Re-Crediting a FEE-HELP Balance Procedure
A guide for students seeking to re-credit a FEE-HELP balance

Responsible Manager: General Manager
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1. Overview

Students who have passed one or more census date(s) and have attended one or more classes will incur a VET FEE-HELP debt for all census dates they pass. A student who withdraws from a unit after a published census date for that unit will incur a VET FEE-HELP debt for that unit.

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

2. Definitions


Student(s) refers to Australian citizens or permanent humanitarian visa holders who will be resident in Australia for the duration of their VET units of study, and who access VET FEE-HELP for payment of their tuition fees in respect of the VET units of study in which they are enrolled.

Census date refers to one of the three dates set at even intervals throughout a program. The VET FEE-HELP debt is incurred incrementally over the three census dates. Students only incur debts for each census dates they pass.

Tuition fees are fees paid for a VET unit of study that is approved for VET FEE-HELP and applies to students who are entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act.

Unit of study (or VET unit of study) is a unit approved for VET FEE-HELP that a student may undertake with the provider, for which the student may access VET FEE-HELP assistance to pay for all or part of their tuition fees.

The Department refers to the Commonwealth of Australia which has the responsibly of administering the Higher Education Support Act 2003.

3. Procedure Principles

3.1 Special Circumstances

If a student withdraws from a unit after the census date because they become seriously ill or because of other ‘special circumstances’, they can apply to Sage Institute of Education to have their FEE-HELP balance re-credited.

For a provider to be satisfied that special circumstances apply, the applicant needs to demonstrate that the circumstances:

a) were beyond your control

b) did not make their full impact on you until on or after the census date(s) of the unit(s) in question

and

c) were such that they made it impracticable for you to complete the requirements for the unit(s).
Procedure

A provider will be satisfied that a person’s circumstances did not make their full impact on the person until on or after the census date for a unit of study if the person’s circumstances occur:

a) before the census date, but worsen after that day
or
b) before the census date, but the full effect or magnitude does not become apparent until on or after that day
or
c) on or after the census date.

Students are also required to provide independent supporting documentation to support the claim that special circumstances applied.

For circumstances to be beyond a student’s control, the situation should be that which 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.

A higher education provider will be satisfied that a person’s circumstances make it impracticable for the person to complete the requirements for the unit of study during the period which the person undertook, or was to undertake, the unit if circumstances such as the following occur:

a) medical circumstances. For example, where a person’s medical condition has changed to such an extent that he or she is unable to continue studying
or
b) family/personal circumstances. For example, death or severe medical problems within a family, or unforeseen family financial difficulties, so that it is unreasonable to expect a person to continue studies
or
\n\nc) course related circumstances. For example, where the provider has changed the unit it had offered and the person is disadvantaged by either not being able to complete the unit, or not being given credit towards other units or course.

A person is unable to complete the requirements for a unit if the person is unable to:

a) undertake the necessary private study required, or attend sufficient lectures or tutorials or meet other compulsory attendance requirements in order to meet their compulsory course requirements
or
b) complete the required assessable work
or
\n\nc) sit the required examinations
or
\n\nd) complete any other course requirements because of their inability to meet a), b) and c) above.

Special circumstances do not include:

a) Lack of knowledge or understanding of requirements for VET FEE-HELP assistance
or
\n\nb) A student’s incapacity to repay a VET FEE-HELP debt (repayments are income contingent and the student can apply to the Australian Tax Office for a deferral or a compulsory repayment in certain circumstances such as in the instance that the repayment would cause financial hardship).
3.2 Application Deadline

An application for special circumstances must be submitted to Sage within 12 months of the applying student’s withdrawal day. Students who didn’t officially withdraw will use the specified completion date of the unit.

Sage Institute of Education 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.

4. Procedure

4.1 Application for Re-Credit of a FEE-HELP Balance

Involves: Students

A student must email vetfeehelp@sage.edu.au to apply for their FEE-HELP balance to be re-credited. The application must include the following details:

a) The unit(s) for which a student is seeking to have a FEE-HELP balance re-credited and

b) Special circumstances as explained above, including supporting documentation.

4.2 Outcome of Application for Re-Credit of a FEE-HELP Balance

Involves: General Manager and students

Sage Institute of Education will consider each application within 28 days of receipt of the application. Applicants will be notified in writing of the decision within 28 days.

The General Manager is the designated officer responsible for the assessment of a student’s request for a re-credit of their FEE-HELP balance due to special circumstances, and for the initial decision regarding the request. The General Manager may elect a delegate to act on their behalf, such as the Student Support Coordinator. Each application for a re-credit of a student’s FEE-HELP balance will be considered on its merits together with all supporting documentation substantiating the special circumstances claim.

4.2.1 Successful Application for Re-Credit of a FEE-HELP Balance

The applicant will be contacted via email to inform them of their successful application outcome, the applicant will be advised of the re-credit and loan fee amounts, and where applicable the refund amount.

4.2.2 Unsuccessful Application for Re-Credit of a FEE-HELP Balance

If an application does not meet the requirements for special circumstances the applicant will be contacted via email and informed of the reasons their application was unsuccessful.

