



Student Review Policy and Procedure for Re-crediting a FEE-HELP Balance

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Related Documents	Higher Education Provider Guidelines 2023 Statement of Tuition Assurance Refund Policy and Procedure for International and Domestic Students Fees and Charges Policy and Procedure

1. Purpose

The Australian Institute of Higher Education Pty Ltd ('the Institute') will conduct this Policy and Procedure in compliance with the Higher Education Provider Guidelines 2023.

For the purposes of this Procedure a student is a person other than an international student who is enrolled in a course of study with the Institute.

The Institute will:

- set a census date for each unit of study that is no earlier than 20% of the way through the unit of study;
- ensure that all students are informed of the census date for each unit of study in the manner and by the date prescribed in the Higher Education Provider Guidelines;
- ensure that all students are informed of the review procedures for the re-crediting of a FEE-HELP balance.

2. Scope

This Policy and Procedure applies to students accessing assistance through the Higher Education Loan Program (HELP).

3. Policy Principles

3.1 Incurring a FEE-HELP Debt

A student who is, or would be, eligible for FEE-HELP and has requested FEE-HELP Assistance, who withdraws from a unit of study on or before the census date will not incur a FEE-HELP debt for the tuition fees for that unit of study.

Students who have requested FEE-HELP Assistance who remain enrolled after the published census date will incur a FEE-HELP debt for the units of study in which they are enrolled. A student who withdraws from a unit of study after the published census date for that unit will incur a FEE-HELP debt for that unit.

3.2 Re-crediting a FEE-HELP Balance

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

3.3 Special Circumstances

If a student withdraws from a unit of study after the published census date for that unit, or has been unable to successfully complete a unit of study and believes this was due to special circumstances then the student may apply to have their FEE-HELP balance re-credited for the affected units of study.

The Institute will re-credit the student's FEE-HELP balance if it is satisfied that special circumstances apply where:

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

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. The situation must be unusual, uncommon or abnormal to be considered special circumstances.

Special circumstances do not include:

- lack of knowledge or understanding of requirements for FEE-HELP Assistance; or
- a student's incapacity to repay a 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).

4. Actions and Responsibilities

4.1 Procedures for Re-crediting a Student's FEE-HELP Balance

Each application for re-credit of a student's FEE-HELP balance will be examined and determined on its merits by considering a student's claim together with independent supporting documentation substantiating the claim.

Initial applications for the re-crediting of a student's FEE-HELP balance are to be made via email to the Registrar.

A student must apply in writing to the Registrar 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 of study. The Institute 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 FEE-HELP balance must include details of the:

- The unit(s) of study for which a student is seeking to have a FEE-HELP balance re-credited and
- Special circumstances as referred to above, including supporting documentation.

The Registrar will consider the application within 28 days of receipt of the application and agree to such requests if they are satisfied that there were special circumstances in the student's case.

The Registrar shall advise the student of the outcome of the application within 28 days stating the reasons for the decision.

The Registrar shall also advise the student of their rights for a review of the decision if they are not satisfied with its outcome.

4.2 Review of a Decision

If a student is not satisfied with the decision made by the Registrar in relation to re-crediting their FEE-HELP balance, they may apply for a review of the decision within 28 days of the receipt of the original decision. The review shall be carried out by the Dean.

Any such request must be submitted to the Dean via email, and:

- must be lodged within 28 days of receiving notice of the original decision; and
- must specify the reasons for making the request.

The Dean will acknowledge receipt of an application for a review of the refusal to re-credit a FEE-HELP balance in writing within 10 working days and inform the applicant that if they have not advised the applicant of a decision within 45 days of having received the application for review, the Dean is taken to have confirmed the original decision.

The Dean will review the information from the original decision and then assess any new evidence provided by the student.

The Dean may:

- confirm the decision;
- vary the decision; or
- set the decision aside and substitute a new decision.

Having made their decision, the Dean will provide written notice to the student of the decision, setting out the reasons for the decision and inform the student of their right to apply to the Administrative Appeals Tribunal if they disagree with the Review Decision, and timelines involved (see below).

4.3 Reconsideration by the Administrative Appeals Tribunal

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 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. The application 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. Applications cannot proceed until the fee has been paid or waived. Applications for fee waiver must be made to the AAT. Refer to the AAT website for more details. Details of the closest AAT office can also be found on the AAT website: www.aat.gov.au/ContactUs.htm.

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 the Institute 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 they hold that are relevant to the appeal within five (5) business days.

5. Version Control

This Policy and Procedure has been endorsed by the Australia Institute of Higher Education Academic Board as at July 2024 and is reviewed every 3 years. The Policy and Procedure is published and available on the Australian Institute of Higher Education website <http://www.aih.edu.au/> under 'Policies and Procedures'.

Change and Version Control				
Version	Authored by	Brief Description of the changes	Date Approved:	Effective Date:
2016-1	Registrar	Updated template. Revised rules.	6 July 2016	6 August 2016
2024.1	Head of Quality Assurance; Chief Financial Officer	Re-instated Policy and Procedure; revised and updated information for currency.	30 July 2024	31 July 2024