

Policy Number:	3001
Policy Title:	Student Refunds
Approved by:	President
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1. Policy Statement

- 1.1. Tuition and ancillary fees are important components of the revenues that allow University Canada West (“UCW” or “**University Canada West**”) to provide quality educational services to students. UCW’s Board of Governors sets the fees and tuition for the institution’s programs and services every year.
- 1.2. This policy is meant to balance the fiduciary responsibilities of UCW and considerations for students. Refunds are assessed in a fair manner, in accordance with the published procedures.

2. Purpose

- 2.1. This policy provides the principles and defines the conditions under which a student is eligible for a refund or credit of tuition fees and other fees.

3. Scope

- 3.1. This policy applies to all Applicants, Prospective Students, and Continuing Students at UCW in English preparation, undergraduate degree, and graduate degree programs or other programs and courses that may be offered by the University.

4. Definitions

- 4.1. These definitions apply to terms as they are used in this policy and associated procedures:

Word/Expression	Definition
Add/Drop Deadline	Specified date in a particular academic term, usually published in the Academic Calendar, by which a student may add or drop a course without academic or financial penalty
Applicant	A person who has applied to attend UCW
Application Fee	A compulsory, non-refundable fee that is required to start an application to UCW

Compulsory Fees	Fees charged to students for a specific purpose, activity, or service. Compulsory registration fees can be University-wide or differentiated by program, location, delivery method, enrollment level, or other criteria approved by the UCW Board of Governors. All Compulsory fees must be approved by the UCW Board of Governors.
Continuing Student	A student who is currently registered in courses at UCW and has completed at least one term of study
Domestic Student	Any student who is either a: Canadian Citizen, Permanent Resident, or approved as a Refugee
Enrolment Deposit	A compulsory, non-refundable fee that is provided in an applicant’s Offer Letter and that must be paid to secure the applicant’s enrollment at UCW
International Student	Any student who is a citizen of any country except Canada and does not hold Canadian Permanent Residency or approved Canadian Refugee status
Natural Justice	Ensures that “individuals who are affected by administrative decisions be given the opportunity to present their case in some fashion. They are entitled to have decisions affecting their rights, interests, or privileges made using a fair, impartial, and open process which is appropriate to the statutory, institutional, and social context of the decision being made.” [OBJ]
Procedural Fairness	Ensures that administrative decisions are made using a fair and open procedure, appropriate to the decision being made and its statutory, institutional, and social context, with an opportunity for those affected by the decision to put forward their views and evidence fully and have them considered by the decision-maker. ¹ Procedural fairness is variable, inherently flexible and context-specific, and the specific procedural requirements that the duty imposes are determined with reference to all the circumstances. ²
Prospective Student	A person who has been issued a Letter of Acceptance or Conditional Letter of Acceptance
Refund Processing Fee	Processing and administration fees incurred for terminating studies at UCW
Registration	The process by which individual courses are selected by the student for a term
Tuition Fees	Consist of mandatory fees levied to students in exchange for instruction. Tuition Fees are intended to provide access to basic university-wide services associated with instruction. Tuition fees are established for all courses in undergraduate, graduate, and non-credit programs. Tuition fees also include fees for experiential learning options associated with an undergraduate or graduate program such as Co-op placements or internships.

¹ Baker v. Canada (Minister of Citizenship and Immigration), [1999] 2 SCR 817, at para. 22.

² Canada (Minister of Citizenship and Immigration) v. Vavilov, 2019 SCC 65 at para. 77.

5. Application Fees

- 5.1. Application fees are non-refundable, without exception.

6. Enrolment Deposits

- 6.1. With certain prescribed exceptions, Enrolment Deposits are non-refundable.

Exceptions:

- 6.2. If a Prospective Domestic Student decides not to start their program or withdraws from their registered course(s) on or before the Add/Drop Deadline for the term, the student may apply for a refund of the Enrolment Deposit paid to UCW.
- 6.3. Subject to section 6.4, if a Prospective International Student's application for a student visa or study permit is denied by Immigration, Refugees and Citizenship Canada ("**IRCC**"), the student may apply for a refund of the Enrolment Deposit.
- 6.4. The submission of fraudulent documents, making false claims during the admissions process (including study permit confirmation), or failure to receive a study permit or student visa due to actual or alleged fraud or dishonesty will result in complete forfeiture of the Enrolment Deposit to UCW.
- 6.5. Prospective Students who must withdraw from UCW due to extenuating circumstances beyond their control may apply for a refund of the Enrolment Deposit. UCW retains the right to determine if an exceptional circumstance has occurred and whether the student can qualify for a full or partial refund.

7. Tuition Fees

- 7.1. Prospective and Continuing Students must drop a course by the Add/Drop Deadline as outlined in the Academic Calendar to be eligible for a refund of the Tuition Fees for that course. After this deadline, students are not eligible for a refund for that course.
- 7.2. International Students who violate the terms of their study permit and/or student visa are not eligible for refunds. Any Tuition Fees paid will be forfeited and retained by UCW.
- 7.3. Continuing Students who must withdraw from UCW due to extenuating circumstances beyond their control may apply for a refund of Tuition Fees. UCW retains the right to determine if an exceptional circumstance has occurred and whether the student can qualify for a full or partial refund.

8. Deductions from Approved Refunds

8.1. Any refund will exclude and be subject to:

8.1.1. Refund Processing Fee;

8.1.2. any non-refundable compulsory and additional services fees; and

8.1.3. where applicable, a wire fee or credit card refund fee.

9. Unclaimed Credit

9.1. Any unclaimed credit on a student account will be held for one (1) calendar year from the completion of their last course registration, after which the funds become forfeited and will be retained by UCW.

