



## Refund of Tuition Fees and Re-crediting of FEE-HELP Debt Policy

### Education and Counselling

Title: Refund of Tuition Fees and Re-crediting of FEE-HELP Debt Policy  
Author: Academic Dean  
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#### Policy overview

Morling College recognises that Special Circumstances may impact a student during enrolment in a unit/s of study and that there may be times when these circumstances lead to a request for a *Compassionate Withdrawal*.

Morling College encourages students to effectively communicate their needs and altered circumstances with College staff in a timely manner in order to assist students when making decisions about their academic goals and expected outcomes. While advice may be given, it is ultimately the student's responsibility to manage their enrolment in and completion of units and courses of study within the expected timeframes.

This policy takes into account the Higher Education Provider (HEP) Guidelines under the *Higher Education Support Act 2003*.

#### Policy objectives

The objectives of this policy are:

- to define the policy scope; and
- to define guidelines and possible outcomes for applications for the refund of tuition fees and/or re-crediting of FEE-HELP Debt for which a *Compassionate Withdrawal* has been granted.

#### Policy scope

This policy applies to all Education and Counselling students enrolled in a MC course and who wish to apply for the refund of upfront tuition fees and/or re-crediting of FEE-HELP debt for which a *Compassionate Withdrawal* has been granted for a unit/s of study due to Special Circumstances.

#### Tuition Fees, FEE-HELP and Census Dates

Where a student elects to pay the cost of their tuition fees upfront, payment is due by the end of Week 1 of each semester.

Where an eligible student elects to use FEE-HELP assistance to cover the cost of their tuition fees, the debt incurred for each unit of study is reported to the Department of Education and the Australian Tax Office at the Census Date for each unit of study.

If a student who has requested FEE-HELP assistance withdraws from a unit of study *on or before* the Census Date for that unit of study, the student will not incur a FEE-HELP debt for that unit of study.

If a student who has requested FEE-HELP assistance withdraws from a unit of study *after* the Census Date for that unit of study the student will incur a FEE-HELP debt for that unit of study.

## **Guidelines**

A student may apply to the Academic Registrar for a refund of their upfront tuition fees or to have their FEE-HELP balance re-credited if:

- the student has been unable to complete the requirements of a unit of study, and
- the student believes that this was due to Special Circumstances.

Special Circumstances are defined as those that are:

- beyond the student's control;
- do not make their full impact on the student until, on, or after the Census Date; and
- make it impracticable for the student to complete the requirements for the unit during the period in which the student undertook, or was to undertake, the unit.

### **1. Beyond the student's control**

Circumstances will be deemed 'beyond a student's control' if a situation occurs 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.

### **2. Full impact unknown**

Situations may arise in which the full impact of the circumstances are not known until on or after the Census Date of the unit of study. In these situations, the student's circumstances occur:

- a. Before the Census Date, but worsen after that day;
- 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.

### **3. Impracticable to complete**

Some Special Circumstances may occur which would make it impracticable for the student to complete the requirements of the unit of study. These include:

- a. Medical circumstances;
- b. Family circumstances;
- c. Personal circumstances;
- d. Employment related circumstances; or
- e. Course of study related circumstances.

The student must apply to the Academic Registrar using the *Refund of Tuition Fees / Re-crediting of FEE-HELP Debt Application Form*, 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 of study was or was to be undertaken. The Academic Registrar can exercise the discretion to waive this requirement if it is satisfied that the application could not be made within the time limit.

The Academic Registrar will consider the student's request within 28 days of receiving the student's written application.

Each application will be examined and determined on its merits. The Academic Registrar will consider a person's claims, together with independent supporting documentary evidence that substantiates these claims.

The Academic Registrar, together with the Academic Dean, can exercise the discretion to approve a partial or whole refund or re-credit of the tuition fee amount where an application has been approved.

The Academic Registrar will notify the student of the decision and the reasons for making the decision, and will advise the student of their rights for a review of the decision if the student is unsatisfied with the outcome.

If the decision is made to refund upfront tuition fees the Academic Registrar will notify the MC or NICE Finance Departments and request for the amount to be credited to the student's student account. The student should notify the Academic Registrar if they wish for the amount to be refunded to them directly.

If the decision is made to re-credit the FEE-HELP balance, the Academic Registrar will notify the Department of Education, and will repay to the Commonwealth any FEE-HELP assistance received from it on the student's behalf. The Department of Education will inform the Australian Taxation Office that the debit has been removed.

### **Review of the Original Decision**

Where a student is not satisfied with the decision made by the Academic Registrar, they may apply in writing for a review of the decision to the Academic Dean.

The time limit for applying for a review of the decision is 28 days from the student receiving notice of the decision. The student must state the reasons why he or she is applying for a review. The Academic Dean will notify the applicant of his decision and the reasons for making the decision.

The Academic Dean's available options are to:

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

The Academic Dean will advise the student of his or her right to appeal to the Administrative Appeals Tribunal for a review of the Academic Dean's decision if the student is unsatisfied with the outcome and will provide the student with the contact details and address of the nearest AAT registry.

The Academic Dean must acknowledge receipt of an application for a review of a decision in writing and will inform the student that, if the Academic Dean has not advised the applicant

of a decision within 45 days of receiving the application for review, the Academic Dean is taken to have confirmed the original decision.

Where a student is not satisfied with the reviewed decision made by the Academic Dean, they may apply to the AAT for a further review of the decision not to refund a student's upfront tuition fees or re-credit a student's FEE-HELP balance. The student may supply additional information to the AAT that he or she did not previously supply to the College (including the Academic Dean).

***Related documents***

*Compassionate Withdrawals*  
*Special Circumstances Policy*