

Cancellations, Withdrawals and Transfers of International Students



Audience and scope:

This policy is relevant to the following roles:

- All staff and external stakeholders

Document management and control

Policy Number	AM5	Consultation Scope	Reasonable and appropriate consultation with staff, students and external stakeholders
Category	Management	Approval Bodies	Chief Executive and Academic Board
Policy Owner	Director responsible for the International Centre	Review Dates	1 September 2017
Policy Contact Person	International Director		

Amendment history

Version	Effective Date	Created/Reviewed by	Reason for review/Comment
1.0	25 August 2009		
Version 2.0	11 December 2015	International Director (and Academic Registrar)	New format, planned review

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Cancellation, Withdrawal and Transfers of International Students

1. PURPOSE

- 1.1. The purpose of this policy is to ensure that international students are treated fairly and consistently with regard to cancellations, withdrawals and transfers while also ensuring that Manukau Institute of Technology (“MIT”) 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.
- 1.2. This policy applies only to full fee paying international students. International student fees for courses managed by way of a contract (such as NZ Aid and ITO contracts) are not covered by this policy unless otherwise stated in the contract. Domestic students and those with permanent resident status should refer to Management Policy *AM4 Cancellations, Withdrawals and Transfers*.
- 1.3. There is no automatic right to a refund of fees if an international student changes his/her mind about studying at MIT.

2. POLICY

- 2.1. All international students will be treated equitably and consistently with regard to cancellations, withdrawals and transfers, and the refund of fees.
- 2.2. The policy pertaining to cancellations, withdrawals, transfers and refunding fees is found in the *Student Regulations*:
 - Section 2.8: Refusal or Cancellation of Enrolment,
 - Section 5: Cancellations, Postponements and Timetable Changes,
 - Section 6: Withdrawals,
 - Section 7: Transfers, and
 - Section 8: Refunding Fees.

3. PROCEDURES

3.1. Cancellations

- 3.1.1. Manukau Institute of Technology reserves the right to cancel a programme/course if there are insufficient enrolments prior to programme/course commencement.
- 3.1.2. If the Institute cancels or postpones a programme/course all international student fees will be refunded in full or credited to another course.

3.2. Withdrawals

- 3.2.1.** An international student may apply to withdraw (and apply for a refund) from any courses he or she is enrolled in by submitting an *International Student Withdrawal or Transfer Application form* to the International Centre along with any supporting information.
- 3.2.2.** Any withdrawal application must be received in the period within which the student is enrolled to study on that course and will be actioned as at the date that the form is received by the International Centre.
- 3.2.3. Late Arrivals**
If a student starts the course after the earliest course start date, the date of the withdrawal will be processed against the earliest course start date of the student's academic year not the student commencement date.

3.3. Refunds

- 3.3.1.** By accepting a place in a programme or training scheme, international students enter into a contract with MIT for the period defined in their student visa. Unless a student's circumstances fall within specific criteria outlined in this section, there will be no refund of tuition fees for study within this period.
- 3.3.2.** Refunds will be calculated from the date an International Student Withdrawal or Transfer Application form¹ is received by the International Centre.
- 3.3.3.** Where MIT cancels or postpones a course, all fees will be refunded in full or credited to another course, at the student's discretion.
- 3.3.4.** Students who withdraw from or cease attending a course before fees are paid will be responsible for the payment of outstanding fees as notified.
- 3.3.5.** Full-time and part-time courses will be treated in the same manner with regard to the refund of fees.
- 3.3.6.** Where students owe other fees to MIT, those fees will be deducted from any refund.
- 3.3.7.** Where it is known that student fees have been paid by a recognised third-party (including by student loan), any refund will be paid back to that third-

¹ *International Student Withdrawal and Transfer Application* forms are available from the International Centre. Completed forms must be submitted to the International Centre along with supporting information.

party and not to the student, unless the student produces a written authority from the third-party authorising payment directly to them.

