



THE UNIVERSITY OF
NOTRE DAME
A U S T R A L I A

Procedure:

Termination for Non-Payment

Effective: 20 April 2023

Audience: Staff and Students

Policy Category: Academic

Policy Sub-category: Fees and Refunds

Key words:	termination, fees and charges
Policy Owner:	Academic Registrar
Responsible Officer:	Director, Student Administration
Review Date:	20 April 2024

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1 PURPOSE

- 1.1** To outline the process for termination of enrolment for non-payment of fees and charges.

2 RELATED POLICIES AND REGULATIONS

- 2.1** *General Regulations*
2.2 Program Requirements.
2.3 *Policy: International Students*

3 METHODS OF PAYMENT

- 3.1** The University classifies Students as one of the following:
- 3.1.1 a student enrolled in a Commonwealth Supported Place (CSP) with a HECS-HELP loan
 - 3.1.2 a fee paying student with a FEE-HELP loan, or
 - 3.1.3 a full-fee paying student.
- 3.2** In accordance with the *General Regulations*, a Student is expected to have, before the commencement of each Semester and before the commencement of Summer and Winter Terms on a date specified by the University:
- 3.2.1 paid their tuition fees in full, including any outstanding charges, or
 - 3.2.2 have an authorised payment arrangement in place with the Director, Student Administration, or
 - 3.2.3 if they are intending to apply for HECS-HELP, have submitted a completed Request for FEE-HELP form.
- 3.3** It is the policy of the University that payment plans are not normally offered for payment of tuition fees and charges. A payment arrangement may however be considered by the Director, Student Administration where the Student:
- 3.3.1 makes a written application before the commencement of the relevant semester or term,
 - 3.3.2 is able to demonstrate extraordinary circumstances affecting their ability to make payment by the published due date or in a reasonable timeframe, and
 - 3.3.3 provides independent documentation to support their grounds.

4 SUMBITTING REQUESTS FOR HECS-HELP OR FEE-HELP

- 4.1** In accordance with *Higher Education Support Act 2003*, if a Student who has been offered a Commonwealth Supported Place (CSP) has not submitted a completed Request for HECS-HELP form to Student Administration by the first Census Date of their enrolment, as published on the Student's invoice, the University will rescind the Student's CSP and cancel their course enrolment that semester, and notify the Student in writing.
- 4.2** Student may then choose to:
- 4.2.1.1 immediately apply to continue with their course enrolment in the current semester as a full-fee paying student, or
 - 4.2.1.2 discontinue their course enrolment in the current semester and reapply for a CSP for the next semester.
- 4.2.2 A Student who chooses to continue as a full-fee paying student in accordance with

5.1.1.1, shall be issued an invoice with a payment due date required in full and upfront without delay. Payment not received by the published due date will initiate termination proceedings per the requirements of this policy.

- 4.2.3 A Student who chooses not to continue their course enrolment in accordance with 5.1.1.1 will be eligible to resume their CSP in the following semester on the condition a HECS-HELP form is received by the Census Date for that semester.

4.3 Students with a Fee paying place

- 4.3.1 Where a Student who intends to apply for FEE-HELP has not submitted a completed Request for FEE-HELP form to Student Administration by the first Census Date as published on the Student's invoice they will be treated as a full-fee paying Student and subject to the requirements as outlined in this procedure

5 WARNING NOTIFICATION FOR NON-PAYMENT

- 5.1 A Student is responsible at all times for the timely payment of all fees and charges, including seeking advice on published due dates; a lack of knowledge of due dates is not grounds for non-payment of alternative payment arrangements.
- 5.2 Student Administration will issue a warning notification to Students regarding outstanding balances after the published due date has passed. The warning will identify the date by which all outstanding monies are to be paid and the consequences of further non-payment.

6 NOTICE OF INTENTION TO TERMINATE A STUDENT'S ENROLMENT

6.1 First termination

- 6.1.1 A Student identified at Census Date as having an outstanding balance shall be notified in writing of the University's intention to terminate their enrolment and the reasons why. The notification will also advise the Student:
- 6.1.1.1 of their right of appeal and refer them to the *Policy: Student Appeals* for the process for submitting an appeal application, and
- 6.1.1.2 that they have 20 days to either:
- a) appeal the decision to terminate their enrolment, or
 - b) pay in full the outstanding balance and seek immediate readmission.
- 6.1.1.3 Where the Student is a Student visa holder the notification will also
- a) refer the Student to the *Policy: International Students* for further information about the requirements that apply to International Students
 - b) advise the student to contact the Department of Home Affairs to seek advice on any potential impacts on their visa.

