



Student Review Procedures for Re-crediting a FEE HELP Balance

DESCRIPTION:

The Australian Careers Business College (ACBC) will conduct this procedure in compliance with 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 enrolled in a VET Student Loans enabled course with ACBC.

ACBC will ensure that all students are informed of the census dates for each VET unit of study by the prescribed dates and the procedures for the re-crediting of a FEE-HELP balance.

If a student who has requested VET Student Loans assistance withdraws from a VET unit of study on or before the census date for that VET unit of study, the student will not incur a VET Student Loans debt for that VET unit of study.

If a student who has requested VET Student Loans assistance withdraws from a VET unit of study after the census date for that VET unit of study, the student will incur a VET Student Loans debt for that VET unit of study.

Re-crediting a student's FEE-HELP balance

If a student withdraws from a VET unit of study after census date, or has been unable to successfully complete a VET 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

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

- are 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
- make it impractical for the student to complete the requirements for that VET unit of study.

ACBC will be satisfied that a student's circumstances are beyond the student's control if a situation occurs that a reasonable person would consider is not due to the person's action or inaction, either direct or indirect, and for which the student is not responsible.

The situation must be unusual, uncommon or abnormal.

Each application 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, in writing, to the VET Student Loans Administrator and sent to:

28 Memorial Avenue,
Liverpool, NSW 2170

The procedure for the re-crediting of a FEE-HELP balance is as follows:

- a) when a student withdraws from a VET unit of study, they must sign a "Notification of Student Withdrawal from Course" form. ACBC shall confirm the withdrawal by also signing the notice, which states the date at which the withdrawal has taken effect and whether the student is a VET Student Loans student;
- b) the student must apply in writing to the VET Student Loans Administrator within 12 months from the date specified in the notice as the day of withdrawal or the date of receiving their final results for the VET unit of study. ACBC may exercise its discretion to waive this requirement if in its opinion it was not possible for the application to be made before the end of the 12 month period;
- c) The VET Student Loans Administrator shall advise the student of the outcome of the application within 28 days stating the reasons for the decision;
- d) The VET Student Loans Administrator shall also advise the student of their rights for a review of the decision if they are not satisfied with its outcome.

The VET Student Loans Administrator will consider the application and will agree to such requests if they are satisfied that there were special circumstances in the student's case. If a decision is made to re-credit the student's FEE-HELP balance, ACBC will notify the Department of Education and Training and will repay to the Commonwealth any VET Student Loans assistance received on the student's behalf and the student's VET Student Loans debt for those VET units of study will be removed.

Review of a decision

If a student is not satisfied with the decision made by the VET Student Loans Administrator in relation to re-crediting their FEE-HELP balance they may request a review of the decision.

The review shall be carried out by the Review Officer who 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; and
- (b) must specify the reasons for making the request.

Contact details of Review Officer:

Director of Studies

28 Memorial Avenue
Liverpool, NSW 2170

The Review Officer shall acknowledge receipt of an application for a review of the refusal to re-credit a FEE-HELP balance in writing and inform the applicant that if the Review Officer has not advised the applicant of a decision within 45 days of having received the application for review, the Review Officer is taken to have confirmed the original decision. This notice shall also advise the applicant that they have the right to apply to the Administrative Appeals Tribunal for a review of the decision and will provide the contact details of the closest Administrative Appeals Tribunal Registry and the approximate costs of lodging an appeal.

The Review Officer shall:

- a) seek all relevant information from the person who made the original decision;
- b) review the case within 3 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 Review Officer will give written notice of the decision setting out the reasons for the decision. The applicant shall also be advised in the decision of the right to apply to the Administrative Appeals Tribunal for a review of the decision; and be provided with the contact details of the closest Administrative Appeals Tribunal Registry and the approximate costs of lodging an appeal.

Where a student is unsatisfied with the reviewed decision they may apply to the Administrative Appeals Tribunal for consideration of ACBC's decision to refuse to re-credit their FEE-HELP balance. The student may supply additional information to the Administrative Appeals Tribunal which they did not previously supply to ACBC either in the original application or the request for review.

Publication

These *Student Review Procedures for Re-crediting a FEE-HELP Balance* will be published on ACBC's website (www.acbc.nsw.edu.au).