

VFH Withdrawal & Tuition Fee Remit and Re-credit Policy and Procedure

1. Purpose

The objective of this policy is to establish criteria for:

- Enabling students to withdraw from their course of study;
- Receiving a refund of tuition fees acquired through the VET FEE-HELP (VFH) loan scheme at Royal Gurkhas Institute of Technology (RGIT) Australia;
- Ensuring that the refund of tuition fees (remittance of debt) are made in accordance with the Higher Education Support Act (2003).

2. Scope

This policy applies to all students that have acquired a VET FEE-HELP loan 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. Definitions

4.1 VFH: VET FEE-HELP

4.2 Census Dates: is a date set by RGIT, using the rules set by the Australian Government, and is published in the schedules. It is the deadline for various requirements, like making an upfront payment, applying for a VET FEE-HELP loan, paying your tuition fees or formally withdrawing your enrolment in order to not incur a debt.

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 in writing 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.

5.3 Remission and Re-crediting (special circumstances)

Students may need to withdraw from their studies after the census date or may be unable to complete their studies due to special circumstances. In such circumstances, students may apply to have their VET FEE-HELP debt remitted and their FEE-HELP balance re-credited.

Where RGIT is satisfied that special circumstances apply, RGIT will re-credit a student's FEE-HELP balance with an amount equal to the amount of VFH loan that the student received for their VET unit of study(s) and your HELP debt removed. If a student's VFH balance is re-

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credited, any VFH loan amount RGIT acquired for the VET unit of study(s) on behalf of the student will be repaid by RGIT 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.

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
- were such that they made it impractical for you to complete the requirements for the VET unit/s 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 on 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.

For example, a person may have an illness or a pre-existing condition prior to the census date for a VET unit/s 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 VET unit/s of study 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;

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- 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.

5.4 Remission and Re-crediting (Unacceptable conduct by a VET provider)

Students may apply to have their

In such circumstances, students may apply to have their VET FEE-HELP debt remitted and their FEE-HELP balance re-credited.

Where RGIT is satisfied that an unacceptable conduct allegation is proven, RGIT will re-credit a student's FEE-HELP balance with an amount equal to the amount of VFH loan that the student received for their VET unit of study(s) and your HELP debt removed. If a student's VFH balance is re-credited, any VFH loan amount RGIT acquired for the VET unit of study(s) on behalf of the student will be repaid by RGIT 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.

Unacceptable conduct by a VET provider:

- You were contacted by a VET provider/its agent and were pressured into signing-up for a course and applying for a VET FEE-HELP loan.
- You were enrolled in a course as a result of a VET provider cold-calling you (e.g. ringing/emailing you or approaching you in a shopping centre etc) about the course and suggesting VET FEE-HELP would be available.
- A VET provider or its agent offered you/someone else something such as money, a phone, laptop, or some sort of voucher in exchange for enrolling in the course and applying for a loan.
- You discovered you were not given correct, complete and clear information about your eligibility for VET FEE-HELP, or the fees for the course, and/or the amount of the VET FEE-HELP loan.
- You were told there were no fees for the course, or that VET FEE-HELP was not a loan, or that the loan would not have to be repaid.
- Your VET provider did not withdraw you from your course or unit, on or before the census date, after you had formally requested them to do so in writing.

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- Your VET provider imposed a penalty and/or a withdrawal fee which stopped (i.e. prevented) you from withdrawing from your course or unit on or before the census date.
- After you officially withdrew from your unit, your VET provider still enrolled you in additional (or subsequent) units without your permission.
- Your VET provider did not wait 2 business days, from the date of your enrolment, before accepting a Request for a VET FEE-HELP loan form from you.
- Your VET provider charged you the total cost of the tuition fees for your course, all in one go at the beginning of the course, instead of apportioning (i.e. allocating and charging) it over the length of your course.
- Your VET provider failed to provide you with a VET FEE-HELP Invoice Notice or Commonwealth Assistance Notice (CAN) for your unit(s) of study.
- Your VET provider failed to publish its tuition fees before you enrolled in your course or unit.
- A VET provider or its agent allowed you to request a VET FEE HELP loan when you were not eligible.

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 remission and re-credit 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 student incurred the VFH debt for. 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 claim, 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 the VFH loan scheme; 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. Procedure

Withdrawal:

- 6.1 Student completes the 'VFH_Withdrawal Form'
- 6.2 Submit form to Student Administration either in person or email.
- 6.3 If submitted on or before census date, no VFH debt is incurred and the student is successfully withdrawn from their VET unit of study(s)
- 6.4 If submitted after census date, a VFH debt is incurred and student will need to make compulsory repayments once they meet the minimum repayment threshold.

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Remission and Re-crediting:

If students believe they meet the 'Special Circumstances' set out in 5.3 of this policy they can apply to have their VFH debt removed.

- 6.5 Student completes the 'Remit VFH Debt Application Form'
- 6.6 Submits form and supporting documentation to Student Administration, either in person or by email.
- 6.7 RGIT will consider the student's application and supporting documentation and will notify the student of its decision and the reasons for making the decision within 10 working days.
- 6.8 Re-crediting students HELP balances are reported quarterly to the commonwealth.
- 6.9 If a student is dissatisfied with the outcome, they will need to submit a completed copy of the 'VFH Appeal Against Remittance Outcome Form' to Student Services and follow the procedure set out in the 'Complaint and Appeal Policy'.

7. Associated Documents

- VFH Withdrawal Form
- Remit VFH Debt Application Form
- VFH Appeal Against Remittance Outcome Form