

KAL TRAINING (TOID 20815)

Student Review Procedures VET Tuition Fee Refund Policy For Diploma and Above Courses Including Re-Crediting of FEE-HELP Balance Policy

Definitions

“Students” – students who are, or would be, entitled to VET FEE-HELP assistance

Last Review Date: 27th February 2017.

Policy

It is the policy of KAL TRAINING that all applicable refunds for tuition fees are paid to students who pay tuition fees directly to KAL TRAINING and who cancel their enrolment, withdraw from any KAL TRAINING program or VET unit or defer or take Leave of Absence. This policy also applies to students who have withdrawn from study after the census date in each VET unit of study due to special circumstances and may be entitled to having their tuition fees refunded or be granted a re-credit of their FEE-HELP balance.

It is also our policy that we do not accept prepayment of fees in excess of \$1500 for any of our courses.

KAL TRAINING undertakes the following procedures in regards to tuition fee refunds for all students to ensure that it complies with the fairness requirements in relation to review procedures for VET FEE-HELP as set out in Schedule 1A of the *Higher Education Support Act 2003* and the requirements of the VET Provider Guidelines.

Publication

These procedures are to be published for students on the KAL TRAINING website and in the Student Handbook to ensure current and prospective students have up to date and accurate information publicly available to them.

Responsible Officers

The Training Manager is the designated VET FEE-HELP Officer of KAL TRAINING. She is responsible for the assessment of a student’s request for re-crediting a FEE-HELP balance due to special circumstances and for the initial decision regarding the request.

The Chief Executive Officer (CEO) of KAL TRAINING is the designated review officer of any

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decisions relating to the re-crediting of a FEE-HELP balance. The CEO is senior to the Training Manager and the most senior person in the organisation.

Procedures

1. Withdrawal or deferment on or before the census date:
 - a. Students in these circumstances do not incur a VET FEE-HELP debt and
 - b. Students who have paid their fees up-front will receive a refund
2. Withdrawal or deferment after the census date:
 - a. Students in these circumstances will incur a VET FEE-HELP debt, and/or
 - b. Students who have paid their fees up-front will not be entitled to a refund
3. Withdrawal or deferment after the census date – special circumstances.

A student may apply after the census date to have their FEE-HELP balance re-credited or a refund of fees paid up-front if the student has been unable to complete the requirements of a VET unit of study if:

- a. The student has been unable to complete the requirements of the VET units of study; AND
- b. The student believes that this was due to special circumstances; AND
- c. The student applies to the KAL TRAINING for a tuition fee refund or to re-credit their FEE-HELP balance.

Special Circumstances

KAL TRAINING will only consider applications for re-crediting FEE-HELP balance after the census date where there are special circumstances.

To assist students with making their application the following definitions and guidelines are to be applied in determining special circumstances.

1. Special circumstances which would make it impracticable for the person to complete the requirements for the VET unit of study may include:
 - Medical circumstances;
 - Family circumstances;
 - Personal circumstances;
 - Employment related circumstances.

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2. Special circumstances need to be:
 - Beyond a person's control; AND
 - Do not make their full impact until on or after the census date for the VET unit of study in question; AND
 - Make it impracticable for a person to complete the requirements for the VET unit of study.
3. For circumstances to be beyond a person's control, the situation should be that which a reasonable person would consider is not due to the person's action or inaction, either direct or indirect, and for which the person is not responsible.
4. KAL TRAINING needs to 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 VET unit of study if the person's circumstances occur:
 - Before the census date but worsen after that day; or
 - Before the census date, but the full effect of magnitude does not become apparent until on or after that day; or
 - After the census date.
5. The situation must be unusual, uncommon or abnormal to be considered special circumstances.
6. KAL TRAINING waives the requirement that applications be made before the end of the application period (being the 12 months after the day specified in the notice as the day the withdrawal takes effect, as under clause 49 of Schedule 1A of the Higher Education Support Act 2003), should it be the case that it would not be, or was not, possible for the application to be made before the end of the period.

