



Tuition Fee refund or re-credit for VET Student Loans enabled courses

Policy number: CS01

Version: 2.3

Policy Owner: General Manager Organisational Services

Subject Expert: Manager, Assessments & Admissions

Next review date: 12 November 2020

1. PURPOSE

The purpose of this policy is to provide South Metropolitan TAFE staff and domestic students enrolled in a VET Student Loan enabled course refund guidelines which apply to a withdrawal from a VET Unit of Study or a VET Course of Study on or before the census date.

It is also to ensure all South Metropolitan TAFE staff involved in administration of VET Student Loan enabled courses have the appropriate information and training as to the correct procedures for processing refunds for students in the VET Student Loan enabled courses/VET units of study.

2. SCOPE

This policy applies to all South Metropolitan TAFE staff dealing with requests for refunds in relation to a VET Student Loan enabled courses from students who are not overseas students as defined by the Education Services for Overseas Students (ESOS) Act 2000.

3. POLICY GOVERNANCE

- VET Student Loans Act 2016
- VET Student Loans Rules 2016
- VET Student Loans (Courses and Loan Caps) Determination 2016
- Department of Training and Workforce Development VET Fees & Charges Policy
- Higher Education Support Act 2003
- Standards for Registered Training Organisations 2015 made under the National Vocational Education and Training Regulator Act 2011
- Student Identifiers Act 2014

4. KEY DEFINITIONS

Administrative Date 16 days prior to a unit(s) census date.

Census Date The last day a student may withdraw from a VET Unit of Study in which they are enrolled without incurring a liability for tuition fees or a VET Student Loan debt.

eCAF electronic Commonwealth Assistance Form, this is an online form which registers a student's loan with the Commonwealth Government.

SM TAFE refers to **South Metropolitan TAFE, "the Organisation"** including all its campuses, departments, centres, business units, corporate units and delivery centres.



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VET Course of Study a qualification that has been approved by the Department of Education as eligible for VET Student Loan Assistance.

VET Student Loan A Commonwealth income contingent loan scheme where eligible students may use to defer paying fees for their VET enrolment. This student loan is part of the Higher Education Loan Program (HELP).

VET Unit of Study a published unit of study that forms part of a VET Course of Study.

5. PRINCIPLES

5.1. Policy Principles:

South Metropolitan TAFE will conduct this procedure in compliance with Part 6, Division 2 subsection 68 of the VET Student Loans Act 2016 and Part 8, Division 1 Subsection 145 of the VET Student Loans Rules 2016, Schedule 1A of the *Higher Education Support Act 2003* and the VET Provider Guidelines.

For the purposes of this procedure:

- A student is an Australian citizen or an Australian resident permanent humanitarian visa holder or an eligible New Zealand Citizen (sub class visa 444) enrolled in a VET Student Loan enabled course with South Metropolitan TAFE.
- A student who has fully paid their tuition fees and/or incurred the VET Student Loan debt may apply for an appropriate refund and/or remission of the debt if they meet the policy requirements
- A student cannot apply for a refund or remission if they have completed the subject.
- A student cannot re-enrol into a unit that they have previously withdrawn from without supplying written intent.

5.2. Withdrawal from a VET Unit of Study / VET Course of Study

Students who wish to withdraw from a VET unit of study or VET Student Loan enabled course of study must do so in writing by completing CS040101 *Enrolment Adjustment Form* which is available from the Customer Service Centre at each South Metropolitan TAFE, Downloadable from the Student Portal campus or online from the college website.

5.3. Re-enrolling into the same units after withdrawing

Once withdrawn, South Metropolitan TAFE will not able to re-enrol student/s into the same unit(s) that student(s) have previously enrolled and withdrawn from unless there is a written notification from the student/s to advise that it is their intention to re-enrol into previously withdrawn units and wish to continue to access a VET Student Loan to pay for these unit/s. This written notification must be scanned and emailed to student.loans@smtafe.wa.edu.au and TRIMMED.