- 3.3.8.** Refunds are paid directly into a bank account. Printed confirmation of the bank account details (e.g. a deposit slip, bank statement or similar) into which the refund is to be paid is required before any refund will be made.
- 3.3.9.** Students are responsible for any bank fees, transaction fees, duties or taxes payable in respect of any refund. These may be deducted from the refund amount.
- 3.3.10.** Students whose enrolment is cancelled following misconduct are not entitled to a refund of fees (see Student Regulations section 12: Misconduct).
- 3.3.11.** External examination fees will be refunded, less an administration charge of \$50 (inc.GST), provided students advise MIT of their withdrawal before the cut-off date set by MIT each year. Where fees have been sent to the examining body, students must request the refund directly from the appropriate organisation, within the publicised time frame.
- 3.3.12.** Refund amounts can only be held in credit for the year the refund has been processed unless otherwise agreed in writing by the International Director.
- 3.3.13.** No refund less than \$10.00 (including GST) will be made. Credit balances of less than \$10.00 (including GST) in a student's fees account at the end of each year will be transferred to MIT's Student Assistance Fund account, unless an objection in writing is received before the end of the year.
- 3.3.14.** International students:

Circumstances	Refunds	Administration Fee
<ul style="list-style-type: none"> ▪ MIT declines or withdraws an offer of a place to the student; or ▪ MIT is unable to provide the programme or training scheme offered. 	100%	Nil
<ul style="list-style-type: none"> ▪ Student visa application or extension to visa application is rejected by Immigration New Zealand and student has not commenced study for the relevant period. 	100% <i>if</i> an <i>International Withdrawal and Transfer Application</i> form (accompanied by appropriate evidence that the	\$100.00 (inc.GST)

Circumstances	Refunds	Administration Fee
	application has been rejected by Immigration New Zealand) is received by MIT within ten working days of the student receiving notification from Immigration New Zealand.	
<ul style="list-style-type: none"> ▪ <i>International Student Withdrawal and Transfer Application</i> form submitted to MIT before the earliest course start date of the student's academic year at MIT. 	70% of tuition fees	30% of tuition fees
<ul style="list-style-type: none"> ▪ <i>International Student Withdrawal and Transfer Application</i> form requesting transfer to another institution submitted to MIT (accompanied by an offer letter from the other institution) before the earliest course start date of the student's academic year at MIT. 	70% of tuition fees paid directly to the institution to which the student is transferring	30% of tuition fees
<ul style="list-style-type: none"> ▪ MIT withdraws or declines to offer a place before the earliest course start date as a result of the student supplying fraudulent information, (after the course start date see 3.3.10). 	70% of tuition fees	30% of tuition fees
<ul style="list-style-type: none"> ▪ Immigration New Zealand Regulations require payment of one year's tuition fees in order to be granted a visa and the student does not complete the whole year of study; ▪ Student is on a student visa and fails to enrol at MIT before the 	Nil	Nil

Circumstances	Refunds	Administration Fee
<p>earliest course start date of the student's academic year;</p> <ul style="list-style-type: none"> ▪ The earliest course start date of the student's academic year has passed; ▪ Student has started study but has not maintained or obtained a student visa; ▪ Student has deferred their study for a semester (see section 7.5: Deferral of study - international students) but does not enrol and/or attend a deferred semester; ▪ Student with a special visa application under section 61 of the Immigration Act 2009 and Immigration New Zealand requires the enrolment to be cancelled; or ▪ Student has been approved to study on the IPP (Industry Partnership Pilot) scheme, or in circumstances that warranted an exception to Immigration Instructions. If they withdraw or request to transfer to another Institute there will be no refund of tuition fees for study within this period. 		

3.3.15 MIT will not compensate or repay students any commission or fees paid to an agent. Students must claim any fees they have paid directly to an agent from that agent. Any commission or fees paid by MIT relating to the student's recruitment, enrolment or accommodation will be deducted from the amount of any refund payable. This includes (but is not limited to):

- Homestay placement fees;
- Airport shuttle fees; and
- e-Visa administration fees.

3.3.16 Except where international students transfer to another institution (see section 7.5: Transfers - international students), refunds will be paid to

students on their return to their own country and on receipt by MIT of appropriate evidence that they have stopped studying in New Zealand. Students must provide documentation to show that they have cancelled their student visa and have returned home, or a changed immigration visa must be sighted by MIT.

- 3.3.17** Refunds will be paid in New Zealand dollars or a nominated currency (at the student's or recognised third party's discretion) at the current exchange rate:
- Directly into an overseas nominated bank account;
 - To another institution;
 - To the student in New Zealand on sighting a changed immigration visa (e.g. work visa); or
 - 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 direct.
- 3.3.18** International students who gain permanent residency after the start of a course will not receive a refund for that course. However, they will be treated as a New Zealand Permanent Resident for courses that start after the student gains residency, whether in the same or a different programme or training scheme (see *Student Regulations* section 4.4: Eligibility for domestic fees) and will be refunded any international fees paid in advance (provided they notify MIT and provide evidence).
- 3.3.19** International students in a programme or training scheme with full year courses who gain permanent residency must pay the international fees for the full year, regardless of the date on which Permanent Residency is granted during that year (see *Student Regulations* section 4.4: Eligibility for domestic fees).