6.2 Second or subsequent notice of intention to terminate a Student's enrolment

- 6.2.1 Where a Student is issued a second or subsequent notice of intention to terminate their enrolment, the student will be advised in writing of the termination and that:
- 6.2.1.1 there is no internal appeal permitted on their second or subsequent termination, and
- 6.2.1.2 their only option is to pay in full the outstanding balance, after which they may seek readmission.
- 6.2.2 A Student who has been identified as termination for non-payment on more than one occasion may have their enrolment immediately terminated by the University and may be subject to permanent termination.

7 APPEAL

7.1 Internal Appeal

- 7.1.1 A Student may appeal the decision of the Director, Student Administration in writing in accordance with the *Policy: Student Appeals*.
- 7.1.2 Student visa holders must read the *Policy: International Students* and may submit either an internal or external appeal in accordance with that policy.
- 7.1.3 Where an internal appeal is received, the Student shall maintain their enrolment in their program and current courses until the internal appeals process has been completed. For the purposes of this Policy, to “maintain enrolment” means the Student will attend prescribed classes, submit assessments and so on.
- 7.1.4 Where a Student:
 - 7.1.4.1 does not submit an internal appeal within the specified timeframe, or
 - 7.1.4.2 does not contact the University with regard to their termination,the Student’s course enrolment will be withdrawn for that semester and the termination enforced.
- 7.1.5 A student visa holder who does not contact the University or lodge an internal appeal within the published timeframe will be deemed to have ‘inactively’ advised the University they are not accessing the internal appeals process. The Student will be notified by the University they have been deemed to have ‘inactively’ ceased their studies and subsequently reported to the Department of Home Affairs.
- 7.1.6 Where an appeal is denied, the student will be confirmed as terminated for non-payment and notified in writing.
- 7.1.7 The outcome and decision of the internal appeal will be advised to the Student in writing. The decision will also be communicated to the Student Administration for recording on the student’s file, and to the relevant Head of School.

7.2 External Appeal

- 7.2.1 If not satisfied with a decision of the University’s internal appeal process, a Student may lodge an appeal in accordance with the relevant external appeals process and as outlined in the *Policy: Student Appeals*.
- 7.2.2 Student visa holders intending to lodge an appeal must also refer to the University’s *Policy: International Students*, which provides further requirements that apply to Student visa holders, the implications for their student visa and the University’s obligations for reporting to the Department of Home Affairs.
- 7.2.3 For student visa holders, where the student is reported to Department of Home Affairs as being terminated for non-payment, the University is not required to maintain the student visa holder’s enrolment whilst lodging an external appeal.
- 7.2.4 This procedure, and the availability of a complaints and appeals processes, does not remove the right of a domestic student to take action under Australia’s consumer protection laws.

8 READMISSION AND CONTINUED ENROLMENT

- 8.1 A Student may apply for readmission in writing after termination for non-payment in accordance with the *General Regulations*.
- 8.2 A Student who is terminated for non-payment must pay all outstanding fees and charges prior to applying for readmission and in order to continue their enrolment with the University.

- 8.3** A Student who remits to the University their outstanding balance in full, and confirmation of payment is received after 10% of the teaching period of a course(s), the Student will only be permitted enrolment for that semester or term with the written permission of the relevant Head of School. Where the Head of School does not permit the enrolment, the Student is required to wait until the next semester or term to re-enrol.
- 8.4** A Student will be notified in writing of the decision made in response to their request for readmission.

9 RELATED DOCUMENTS

- 9.1** *Higher Education Support Act 2003*
- 9.2** *Policy: Student Appeals*
- 9.3** *Policy: International Students*

10 DEFINITIONS

10.1 For the purpose of this Procedure, the following definitions apply:

International Student has the same meaning as in the *Policy: International Students*.