5.4. An enrolment is cancelled prior to census dates

In the event that a student fails to provide supporting evidence or do not complete their eCAF by the college's **Administrative dateline**, the student's enrolment will be cancelled by the VSL Officer and the student will be advised accordingly.



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5.5. An enrolment is cancelled after census dates

In the event that a student's enrolment(s) is/are cancelled after Census Date(s) have passed, the college will issue the student with a notice outlining the reason for cancellation. The student will be given 28 days to initiate grievance procedures before the final cancellation will take effect. [*VET Student Loan Rules 2016, Part 7, Subdivision E, Sec 87*]

Reasons for cancellation may include but are not limited to failure on the part of the student to comply with administrative requirements relating to maintaining a VET Student Loan and/or failure to honour the payment option agreed upon at enrolment.

A student whose enrolment has been cancelled may have their enrolment reinstated after payment or satisfactory arrangements for payment of the debt has been reached.

5.6. Refund within Census Date

A refund of tuition fees or remission of debt is appropriate under the following circumstances:

- Students who withdraw after enrolling into a **VET Student Loan enabled** qualification on or before the census date, are eligible to receive a refund of 100% of tuition and resource fees paid for the semester and the student will not incur a Commonwealth FEE-HELP debt.

5.7. Refund after Census Date

In the event of a student withdrawing from a VET unit of study or VET Student Loan enabled qualification after census date for that unit of study or qualification:

- no refund is applicable; and/or
- the student may still be liable for a Commonwealth FEE-HELP debt.

Special Circumstances

Where withdrawals are submitted after census date, the student may apply for a refund/re-credit under special circumstances, based on:

- a result of a serious illness resulting in extended absences from classes;
- injury or disability that prevented the student from completing their program;
- other exceptional circumstances.

Note: Pre-existing illnesses may exclude the student from being considered for a full refund.

South Metropolitan TAFE will re-credit the VET Student Loan balance if it is satisfied that special circumstances that applied to the student that were:

- a) beyond the student's control; and
- b) did not make their full impact on the student until on or after, the census date; and
- c) it made it impracticable for the student to complete the requirements for the unit during the period which the student undertook, or was to undertake, the unit.



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An application for full re-credit can only be requested if all above points are met where the situation must be unusual, uncommon or abnormal.

A ***Withdrawal – Special Circumstance form*** must be completed by the student using form **CS0300001 Application for Special Circumstances Recredit Remission - Application**

All applications must include independent supporting documentation. All documentation must include sufficient information to support the claims made.

Each application will be examined and determined on its merits. South Metropolitan TAFE will consider the student's claims, together with any independent supporting documentary evidence that substantiates these claims.

The procedure for the application of a refund in a VET unit of study or VET Student Loan enabled qualification is as follows:

- a) The Student must officially withdraw from a VET unit of study or VET Student Loan enabled qualification by completing the ***Online CS040101 Enrolment Adjustment Form*** or submitted a withdrawal request on an ***Enrolment Adjustment Form*** available from the Customer Service Centre at each South Metropolitan TAFE campus or a completed ***CS040101 Enrolment Adjustment Form*** that has been downloaded from the Student Portal. The student must also complete **CS0300001 Application for Special Circumstances Recredit Remission – Application**. South Metropolitan TAFE shall confirm the withdrawal by giving notice to the student in writing (or signed copy of the submitted withdrawal form) stating the date at which the withdrawal has taken effect; and advise the student that the withdrawal process may take up to 28 days.
- b) The written application must also include supporting documentation that demonstrates that the requirements for special circumstances have been met if applicable.
- c) The Customer Service Centre must ensure the withdrawal form is received by the VET Student Loan Officer within two days of submission.
- d) The VET Student Loan Officer will complete form **CS0300002 Application for Special Circumstances Recredit Remission - Assessment** and process the application for Tuition Fee Refund within 28 days of the date of the withdrawal being submitted by the student and request any further clarification from the delivery area and student if necessary. If the application for refund occurs outside the VET unit of study census date, the VET Student Loan Officer may either reject the withdrawal or seek further documentation from the student to support their application.
- e) If the application is successful, South Metropolitan TAFE will arrange for appropriate refund of paid tuition fees. If the application is unsuccessful, the student must be advised of their opportunity to apply for a 'Review of a Decision'. See 5.6 below.
- f) VET Student Loan Officer shall advise the student of the outcome of the application within 28 days from the date of withdrawal submission stating the reasons for the decision.



