

Recrediting a VSL or FEE-HELP Balance

Date Approved: 16 March 2023
Implementation: Student Services Manager
Maintenance Owner: Executive General Manager,
Group Quality, Accreditation & Compliance

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Section 1 – Introduction

1. Scope

This policy applies to:

- i) All domestic students of AIT
- ii) All staff of AIT including employees and contractors;
- iii) All courses delivered by AIT including those delivered on its behalf by education providers with whom there is a licensing arrangement. If there are any discrepancies between an affiliate’s policy and these, the AIT policy will apply.

Academy of Interactive Technology Pty Ltd (also trading as Coder Academy and Work Ready Education) RTO: 90511, Registered Higher Education Provider PRV12005, CRICOS: 02155J

2. Definitions

Word/Term	Definition
The Act	Refers to the Higher Education Support Act 2003 and the VET Student Loans Act 2016
Student	Refers to students, who are Australian citizens or permanent humanitarian visa holders or New Zealand Special category Visa holders who will be resident in Australia for the duration of their Units of Study, and who access an approved government loan for payment of their tuition fees in respect of the approved Unit of Study in which they are enrolled.
Census Date	A published date, set by the Provider, no earlier than 20% of the way through an approved Unit of Study. The providers close of business is the deadline for various requirements such as making an upfront payment of part or all of the tuition fees, applying for a VET Student Loan (VSL), FEE-HELP Loan, or formally withdrawing enrolment in order to not incur a debt.
Special circumstances	Also known as Special consideration or Compelling or Compassionate reasons - are events beyond the students control that impact upon their ability to maintain continuity of study or enrolment and may not be addressed through online study. Circumstances are such that it makes it impractical for the student to complete their studies including: <ol style="list-style-type: none"> 1. Illness Supporting evidence will be required and may include <ul style="list-style-type: none"> • a doctor’s certificate, or if a mental illness; a report from a registered psychologist/psychotherapist, 2. A death in the family Supporting evidence will be required and may include <ul style="list-style-type: none"> • a funeral notice (or Order of Service) 3. For a relevant cultural event or practice, Or <ul style="list-style-type: none"> - Representation at State level for a particular sport. Or - Requirement to participate in a performance event Or

	<ul style="list-style-type: none"> - Voluntary service in the SES to attend a natural disaster or other event, Or - Service in the Defence Force to attend a national or state emergency, or compulsory training. <p>Supporting evidence will be required and may include</p> <ul style="list-style-type: none"> • a Statement signed by an authorised officer of the appropriate organisation, which validates that the date/s of the commitment corresponds with the date/s for which Special Consideration is requested. <p>4. If you were impacted by domestic violence or other police matter.</p> <p>Supporting evidence will be required and may include</p> <ul style="list-style-type: none"> • A Police Report number; or • Statutory Declaration providing an outline of the matter, and the dates of impact. <p>5. Serious Unforeseen Personal Events including:</p> <ul style="list-style-type: none"> - Natural disasters, such as bush fires or flooding. - Impacts from COVID-19, such as sudden lockdowns or border closure. - Family members being impacted by COVID-19. - Technology breakdowns that result in lost work. - Sudden serious accident involving yourself or someone else which impacts you. <p>Supporting evidence will be required and may include</p> <p>An official document that corroborates the nature of the event, showing dates of impact relevant to the Special Consideration being sought.</p> <p>Special Circumstances apply where:</p> <ol style="list-style-type: none"> i) these circumstances were beyond the Student’s control (as described above), and ii) these circumstances did not make their full impact on the student until on, or after the census date; and iii) these circumstances were such that it was impracticable for the Student to complete the requirements for the Unit. <p>Special circumstances do not include:</p> <ol style="list-style-type: none"> iv) lack of knowledge or understanding of requirements for VSL or FEE-HELP assistance; or v) a Student’s incapacity to repay a VETSL debt or FEE-HELP debt (repayments are income contingent and the Student can apply to the Australian Taxation Office for a deferral of a compulsory repayment in certain circumstances).
Tuition Fees	Fees paid for a VET Unit of Study that is approved for VSL, FH and applies to students who are, or would be entitled to assistance in accordance with the eligibility criteria for the relevant loan scheme.
The Department	The Commonwealth Department of Education.

Section 2 – Policy

1. Incurring a VETSL Debt or FEE-HELP Debt

A Student who is, or would be, eligible for a government loan and has requested VSL or FEE-HELP Assistance, who withdraws from a Unit on or before the census date will not incur a VETSL debt or FEE-HELP debt for the tuition fees for that Unit. Students who have requested Assistance who remains enrolled after the published census date will incur a VETSL debt or FEE-HELP debt. A Student who withdraws from a Unit after the published census date for that Unit will incur a VETSL debt or FEE-HELP debt for that Unit.

2. Recrediting a VSL or FEE-HELP balance

Students who withdraw from a Unit after the published census date, or fail to complete a Unit, may apply to have their VSL or FEE-HELP balance re-credited with respect to the Unit if they believe special circumstances apply in accordance with the following procedures.

3. Special Circumstances

If a Student withdraws from a Unit after the census date for that Unit, or has been unable to successfully complete a Unit, and believes this was due to special circumstances, the student may apply to have their VSL or FEE-HELP balance re-credited for the affected unit/s. AIT will re-credit the Student's VSL or FEE-HELP Balance if it is satisfied the student's application for Special Circumstances meet the SC criteria.

