

1. Purpose

The purpose of this work instruction is to assist the determination of whether a student who withdraws from their unit/s of study after the census date is entitled to have their FEE-HELP balance re-credited, and to provide a further avenue for action in the event that a student does not agree with a decision not to re-credit their FEE-HELP balance.

2. Scope

This work instruction applies to all domestic currently enrolled and potential students of Sunraysia Institute of TAFE who would be eligible to receive VET FEE-HELP assistance.

3. Contents

1. Purpose	1
2. Scope	1
3. Contents	1
4. Definitions.....	1
5. Actions	2
6. Associated Documents	4
7. References	4
8. Forms/Record Keeping	4

4. Definitions

Census Date: A census date is set for all VET FEE-HELP accredited units of study. This date can be set no later than 20% of the way through a unit. Eligible students may apply for VET FEE-HELP assistance on or before this date.

VET FEE-HELP: An income contingent loan scheme for the Vocational Education and Training sector that is part of the Higher Education Loan Program (HELP)

Eligible Student: Full fee-paying student who meets citizenship or residency requirements (refer Higher Education Support Act 2003) and has not exceeded their FEE-HELP limit (refer Higher Education Support Act 2003).

VET Tuition Assurance: Tuition Assurance refers to requirements that relate to the protection of students by ensuring that if a provider ceases to provide a VET course of study, all eligible students enrolled in the course are able to either receive payment equivalent to any VET tuition fees paid for undelivered units or enrol in a similar course with another RTO (refer Statement of VET Tuition Assurance).

VET: Vocation Education and Training

Warning – Uncontrolled when printed. The current version of this document is kept on the Portal.

Authorised by: Director Capability and Communication

Staff position or Committee responsible for authorising the procedure

Original Issue: 17/03/09

Date of the original authorisation and issue of the procedure

Maintained by: Manager Student Administration

Last Review Date: 17/03/09

Staff position responsible for keeping the procedure up to date and error free

Date of the most recent amendment to the procedure

Next Review Date: 17/03/2010

Procedure No. [XXXXXX]

Page 1 of 5

State here next date of review [1-2 years]

VET FEE-HELP Student Review Work Instruction

DEEWR: Department of Education Employment and Workplace Relations

AAT: Administrative Appeals Tribunal

5. Actions

- 5.1** Application to re-credit, remit, or refund should be made in writing (using the *VET FEE-HELP Application for Review* form) to the Manager Student Administration within 12 months of the withdrawal date, or if the student has not withdrawn, within 12 months of the end of the period of study in which the student has undertaken. The student should include any relevant documentation, for example a letter from the student's doctor to support the student's claims.
- 5.2** In the case of a fail grade or non-completion of a unit of study after the census date, application to re-credit, remit, or refund should be made in writing to the Manager Student Administration within 12 months of the withdrawal date.
- 5.3** Eligibility will be determined on:
- Program/course cancellation
 - Special Circumstance
- 5.4** If the Manager Student Administration is satisfied that special circumstances apply to the student that were:
- beyond the student's control
 - did not make their full impact on the student until on, or after, the census date; and
 - made it impracticable for the student to complete the requirements for the unit in the period during which the student undertook, or was to undertake, the unit

Then the Manager Student Administration must re-credit the student's FEE-HELP balance with an amount equal to the amount of VET FEE-HELP assistance that the student received for that unit of study.

Special circumstances which would make it impracticable for the student to complete the requirements for their unit may include:

- medical circumstances – for example, where a student's medical condition has changed to such an extent that he or she is unable to continue studying
- family/personal circumstances – for example, death or severe medical problems within a family, or unforeseen family financial difficulties

Warning – Uncontrolled when printed. The current version of this document is kept on the Portal.

Authorised by: Director Capability and Communication

Staff position or Committee responsible for authorising the procedure

Maintained by: Manager Student Administration

Staff position responsible for keeping the procedure up to date and error free

Next Review Date: 17/03/2010

State here next date of review [1-2 years]

Original Issue: 17/03/09

Date of the original authorisation and issue of the procedure

Last Review Date: 17/03/09

Date of the most recent amendment to the procedure

Procedure No. [XXXXXX]

Page 2 of 5

VET FEE-HELP Student Review Work Instruction

- employment related circumstances – for example, where a student’s employment status or arrangements have changed so that the student is unable to continue his or her studies, and this change is beyond the student’s control, or course related circumstances – for example, where Sunraysia Institute of TAFE has changed the unit it had offered and the student is disadvantaged by either not being able to complete the unit, or not being given credit towards other units or courses.

5.5 Where a decision results in the re-crediting of a person’s fee help balance and/or the refund of a person’s up-front payment, DEEWR will be notified through the revisions file.