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5.8. Review of a Decision

If a student is not satisfied with the decision made by the VET Student Loan Officer in relation to refunds, they may request a review of the decision.

The review shall be completed using form **CS030002 Application for Special Circumstances Recredit Remission – Review of Decision and be carried out by** the Review Officer who is the Director and is senior to the original decision maker.

Any such request must be submitted to the Review Officer in writing and:

- a) must be lodged within 28 days of receiving notice of the original decision, unless the Review Officer allows a longer period;
- b) must specify the reasons for making the request and include any supporting documentation; and
- c) sent to:

South Metropolitan TAFE
VET Student Loans Admissions – Review Officer
1 Fleet Street, Fremantle WA 6160

Or requests can also be emailed to: student.loans@smtafe.wa.edu.au

The Review Officer shall acknowledge receipt of an application for a review of the refusal to refund tuition fees paid for a VET Student Loan enabled course or unit of study in writing. The Review Officer shall:

- a) seek all relevant information from the person who made the original decision;
- b) review the case within 2 weeks and advise the student of the decision in writing giving the reasons for the reviewer's decision.

The Review Officer may:

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

The applicant must be notified of the outcomes of the Review in writing within 2 weeks of receiving the review application. This notice shall also advise the applicant that they have the right to apply to the Administrative Appeals Tribunal within 28 days of a decision for a review of that decision and will provide the contact details of the closest Administrative Appeals Tribunal Registry and the approximate costs of lodging an appeal as follows:

If you wish to further appeal this decision you may lodge an appeal with the Administrative Appeals Tribunal (AAT) within 28 days from this written notice. The current fee to lodge an application with the AAT for the review of a decision can be found on the AAT website: www.aat.gov.au/FormsAndFees/Fees.htm. or contact the AAT at:

*Administrative Appeals Tribunal
Level 5 - 111 St Georges Terrace
Perth WA 6000
Telephone (08) 9327 7200*



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6. DOCUMENTS SUPPORTING THIS POLICY

6.1. Policies

- CS03 Admissions Policy for VET Student Loans enabled courses
- CS04 Fees and Charges Policy
- CS05 Withdrawals and Refunds

6.2. Procedures

- CS0101 Student Review Procedure for re-crediting a student loan balance for students on VSL
- CS0601 Enrolment – Full time profile student procedure
- CS0301 VET Student Loans Enrolment Procedure

6.3. Forms

- CS030101 Local interview assessment form – VSL students
- CS030102 VET Student Loans – Application Form
- CS030001 Application for Special Circumstances Recredit Remission – Application
- CS030002 Application for Special Circumstances Recredit Remission – Assessment
- CS030003 Application for Special Circumstances Recredit Remission – Review of Decision
- CS040101 Enrolment Adjustment Form

7. POLICY REVIEW AND COMMUNICATION

All staff will be notified of new policies and policy changes and the documents will be available on the QMS.

8. POLICY APPROVAL

Approved and Endorsed:

Terry Durant

Managing Director

Date: 24 July 2017

9. DOCUMENT HISTORY AND VERSION CONTROL

Version	Date Approved	Approved by	Brief Description
V1.0	24/07/2017	General Manager Corporate Services	Tuition Fee refund or re-credit for VET Student Loans enabled courses
V1.1	07/09/2018	Manager, Admissions	Review Date Changed, 6.3 updated



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V2.0	24/10/2018	General Manager Organisational Services	Reviewed for New Student Management System – 5.5 updated
2.1	12/11/2018	Manager, Admissions	4. Key Definitions, 5. Principles, 6.3 Forms updated. Review date changed.
2.2	19/03/2019	Manager Admissions	5.2 & 5.5 updated
2.3	4 November 2019	Manager Assessments & Admissions	5.1, 2.3, 5.4 & 5.5 updated