Termination for Non-Payment of Fees means the cessation of a Student's enrolment in any program and/or course at the University of Notre Dame Australia and shall preclude a Student from further enrolment at the University generally, or in a specific program, programs or all programs as specified by the Campus Registrar until full payment of fees or charges has been received. During the termination period the Student shall be denied access to all or specified University premises, facilities, activities, courses, lectures, tutorials and any and all other aspects of University life, including enrolment. 'Terminate' in this document has a corresponding meaning.

Student/Students means any domestic or international Student enrolled in a Course(s) and/or Program(s) at the University of Notre Dame Australia.

Version	Date of approval	Approved by	Amendment
1	23 April 2008	Vice Chancellor	Effective date – new Policy.
2	9 November 2011	Policy owner	OSO amendments.
3	20 June 2012	Policy owner	Minor amendments following review.
4	20 April 2023	Academic Registrar	Reformatted as a procedure in the current template. Minor amendments to reflect current organisational roles and responsibilities, and to align with changes to HESA and the University's administrative processes.

11 PROCESS SUMMARY

<i>Process Step</i>	<i>Responsibility</i>
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<p>Payment</p> <p>At least two weeks before the commencement of the term or semester:</p> <ul style="list-style-type: none"> • Payment of tuition fees and charges • Submittal of completed FEE-HELP application form • Submittal of completed HECS-HELP application form • Arrangement of a payment plan with the Campus Registrar. <p>In the case of non-submittal of Commonwealth Supported Student</p>	<p>Full-fee paying Student</p> <p>Student accessing the FEE-HELP loan scheme</p> <p>Commonwealth Supported Student</p> <p>Student</p>
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<p><i>Immediate response to Non-Payment</i></p> <p>Issue of warning notification to Student regarding outstanding balances after the published due date has passed.</p>	<p>Student Administration</p>
<p><u>Commonwealth Supported Students</u></p> <p>When a CCS has not submitted a completed HECS-HELP form by the first Census Date of their enrolment:</p> <ul style="list-style-type: none"> • Notification to Student that CSP has been rescinded and enrolment withdrawn. • If a Student chooses to continue with their enrolment, an invoice is issued directly. • If a Student discontinues their enrolment and wishes to resume at a later date, a completed HECS-HELP form will be submitted by the Census Date in the relevant semester. 	<p>Student Administration Student Administration Student</p>



<p><i>Termination proceedings for Non-Payment</i></p> <p>Notification of intention to terminate enrolment sent to the Student's University email account including options as per clauses 6.1.3.1 and 6.1.3.2.</p>	<p>Student Administration</p>
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Issue of second or subsequent notifications of intention to terminate, including notification of options as per clauses 6.2.1.1 and 6.2.1.2.	Student Administration
Students identified as termination for non-payment on more than one occasion may have their enrolment immediately terminated.	Student Administration



<p>Internal Appeal</p> <p>Appeal of the decision of the Campus Registrar as <i>Policy: Student Appeals</i> or <i>Policy: International Students</i> (for student visa holders).</p> <ul style="list-style-type: none"> • If an appeal is lodged, enrolment is <i>maintained</i> until the appeals process has been completed. • If an appeal is not lodged, the Student's enrolment will be withdrawn for that semester. • In the case of a Student visa holder who does not lodge an appeal, formal notification of cessation of studies is provided to the Student and DOHA. <p>The outcome of the appeal will be advised to the Student in writing.</p> <p>Notification provided to Student Administration and Fees Office and the Dean of the Student's School.</p> <p>Recording of decision on student's file.</p> <p>Notification provided to DOHA in the case of termination for non-payment for student visa holders.</p>	<p>Student</p> <p>Student</p> <p>Student Administration</p> <p>Student Administration</p> <p>Student Administration</p> <p>Student Administration</p> <p>Student Administration</p> <p>Student Administration</p>
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<p>External Appeal</p> <p>If not satisfied with the decision of the University Registrar, an appeal may be lodged according to relevant external appeals process and as outlined in <i>Policy: Student Appeals</i> or <i>Policy: International Students</i> (for student visa holders).</p>	Student
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<p>Readmission and Continued Enrolment</p> <p>Application for readmission after termination for non-payment submitted in writing and pay any outstanding fees or charges.</p>	Student
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Permission to enrol in a semester or term after 10% of the teaching period of a course is granted or denied.	National School	Head
Notification relating to request for readmission provided to Student in writing.	Student Administration	