5.6 The Manager Student Administration will advise the student of the outcome of their application within 28 days of receipt stating the reasons for the decision.

The Manager Student Administration will also advise the student of their rights for a review of the decision if they are not satisfied with the outcome, and that the time limit for applying for a review of a decision.

5.7 If a student wishes to apply for a review of a decision not to re-credit their FEE-HELP balance they must submit their request in writing to the Director Education within 28 days from the day the student first received notice of the decision.

The student must state the reasons why they are applying for a review and include any relevant supporting documentation.

5.8 The Director Education will acknowledge receipt of the request for a review and inform the student that if they have not been advised of a decision within 45 days (of the application for review having been received) the reviewer (Director Education) is taken to have confirmed the original decision.

The acknowledgement of receipt will also contain information on the student’s right to appeal to the Administrative Appeals Tribunal (AAT); including details of the closest AAT office and the approximate cost of lodging an appeal (*see Appendix 1*).

5.9 The Director Education will;

- seek all relevant information from the Manager Student Administration (who made the original decision)

Warning – Uncontrolled when printed. The current version of this document is kept on the Portal.

Authorised by: Director Capability and Communication
Staff position or Committee responsible for authorising the procedure

Original Issue: 17/03/09
Date of the original authorisation and issue of the procedure

Maintained by: Manager Student Administration

Last Review Date: 17/03/09

Staff position responsible for keeping the procedure up to date and error free

Date of the most recent amendment to the procedure

Next Review Date: 17/03/2010

Procedure No. [XXXXXX]

Page 3 of 5

State here next date of review [1-2 years]

VET FEE-HELP Student Review

Work Instruction

- review the case within 28 days and decide whether to confirm the decision; vary the decision; or set the decision aside and substitute a new decision
- notify the student, in writing, of their decision and the reasons for making the decision
- advise the student of their right to appeal to the Administrative Appeals Tribunal (AAT) for a review of the decision; and
- provide the student with the contact details and address of the nearest AAT registry and the approximate costs of lodging an appeal (see *Appendix 1*).

5.10 The student may make an application to the AAT for a reconsideration of the decision to refuse to re-credit their FEE-HELP balance, and may supply additional information to the AAT which they did not previously supply to Sunraysia Institute of TAFE either in the original application or the request for review.

6. Associated Documents

Refund of Course Fees Policy
VET FEE-HELP Application for Review form
Electronically generated Withdrawal Form
AAT Contact information (Appendix 1)

7. References

Higher Education Support Act 2003

8. Forms/Record Keeping

Title	Location	Responsible Officer	Minimum Retention Period
VET FEE-HELP Application for Review form	Registry	Manager Student Administration	Permanent
Withdrawal Form	Registry	Manager Student Administration	Permanent

Appendix 1 – Contact details for the AAT

Warning – Uncontrolled when printed. The current version of this document is kept on the Portal.

Authorised by: Director Capability and Communication
Staff position or Committee responsible for authorising the procedure

Original Issue: 17/03/09
Date of the original authorisation and issue of the procedure

Maintained by: Manager Student Administration
Staff position responsible for keeping the procedure up to date and error free

Last Review Date: 17/03/09
Date of the most recent amendment to the procedure

Next Review Date: 17/03/2010

Procedure No. [XXXXXX]

Page 4 of 5

State here next date of review [1-2 years]

VET FEE-HELP Student Review Work Instruction

The full contact details to be provided to the learner for the AAT are:

Street Address

Administrative Appeals Tribunal
Level 16, HWT Tower, Southgate
40 City Road
Southbank VIC 3006

Postal Address

Administrative Appeals Tribunal
PO Box 9955
Melbourne VIC 3001

Telephone

(03) 9282 8444 (metropolitan area)
1300 366 700 (country areas)

The student will be advised in writing of the approximate cost of applying for a review and that when the review is completed if the AAT decides that it is finalised in the student's favour this fee is refunded.

The student does not have to pay the application fee if they;

- Are receiving legal aid for their application
- hold a health care card, a pensioner concession card, a Commonwealth seniors health card or any other card that certifies entitlement to Commonwealth health concessions
- are in prison or lawfully detained in a public institution
- are under 18 years of age; or
- receive Youth Allowance, AUSTUDY or ABSTUDY.

Warning – Uncontrolled when printed. The current version of this document is kept on the Portal.

Authorised by: Director Capability and Communication

Staff position or Committee responsible for authorising the procedure

Maintained by: Manager Student Administration

Staff position responsible for keeping the procedure up to date and error free

Next Review Date: 17/03/2010

State here next date of review [1-2 years]

Original Issue: 17/03/09

Date of the original authorisation and issue of the procedure

Last Review Date: 17/03/09

Date of the most recent amendment to the procedure

Procedure No. [XXXXXX]

Page 5 of 5