4. Re-credit of a student's VSL or FEE-HELP balance – the process

Each application for re-credit of a student's VSL or FEE-HELP balance will be considered on its merits together with all supporting documentation substantiating the special circumstances claim. The Registrar is responsible for the assessment of a student's request for a re-credit of their VSL or FEE-HELP balance due to special circumstances and for the initial decision regarding the request.

A Student must apply in writing to the Secretary for their HELP balance to be re-credited under section 71 of the Act. This is required within 12 months of the withdrawal date, or if the Student has not withdrawn, within 12 months of the specified completion date of the Unit. AIT has the discretion to waive this requirement if it is satisfied that it was not possible for the application to be made within the 12-month period. Relevant supporting documentation will be required to substantiate the claim.

The application for re-crediting a VSL or FEE-HELP balance must include details of the:

- i) Unit(s) for which a Student is seeking to have a VSL or FEE-HELP balance re-credited; and
- ii) special circumstances as referred to above, including supporting documentation.

AIT will consider each application within 10 working days of receipt of the application. It will consider each request to re-credit a VSL or FEE-HELP balance in accordance with the requirements of Schedule 1A to the Act. Applicants will be notified in writing of the decision within 20 working days.

5. Appeal a Decision

Where the AIT decides NOT to re-credit a student's VSL or FEE-HELP balance, that decision may be appealed. If a Student is not satisfied with the process that led to the decision, the Student may appeal the decision. There are no costs to appeal a Decision.

The Appeal application must:

- i) be made within 28 days of receipt of the original decision;
- ii) include the date of the original decision; iii) state fully the reasons for applying for the review; and
- iii) include any additional relevant evidence.

Applications should be made in writing to the Executive General Manager. They (or their senior officer delegate) will be the designated 'Review' Officer of the decision-making process relating to a request for re-crediting of a VSL or FEE-HELP balance.

The Review Officer will be senior to the designated HELP officer responsible for the original decision and was not involved in making the original decision under Appeal.

The Review Officer will:

- i) acknowledge receipt of the Appeal application in writing within 10 working days; and
- ii) inform the Student that if the Review Officer has not advised them of a decision within 45 days of receipt of the Appeal application, it is taken that the Review Officer has confirmed the original decision.

The Review Officer will address the Appeal by:

- i) reviewing the information from the original decision and then assess any new evidence provided by the Student;
- ii) providing written notice to the Student of the decision, setting out the reasons for the decision;
- iii) informing the Student of their right to apply to the Administrative Appeals Tribunal if they disagree with the Appeal result, and timelines involved (see below).

6. Recrediting by Secretary (VET Student Loans)

Under section 71 of the VSL Act, a student may apply to the secretary for the student's VSL balance to be re-credited. The student must apply in writing and satisfy any of the following requirements:

- i) If there was unacceptable conduct by AIT in relation to the student's VET student loan; or The student was negatively affected due to AIT failing to comply with the Act or a part of the act.

A student must apply to the Secretary for their HELP balance to be re credited within 5 years after the census date for the course, or the part of the course in that period as extended by the Secretary. The student will not be charged for the reconsideration or review of decisions, unless reviewed by the Administrative Appeals Tribunal.

The Secretary may recredit the student's HELP balance if the Secretary is satisfied with one or more of the following:

- i) The student does not satisfy the eligibility criteria
- ii) The student is not a genuine student
- iii) The student fails to meet the tax file number requirement
- iv) The student's student identifier is missing
- v) AIT failed to comply with the VSL Act; or
- vi) The student has been negatively impacted from the failure

The Secretary must notify the student and AIT by writing when the decision has been made by the Secretary in relation to the recredited amount. The notice must be given by the Secretary as soon as feasible after the decision.

7. Reconsideration through external appeal

At the time of the original decision, and at the time of the subsequent Review Decision, the Student will be notified of their review rights and responsibilities. The relevant officer will inform the Student in writing of their right to an external appeal should they remain dissatisfied with the outcome and refer the Student to the Complaints Policy and Procedure for details on the process.

8. Publication

This procedure is published on each AIT website and LMS to ensure students have up-to-date and accurate information publicly available to them.

Section 3 - Reference and Supporting Information

1. Supporting Documentation

Document name	Document type	Location
Student Code of Conduct	Policy	Internal
Student Handbook	Policy Guide	Internal
Under 18 Years Student Management and Supervision Procedure	Procedure	Internal
U18 International Students Guideline	Procedural Guide	Internal
National Code 2018	Govt Standards	External
TEQSA Threshold Standards 2015	Regulatory Standards	External
ASQA Standards for RTO's 2015	Regulatory Standards	External
Broadcasting Services Act 1999	Legislation	External

Section 4 – Change History

Change History

Version	Approval date	Approved by		Change
V1.0	10 November 2018	Group Accreditation & Compliance	Group Manager	Development of Group Policy replacing existing entity level policies
		Technology & Design Division	General Manager	
V1.1	05 September 2019	Group Accreditation & Compliance	Group Exec General Manager	Update to new template
		Technology & Design Division	Exec General Manager	
V1.2	13 January 2022	Group Accreditation & Compliance	Group Exec General Manager	Inclusion of reference to Secretary of Dept.
		Technology & Design Division	Exec General Manager	
V1.3	06 June 2022	Group Quality, Accreditation &	Group Exec General	Inclusion of explanation of 'Special Circumstances'

		Compliance	Manager	
		Technology & Design Division	Exec General Manager	
V2.0	10 October 2022	Exec General Manager, Group Quality, Accreditation & Compliance		Reformat and expansion of Special Circumstances
V2.1	16 March 2023	Exec General Manager, Group Quality, Accreditation & Compliance		AIT name change and template