Where Sage Institute of Education makes a decision to not re-credit a student’s FEE-HELP balance that decision may be subject to review. The applicant will be advised that they have the right to apply for a review of this decision. The applicant may also request to have a face-to-face meeting with the designated officer.
4.3 Review of Unsuccessful Application

*Involves: Students and Chief Executive Officer*

If a student is not satisfied with the decision made by Sage Institute of Education, the student may apply for a review of the decision. The application must:

a) Be made within 28 days of receiving the original decision  
b) Include the date of the original decision  
c) Clearly state the reason(s) for applying for a review  
d) Include any additional relevant evidence

4.3.1 Review Officer

The Chief Executive Officer (CEO) is the designated Review Officer of any decisions relating to a request for re-crediting of a FEE-HELP balance, therefore, applications for a review of a decision should be addressed to the CEO at vetfeehelp@sage.edu.au. The Review Officer is senior to the designated officer responsible for the original decision and is not involved in making the original decision.

The Review Officer will acknowledge receipt of the application for review of a decision in writing within 10 business days, the email will:

a) Inform the applicant that if they have not been contacted and advised of a secondary decision within 45 days of receiving the application for review, then is it assumed that the Review Officer has confirmed the original decision.  
b) Inform the applicant of their right to apply to the Administrative Appeals Tribunal if they disagree with the Review Decision, and the timelines involved (see below).

The Review Officer will then:

a) Review the information from the original decision and then assess any new evidence provided by the applicant.  
b) Provide written notice to the applicant of the decision, setting out the reasons for the decision.

4.4 Administrative Appeals Tribunal (AAT)

*Involves: Students*

At the time of the original decision and at the time of the subsequent review decision, the applicant will be notified of their review rights and responsibilities. The relevant officer will inform a student in writing of their right to appeal to the Administrative Appeals Tribunal (AAT) if they are not satisfied with the outcome, and the contact details of the closest AAT office and the approximate costs of lodging an appeal.

4.4.1 Lodging an Appeal at the AAT

The applicant must fill out the Application for Review of Decision (individual) Form, this must be lodged at the AAT within 28 days of receiving written notice of the review decision. This time limitation can be extended in limited circumstances by order of the AAT. Full details of the application process and fees payable are available on the AAT’s website www.aat.gov.au.

4.4.2 AAT Application Fee

An application fee may have to be paid in the amount of $816.00 (from 1 July 2012) and is subject to change.
Applicants are entitled to pay a reduced fee of $100 in the following circumstances:

a) The applicant has been granted legal aid for their application.
b) The applicant holds a health care card, a pensioner concession card, a Commonwealth seniors health card or any other card issued by the Commonwealth that certifies entitlement to Commonwealth health concessions.
c) The applicant is in prison or lawfully detained in a public institution.
d) The applicant is under 18 years of age.
e) The applicant is receiving youth allowance, Austudy or ABSTUDY.

If the applicant falls into one of these groups, proof will need to be provided to the AAT. The AAT can advise the applicant about what type of proof the applicant should provide.

The AAT can also order that a reduced fee is payable if they decide that paying the standard application fee would cause the applicant financial hardship. A separate application for fee reduction on the grounds of financial hardship will need to be filled out (see Request for Fee Reduction Form) and submitted with the application for a review of a decision.

4.4.3 AAT Application Review

The Secretary of The Department, or the Secretary’s delegate, will be the respondent for cases that are brought before the AAT. Upon The Department’s receipt of a notification from the AAT, The Department will notify Sage Institute of Education that an appeal has been lodged. Upon receipt of this notification from The Department, The Review officer will provide The Department with copies of all the documents that are relevant to the appeal within 10 business days.

This concludes the procedure.

5. AAT Contact Details

5.1 National and International AAT Contact Details

Call 1800 228 333 from anywhere in Australia (calls are free from landline phones, however calls from mobiles may be charged).

From Norfolk Island and overseas: +61 2 9276 5101.

Email generalreviews@aat.gov.au quoting your AAT file number as the first item in the subject line.

5.2 Victorian AAT Office Contact Details

<table>
<thead>
<tr>
<th>In person:</th>
<th>By post:</th>
<th>By fax:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 16, HWT Tower 40 City Rd Southbank VIC 3006</td>
<td>GPO Box 9955 Melbourne Vic 3001</td>
<td>(03) 9282 8480</td>
</tr>
</tbody>
</table>
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5.3 New South Wales AAT Office Contact Details

In person:
Level 7,
55 Market St
Sydney NSW 2000

By post:
GPO Box 9955
Sydney NSW 2001

By fax:
(02) 9283 4881

5.4 Queensland AAT Office Contact Details

In person:
Level 4, Harry Gibbs Building
Commonwealth Law Courts
119 North Quay
Brisbane QLD 4000

By post:
GPO Box 9955
Brisbane QLD 4001

By fax:
(07) 3361 3001

6. Related Documents & Further Information

AAT Application for Review Fees

Application for Extension of Time for Making an Application for Review of Decision

Application for Review of Decision (individual) Form

Cancellation and Refund Policy

Deferral & Transfer Policy

Higher Education Support Act 2003

Higher Education Support (VET) Guideline 2015

Request for Fee Reduction Form

VET FEE-HELP Information Booklet