9.2. Any unclaimed credit on the account will be held for one (1) year from the date the last application for admission was approved to allow for a deferred start after which the funds become forfeited to UCW.

10. Rights & Responsibilities

10.1. ***Applicants, Prospective Students and Continuing Students*** are responsible for:

10.1.1. providing current, accurate information for the processing of tuition refunds;

10.1.2. providing all material evidence related to their refund request;

10.1.3. ensuring that they understand the grounds for a Refund Appeal and the possible outcomes; and

10.1.4. meeting the timelines and requirements stated in this Policy and related procedures.

10.2. ***Applicants, Prospective Students and Continuing Students*** have the right to:

10.2.1. have their application for enrolment deposit and/or tuition refunds assessed fairly and according to the University's policies; and

10.2.2. have their Refund Appeals adjudicated fairly and impartially, and in accordance with the principles of procedural fairness and natural justice.

10.3. ***UCW Finance*** is responsible for:

10.3.1. assessing applications for refunds of Enrolment Deposits and Tuition Fees;

- 10.3.2. where an application is deemed eligible, processing refunds to Applicants, Prospective Students, and Continuing Students;
 - 10.3.3. receiving requests for Refund Appeals;
 - 10.3.4. requesting the appointment of an Appeals Panel as required;
 - 10.3.5. acting as custodian of the record of appeal; and
 - 10.3.6. where required due to the outcome of a Refund Appeal, processing refunds to the Appellant.
- 10.4. The **Appeals Panel**:
- 10.4.1. decides on the outcome of the Refund Appeal;
 - 10.4.2. informs the Appellant of the result of the Refund Appeal; and
 - 10.4.3. informs UCW Finance if a refund is required as the outcome of an appeal.
- 10.5. The **Vice-President, Administration** is responsible for:
- 10.5.1. the implementation of this policy;
 - 10.5.2. convening an Appeals Panel, as required; and
 - 10.5.3. providing an annual report on all refunds and Refund Appeals to the President.

11. Decision-Making Principles

- 11.1. In the assessment of refund applications and the adjudication of Refund Appeals, UCW Finance, the Appeals Panel and the Vice-President, Administration will be guided by principles of natural justice and procedural fairness.
- 11.2. In Refund Appeals, procedural fairness entitles a student to a fair process that includes the right to:
 - 11.2.1. be informed of any allegation(s) of fraud or dishonesty, their rights and responsibilities in the process, and all decisions made at each stage of the process;
 - 11.2.2. the support of an advisor or peer of their choosing at all stages of the process;
 - 11.2.3. have access to all the information that is being considered, including the right to view all written evidence;

- 11.2.4. a meaningful opportunity to have their opinion heard and considered, including the right to make a submission;
- 11.2.5. an impartial and unbiased adjudicator;
- 11.2.6. an expedient adjudication to normally take place within one (1) month of the commencement of the case;
- 11.2.7. meaningful reasons for the decision or outcome; and
- 11.2.8. reasonable confidentiality.

12. Appeals

- 12.1. If an Applicant, Prospective Student, or Continuing Student is dissatisfied with a decision received, they will have up to **one (1) month** following the receipt of the result of their refund request to submit an appeal of the decision, in accordance with Procedure No. 3001p.
- 12.2. The decision of the Appeals Panel is final.

13. Protection of Privacy

- 13.1. For the assessment of a refund application or the adjudication of a Refund Appeal, sensitive personal information may need to be collected by, used, or disclosed to the University. Records related to Refund Appeals are treated as personal information as defined by the Personal Information Protection Act (“PIPA”).
- 13.2. To the extent possible, the records related to Refund Appeals will be treated confidentially, in compliance with PIPA and applicable UCW policies.
- 13.3. UCW, including its employees, must maintain confidentiality over records related to Refund Appeals, but may disclose personal information where appropriate, including where:
 - 13.3.1. it is needed to prepare or obtain legal advice;
 - 13.3.2. disclosure is required by law;
 - 13.3.3. the University and its employees must use the information for the purpose(s) for which it was obtained or prepared, or for a use consistent with that purpose; or
 - 13.3.4. a University employee needs the information to perform their employment duties.
- 13.4. To protect the confidentiality of records related to Refund Appeals, all UCW employees who are involved in administering, investigating, or deciding the outcome of a Refund Appeal must:

- 13.4.1. make reasonable efforts to protect personal information and maintain confidentiality;
 - 13.4.2. collect the minimum information about individuals as possible, with the information collected being related directly to the refund request;
 - 13.4.3. use the Refund Appeal Records only for the purposes of, or those consistent with, administering, investigating, deciding, or taking other actions in relation to the Refund Appeal;
 - 13.4.4. limit the disclosure of records related to the Refund Appeal to those within UCW who need to know the information to perform their employment duties; and
 - 13.4.5. disclose personal information only as permitted under *PIPA*.
- 13.5. Students must maintain confidentiality over all information provided to them during a Refund Appeal, except where disclosure is required by law or is necessary for the student to fully participate in that investigation.
- 13.6. Any person involved in a Refund Appeal who breaches confidentiality may be subject to disciplinary sanctions according to the appropriate University policy.

14. Authority

- 14.1. This policy is administered under the authority of the Vice-President, Administration, who is responsible for the maintenance of this policy and the associated procedure.

15. Applicable legislation

- 15.1. *Personal Information Protection Act*, S.B.C. 2003, c. 363

16. Related policies

Policy Number	Policy Title
3000	Tuition and Fees

17. Related procedures

Procedure Number	Procedure Title
3001p	Student Tuition Refunds Procedure