VET FEE-HELP - Withdrawal, Tuition Fee Refund and Remit Policy

1. Policy Objective
The objective of this policy is to establish the criteria for enabling students to withdraw from the course and refund the tuition fees who have acquired VET FEE-HELP (VFH) assistance through Royal Gurkhas Institute of Technology (RGIT) Australia and ensures that the refunds of fees/remittance of debt are made in accordance with the Higher Education Support Act (2003).

2. Scope
This policy applies to students who have acquired VFH assistance with RGIT.

3. Responsibility
The VFH Administrator will be responsible for the implementation of this policy and to ensure that staff and students are aware of its application and procedures.

4. Definition
Census Dates: RGIT sets census date for each VET unit of study. The census date is the date after which a student incurs a debt for the VET unit of study in which they are enrolled. Therefore, the census date is the last date that a student can withdraw from the unit of study in which they are enrolled without incurring a debt. The census date is also the last date that the student is able to apply for VET FEE-HELP assistance.

5. Policy
5.1 Withdrawal on or before the census date
Students who withdraw from their VET unit of study or VET course of study on or before the census date will not incur a VET FEE-HELP debt. Where a student withdraws from a VET unit of study on or before the respective census date, RGIT will repay to the student any upfront payment(s) of tuition fees made on or before that date.

5.2 Withdrawal after the census date
Students who withdraw from their respective course or VET unit of study after the census date, will incur a VET FEE-HELP debt for the unit of study in which they are enrolled.
Students may be eligible to have their VET FEE-HELP remitted and FEE-HELP balance re-credited however, they must meet the special circumstances criteria.

5.3 Re-crediting and Remission (special circumstances)

Students may need to withdraw from their studies after the census date or may be unable to complete their studies due to certain circumstances. In such circumstances, students may apply to have their VET FEE-HELP remitted and their FEE-HELP balance re-credited. RGIT where satisfies that special circumstances apply, re-credit a student’s FEE-HELP balance with an amount equal to the amount of VFH assistance that the student received for their VET unit of study(s). If a student’s VFH balance is re-credited, any VFH assistance they acquired for the VET unit of study(s) will be remitted and RGIT will repay any upfront fee amounts of VFH assistance for the VET unit of study(s) to the Commonwealth. RGIT has the discretion to refund any up-front payments the student made for the VET unit of study in accordance with its policies.

5.4 Special Circumstances

Students meet the special circumstances criteria if they are able to demonstrate that the circumstances they experienced were:

- were beyond the student’s control; and
- did not make their full impact on the student until on, or after, the census date for the VET unit of study in question; and
- made it impracticable for the student to complete the requirements for the VET unit of study in the period during which the student undertook, or was to undertake, the VET unit of study.

a) Circumstances beyond a student’s control

Circumstances could be considered beyond a student’s control if a situation occurs that a reasonable person would consider is not due to the student’s action or inaction, either direct or indirect, and for which the student is not responsible. This situation would generally be expected to be unusual, uncommon or abnormal.

For example, a lack of knowledge of how VFH works or the requirements regarding census dates would not be considered beyond a student’s control.

b) Circumstances not making full impact until or after the census date
Circumstances could be considered not to make their full impact on the student until or after the census date for the VET unit of study if the student’s circumstances occur:

- before the census date, but worsen after that day; or before the census date, but the full effect or magnitude does not become apparent until after that day.
- Students do not need to demonstrate that they were unable to withdraw from the VET Unit of Study prior to the census date.
- A circumstance that first occurred before the census date may satisfy the special circumstances requirement where it worsens after that day or the full effect or magnitude does not become apparent until after that day. (For example, a person may have an illness or a pre-existing condition prior to the census date for a VET unit of study, but that condition may worsen after the census date.)

**c) Circumstances making it impracticable to complete the units of study requirements:**
- Circumstances that 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 circumstances, for example, death or severe medical problems within a family, or unforeseen family financial difficulties, so that it is unreasonable to expect a student to continue studying;
  - employment 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 the provider has changed the VET unit of study it had offered and the student is disadvantaged by either not being able to complete the VET unit of study, or not being given credit towards other units or courses.
- A student cannot apply for a re-credit or a remission, if they have successfully completed the VET unit of study. A student who receives a fail grade is considered not to have successfully completed the requirements of the VET unit of study.
- An application for a re-credit or a remission should be made in writing, 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 unit was, or was to be, undertaken. RGIT will have the discretion to waive this requirement if it is satisfied that the application could not be made within the time limits.
The student’s application should include independent supporting documents such as a letter from the student’s doctor or counsellor, to support the student’s claims. Each application will be examined and determined on its merits. RGIT will consider the student’s claims, together with any independent supporting documentary evidence that substantiates these claims.

Special circumstances do not include, for example:
- Lack of knowledge or understanding of requirements for VFH assistance; or
- A student’s incapacity to repay a HELP debt, as repayments are income contingent and the student can apply for a deferral of a compulsory repayment in certain circumstances.

6. Decision to be made by the institute
RGIT will consider the student’s application as soon as practicable and will notify the student of its decision and the reasons for making the decision.

Decisions regarding re-crediting a student’s FEE-HELP balance are reviewable (reviewable VET decisions). In addition to notifying a student of its decision and the reasons for making the decision, RGIT will also advise the student of his/her rights for a review of the decision as per Complaint and Appeal Policy of the institute and subsequently with the Administrative Appeals Tribunal (AAT), if the student is dissatisfied with the outcome. The student will be advised that the time limit for applying for a review of a decision is 28 days from the day the student first received notice of the decision. For more information, visit www.aat.gov.au.

7. Associated Documents
- Withdrawal form
- Remit VFH debt application form

8. Revision History

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