Re-Credit of FEE-HELP Balance

1. In requesting a re-credit of the FEE-HELP balance, a student must provide relevant and appropriate evidence that they are unable to continue their study in the VET unit due to special circumstances. Students can obtain further information about special circumstances from the VET FEE-HELP Officer (Training Manager).
2. A student must apply in writing for withdrawal and re-crediting of their FEE-HELP balance within 12 months after the day specified as the day the withdrawal takes effect.
3. Once a request to re-credit a person's FEE-HELP balance is approved, a student's VET FEE-HELP debt is removed for the relevant VET unit/s studied.
4. KAL TRAINING will refund to the Commonwealth the amount of VET FEE-HELP paid to the College on behalf of the student, if the student's request is successful.

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5. KAL TRAINING will notify the department of Education of variation if the student's request is successful.
6. KAL TRAINING has the discretion to disallow an application for withdrawing from a VET unit or units of study after the census date if it considers the student's request is not based on special circumstances. If it believes there is not sufficient and relevant evidence or if it believes the student's request does not fall within the relevant timeframes for the application and processing of requests for re-crediting of FEE-HELP balances.
7. KAL Training's VET FEE-HELP Officer will consider the student's application as soon as practicable. Applications will be considered within 15 working days. Applicants will be notified of the decision in writing, within a further 15 working days.

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Review of Decision

1. If the original decision by the VET FEE-HELP Officer (Training Manager) is not to refund the fees or re-credit an applicant's FEE-HELP balance, the applicant may apply in writing for a review of the original decision.
2. Reviews are conducted by KAL Training's Chief Executive Officer (CEO).
3. The written application for a review must be received by the CEO within 28 days of the applicant receiving notice of the original decision and must state the reasons why they are applying for a review.
4. The CEO must acknowledge receipt of an application for review of a decision in writing and inform the applicant that, if the CEO has not advised the applicant of a decision within 45 days of receiving the application for review, the CEO is taken to have confirmed the original decision.
5. The CEO's options are:
 - a. To confirm the decision
 - b. To vary the decision; or
 - c. To set aside the decision and deliver a new decision
6. The CEO will review the original decision and inform the applicant in writing of the decision and the CEO's reasons for making the decision within 45 days.
7. The CEO must advise the applicant of their right to appeal to the Administrative Appeals Tribunal (AAT) for a review of the CEO's decision if the applicant is unsatisfied with the outcome.

Reconsideration by the Administration Appeals Tribunal

Should KAL TRAINING decline to refund an applicant's tuition fees or re-credit an applicant's FEE-HELP balance, the applicant may appeal to the Administrative Appeals Tribunal (AAT) for a review of the decision.

The nearest AAT is located at Level 16, HWT Tower, Southgate, 40 City Road, Southbank VIC 3006. The AAT charges an application fee of \$884, which may be mostly refunded when the review is completed if the AAT decides that it is finalised in your favour. This fee may be discounted if:

- you are receiving Legal Aid for your application;
- you hold a health care card, a pensioner concession card, a Commonwealth seniors health

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- card or any other card that certifies entitlement to Commonwealth health concessions;
- you are in prison or lawfully detained in a public institution;
- you are under 18 years of age; or
- you are receiving Youth Allowance, Austudy or ABSTUDY.

The fee may also be discounted if you can prove that paying the fee would cause you financial hardship.

For further information regarding the AAT's fees, visit:

<http://www.aat.gov.au/FormsAndFees/Fees.htm>.

The CEO of KAL TRAINING will also provide the applicant with the contact details and address of the nearest AAT Registry and an approximate cost of lodging an appeal with the AAT.

VET FEE-HELP Debts

Students who are, or would be, entitled to VET FEE-HELP assistance can defer their liability for a VET course of study by submitting a Request for VET FEE-HELP Assistance Form on or before the census date. A VET FEE-HELP debt is incurred by a student who has submitted to his or her provider a valid Request for VET FEE-HELP Assistance Form, has not paid his or her VET tuition fees up-front in full and remained enrolled at the end of the census date. A student who requests VET FEE-HELP assistance but withdraws from a VET unit of study on or before the census date, will not incur a VET FEE-HELP debt for that unit. A student who requests VET FEE-HELP assistance and withdraws after the census date, will incur a VET FEE-HELP debt.