

- (a) determine a scale of fees, subscriptions or charges to be applied; and

- (b) provide appropriate concessions or exemptions in cases of hardship; and
- (c) provide itemised details of the fee or charge to students prior to enrolment.

1.17 If a provider decides to impose a compulsory non-academic fee, subscription or charge, it must each year publish to students a statement that specifies:

- (a) the amount of compulsory non-academic fees, subscriptions and charges collected by the provider from students and prospective students in the preceding financial year; and
- (b) the purposes for which the institution spent those fees, subscriptions and charges or made them available and the amounts spent or made available.

Other fees and charges for enrolments in government-funded training or further education

1.18 A provider must not charge fees in relation to an enrolment in government-funded training or further education other than -

- (a) a tuition contribution in accordance with this Policy; or
- (b) a compulsory non-academic fee, subscription or charge of the kind referred to in clause 1.16; or
- (c) to recover no more than the actual cost of providing goods or materials to be retained by a student as his or her personal property. However, a student must be permitted to use equivalent goods or materials obtained from sources other than the provider; or
- (d) to recover the cost of ancillary non-tuition goods and services provided in support of a student's tuition; or
- (e) to recover no more than the actual cost of assessment of recognition of prior learning for the purposes of the training or further education, but only if the assessment is conducted at the request, or with the consent, of the student.

- 1.19 Providers must provide students with an itemised list of all fees and materials required, as detailed under clause 1.18, before enrolment. Providers must advise students of when materials will be needed, to enable students to stagger purchases throughout the academic year.

Refunds

- 1.20 If a student withdraws, by written notice, from government-funded training or further education at any time up until 4 weeks after the scheduled commencement date of classes, the provider must refund the tuition contribution paid in respect of the government-funded training or further education less the minimum tuition contribution and any other fees and charges paid by or on behalf of the student.
- 1.21 If a student withdraws, by written notice, from government-funded training or further education at any time up until 4 weeks after the scheduled commencement date of classes for the purposes of taking up a place at another educational institution, the provider must refund the full tuition contribution and any other fees and charges paid by or on behalf of the student.
- 1.22 If government-funded training or further education is cancelled by the provider at any time during the period of the student's enrolment, then the provider must refund the full tuition contribution, the pro-rata portion of any student services and amenities fees, ancillary fees and any fees for materials or services which have not been used in the training or further education prior to the date of cancellation.
- 1.23 For the purposes of clauses 1.20, 1.21 and 1.22, if a student withdraws from only part of their enrolment in government-funded training or further education, the provider need only refund the portion of the tuition contribution and fees for materials or services applicable to that part of the training or further education.
- 1.24 If a student does not undertake tuition in part of their enrolment in government-funded training or further education because of recognised prior learning, then the provider must refund an amount equal to the difference between -
- (a) the tuition contribution which has been paid; and
 - (b) the tuition contribution applicable in accordance with this policy in respect of the aggregate of the enrolled subject hours for that part of the government-funded training or further education in which the student has undertaken or will undertake tuition in that calendar year.

- 1.25 A provider may grant refunds in other circumstances or of greater amounts as it sees fit.

Accounts and Records of Tuition Contributions

- 1.26 The accounts and records kept by a provider must clearly distinguish income and expenditure for fee-for-service training or further education and from government-funded training or further education.
- 1.27 A provider must establish and maintain a separate general ledger account to record receipt of income from tuition contributions and the payment of refunds of tuition contributions.
- 1.28 A provider shall keep records and evidence to support fee waivers and concessions granted.

Meaning of Terms

- 1.29 In this policy, unless another meaning is apparent from the context or subject matter-

"accredited" in relation to a course, means registered as accredited on the State Register of Accredited Courses maintained under section 78A of the Victorian Qualifications Authority Act 2000; and

"Act" means the *Vocational Education and Training Act 1990*; and

" dependent child" has the same meaning as in the *Social Security Act 1991* of the Commonwealth; and

"dependent" means wholly or substantially dependent; and

"fee-for-service" in relation to a course, program or other service or activity, means a course, program or other service or activity conducted other than a centrally-funded course; and

“government-funded” means the cost of the provision of training or further education is met, in whole or part, out of funds provided to the provider under a Performance Agreement; and

“nominal enrolled hours” means –

- (a) for an accredited course or recognised qualification or part thereof, the nominal subject hours of the course as identified in the submission for accreditation endorsed by the Victorian Qualifications Authority or its delegate; and
- (b) for any other training or further education, the student contact hours scheduled by the provider; and

“tuition contribution” means a fee to be collected from a person (other than an overseas student) in respect of an enrolment in government-funded training or further education.