Returning students

- 3.3.20.** Returning international students who wish to apply for a refund must make their application to the International Director on the *International Student Refund and Transfer Application* form.
- 3.3.21.** Where an international student has commenced study and has not maintained or obtained a student visa, they will not be entitled to a refund of any fees.
- 3.3.22.** An international student who has been declined a visa under Section 61 of the New Zealand Immigration Act (2009) is not entitled to a refund of fees.

Refund arrangements

- 3.3.23.** A refund may take up to three weeks to be processed, except in the case of Compassionate or Exceptional Considerations which may take longer.

Refunds on compassionate or exceptional grounds

- 3.3.24.** No refunds will be made after the refund periods stated in the *Student Regulations* except on:
- Compassionate grounds where the student's ability to study has been affected by events beyond their control, including but not limited to:
 - Illness, and
 - Injury
 - Exceptional grounds at the discretion of the Director responsible for the International Centre.

- 3.3.25** To be considered for a refund on compassionate or exceptional grounds², a student's written application to withdraw must be accompanied by appropriate documentary evidence.

- 3.3.26** For injury or illness International students must provide medical reports only from an INZ approved panel doctor:
<https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/tools-and-information/tools/panel-physicians>

3.4. Transfers

- 3.4.1.** An international student must complete and submit an International Student Withdrawal or Transfer Application form to the International Centre to transfer from any programme/course in which he/she is enrolled.

Transfers outside MIT

- 3.4.2.** If an international student wishes to transfer to another institution, and notice is received by the International Centre prior to the earliest course start date of the student's academic year (refer section 3.3.14) at MIT, 70% of the tuition fees will be refunded (30% 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 section 3.3.17.

² Fees may also be transferred to another programme, training scheme or course or to the same programme, training scheme or course for a different intake.

Transfers between Programmes at MIT

- 3.4.3. Transfers may only be accepted within ten working days from the 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 relevant Faculty.
- 3.4.4. The international student must pay any direct costs incurred by the original Faculty (e.g., equipment, uniforms, books).
- 3.4.5. A \$100.00 (including GST) administration fee will be charged for every approved transfer. The fee is to be paid by the student before the transfer application is processed by the Faculty. No transfer application will be processed until it has been approved by the relevant Faculty and any outstanding fees have been paid.

Transfers within Programmes at MIT

- 3.4.6. Transfers may only be accepted within ten working days from the 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 relevant Faculty.
- 3.4.7. A \$20.00 (including GST) administration fee may be charged for each transfer initiated by a student between courses and/or semesters/terms (this does not include between the same course within the same enrolment period i.e., classes). This fee may be charged at the discretion of the relevant Dean or their nominee.
- 3.4.8. If an administration fee is charged, the fee is to be paid by the student before the transfer application processed by the Faculty. No transfer application will be processed until it has been approved by the relevant Faculty and any outstanding fees have been paid.

3.5. Deferring Study to Following Semester

- 3.5.1. International students who wish to defer their study to the following semester must notify the International Centre at least ten working days before the commencement of the course they initially enrolled in. Students can only defer study for one semester.
- 3.5.2. International students who defer their study must return to their home country and re-apply to Immigration New Zealand for a further visa or provide evidence of a changed visa status.
- 3.5.3. If an international student who has deferred their enrolment then does not enrol and/or attend the deferred semester, there will be no refund of fees as the deferment was requested after the earliest course start date.

3.6. Immigration New Zealand will be notified of any changes to an international student's enrolment.

3.7. Insurance

3.7.1. International students must provide proof of their current insurance policy to the International Centre within 5 working days of the commencement of their programme.

3.7.2. If, after 5 working days of the commencement of their programme, no insurance documentation has been provided to the International Centre, MIT will arrange insurance for the student with Unicare. This includes insurance for returning students whose own insurance has expired.

3.7.3. International students are liable for any Unicare insurance charges that are incurred,

3.8. Company Fees

Section 4.7 of the MIT Student Regulations applies to International students along with the relevant section of *AM3 Fees Payment*.

3.9. 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 AM7 Complaints Resolution (excluding Harassment and Academic Appeals)*.

4. EVALUATION/OUTCOMES

4.1. Policy is available on the intranet and on the website.

4.2. All international students who are offered a place at MIT must receive a copy of the policy and the Student Regulations at the time the offer is made.

4.3. All International Agents must have a copy of the policy and Student Regulations.

4.4. Review periods and new policy suggestions are monitored by the International Director and the Director responsible for the MIT International Centre.

4.5. The International Director will report annually to the Director responsible for the International Centre on Cancellations, Withdrawals and Transfers for International Students and any issues that arise.

Additional Information

5. Glossary

Term	Definition
Academic Registry	The Manukau Institute of Technology Academic Registry located in J Block on MIT's South Campus.
Course	A self-contained block of study. A specified course or collection of courses forms a programme or training scheme. A course may include one or more assessment standards which may or may not add up to the total value of the course. A course may also be referred to as a paper, module or unit of study.
Earliest course start date	The date of the first course that the student is undertaking in that 12 months. If a student is enrolled in semesters, it is the date from the student's first semester.
EFTS	Equivalent full-time student. The Tertiary Education Commission decides if a course is either full-time or part-time by applying what's called an EFTS value to each course. The EFTS value is a measure of the amount of study or the workload involved in undertaking a course.
Enrolment period	The period of time from which a student has enrolled and paid their fees and has attended classes up to the time that they either withdraw from the course, or complete the course to its end date.
Full Fee Paying International Student	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	The institution which is a polytechnic, constituted under the Act as Manukau Institute of Technology.
International Student	A student who is not a domestic student.
International Centre	The Manukau Institute of Technology International Centre.
Programme	A programme of study or training leading to a qualification listed on the New Zealand Qualifications Framework. A programme is made up of one or more courses.
Returning Student	A student who has completed one year of study at MIT and is returning to continue further study.
Student	Any person: <ul style="list-style-type: none"> ▪ enrolled, or in the process of applying to be enrolled, in a programme or training scheme delivered by MIT; or

	<ul style="list-style-type: none"> ▪ participating in any course, programme or training scheme delivered by MIT, provided that this does not include a person who is acting solely in a teaching or instructing capacity.
Section 61	Means any visa application received by Immigration New Zealand after an international student's visa has expired. Treated and considered as a request under Section 61 of the New Zealand Immigration Act (2009)

6. Exemptions and dispensations

Dispensations from the requirements of this policy for one-off circumstances must be approved in writing by the Director responsible for the International Office.

7. Delegations

7.1. Refunds

- 7.1.1. Council Delegation to the Chief Executive: Authority to approve refunds to students whether domestic or international, of all or any part of the fees paid or to be paid to the Institute (Statute 5 Delegations: CE/FI 7).
- 7.1.2. Chief Executive to the Director responsible for the International Centre (sub-delegation): Authority to approve a variation to the Cancellations, Withdrawals Transfers Policy for International Students to allow for refunds or transfers of funds in exceptional circumstances.
- 7.1.3. Chief Executive to the Director International (Authorisation): Authority to approve refunds of fees as outlined in section 3.3.24 to this policy to individual students on compassionate grounds.

7.2. Transfer Fees

- 7.2.1. Council Delegation to the Chief Executive: Authority to prescribe fees for administration services (Statute 5 Delegations: CE/FI 8).
- 7.2.2. Chief Executive to Deans of Faculty or their nominees (Authorisation): Authority to exercise the discretion to charge administration fees as outlined in section 3.4.7 to this policy for transfers initiated by students.
- 7.2.3. Chief Executive to the Director International (Authorisation): Authority to charge administrative fees as outlined in section 3.4.5 of this policy for transfers initiated by students.

8. Relevant Legislation

Education Act 1989

9. Legal compliance

This policy complies with Institute statutes, regulations and relevant legislation.

10. Associated documents

Statute 8 Student Discipline

Statute 11 Academic Regulations

Management Policy AM4 Cancellations, Withdrawals and Transfers

Management Policy AM7 Complaints Resolution (excluding Harassment and Academic Appeals).

Management Policy AM3 Fee Payment

Ministry of Education Code of Practice for the Pastoral Care of International Students

International Student Withdrawal and Transfer form