

# Remission of Debt, Re-credit of SLE and Post Census Amendment of Enrolment Procedure

## Section 1 - Purpose / Objectives

(1) Nil

## Section 2 - Scope / Application

(2) Nil

## Section 3 - Definitions

(3) Nil

## Section 4 - Procedures

### Lodgement of Applications

(4) Completed application forms, with supporting original or certified documentation attached, must be lodged with a Student Service Centre or mailed via registered/certified post to the Remissions Actioning Officer, Victoria University, PO Box 14428, Melbourne, Vic 8001.

- a. The application form is date stamped upon receipt by a Student Service Centre and forwarded to the Remissions Actioning Officer who acknowledges receipt of the request for reconsideration.
- b. After examination by the Remissions Actioning Officer in accordance with clauses (54) to (60) of the [Remission of Debt and Post-Census Amendment of Enrolment Policy](#) and clauses (17) to (19), the following action is taken:
  - i. Where the decision to remit or re-credit clearly meets the guidelines as defined in clauses (5) to (11) the Remissions Actioning Officer will:
    - remit the student's debt and re-credit any SLE consumed (HECS-HELP), or
    - re-credit the student's debt (FEE-HELP), or
    - decline the application because it falls outside the guidelines, or
  - ii. Where the Remissions Actioning Officer is unable to reach a decision to remit or re-credit as defined in clauses (5) to (11) the Remissions Actioning Officer will refer the application to the Committee for Re-credit and Remission.

### Consideration of application for post-census remission of debt in exceptional circumstances

(5) Applications for post-census remission of debt in exceptional circumstances will be considered by the Remissions

Actioning Officer.

(6) The Remissions Actioning Officer shall obtain the record of the student's enrolment in the course of study from which she/he seeks re-credit or remission, where such documentation may assist in consideration of the application.

(7) Each application is examined and determined on its merits according to the HESA legislation and this Policy. The Remissions Actioning Officer considers the student's claims, together with any independent original or certified supporting documentary evidence which substantiate the claims.

(8) Circumstances are deemed to be "beyond a student's control" if, in accordance with the HESA guidelines and this Policy, a situation occurs which a reasonable person would consider was 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.

### **Instances where the University will re-credit or remit**

(9) The University remits or re-credits where it is determined that the exceptional circumstances:

- a. were beyond the student's control
  - i. Circumstances are considered 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. This situation must be unusual, uncommon, or abnormal.
  - ii. Under the HESA legislation, lack of knowledge of how the HELP schemes work is not considered beyond a student's control.
- b. do not make full impact on the student until on or after the census date for the unit if the student's circumstances occur:
  - i. before the census date, but worsen after that day;
  - ii. before the census date, but the full effect or magnitude does not become apparent until after that day or;
  - iii. on or after the census date.
- c. make it impracticable for the student to complete the unit of study requirements
  - i. Circumstances that make it impracticable for the student to complete the requirements for their unit of study include:
    - medical circumstances: that is, where a student's medical condition has changed to such an extent that they are unable to continue studying;
    - family/personal circumstances: that is, death or severe medical problems within a family, unforeseen family financial issues, so that it is unreasonable to expect a student to continue studies;
    - employment related circumstances: that is, a student's employment status changed so the student is unable to continue their studies, and this change is beyond the student's control;
    - course related circumstances: that is, where Victoria University has changed the unit it offered and the student is disadvantaged by either not being able to complete the unit, or not being given credit towards other units or courses;
    - a student is unable to complete the requirement for a unit, for example, if the student is unable to:
      - undertake the necessary private study required, or attend sufficient lectures or tutorials or meet other compulsory attendance requirements in order to meet their compulsory course requirements; or
      - complete the required assessable work; or
      - sit the required examinations; or

- complete any other course requirement because of their inability to meet the above.

### **Guidelines for satisfying that the HE legislative basis for remission is met for units of study commenced on or after 1 January 1998 and before 1 January 2005**

(10) Each application is examined and determined on its merits. The Remissions Actioning Officer will consider the person's claims, together with independent original or certified documentary evidence which substantiates these claims.

(11) The Remissions Actioning Officer must be satisfied that a person's circumstances:

- a. are beyond a person's control:
  - i. that is, a situation occurs 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. This situation must be unusual, uncommon or abnormal.

(12) Under the HESA legislation, lack of knowledge of how the HELP schemes work is not considered beyond a student's control.

- a. do not make their full impact on the person until on or after the census date for the course of study for the semester or the study period (as the case requires) if the person's circumstances occur:
  - i. before the census date, but worsen after that day, or
  - ii. before the census date, but the full effect or magnitude does not become apparent until on or after that day, or
  - iii. on or after the census date.
- b. make it impracticable for the person to complete the course requirements for the course of study for the semester during the semester or during the year in which the semester occurs or the units of study for which he or she was enrolled for the study period (as the case requires) if the person is unable to:
  - i. undertake the necessary private study required, or attend sufficient lectures or tutorials or meet other compulsory attendance requirements in order to meet their compulsory course requirements, or
  - ii. complete the required assessable work, or
  - iii. sit the required examinations, or
  - iv. complete any other course requirements because of their inability to meet clause (11) c (i), (ii) or (iii).

(13) Exceptional circumstances might arise from medical, family, personal, employment or course related reasons.

### **Timeframe for making decisions**

(14) The Remissions Actioning Officer must consider the student's application as soon as practicable, but no later than fourteen (14) days after both the application and supporting evidence has been received the Student Service Centre or by mail.

(15) The Committee for Re-credit and Remission must consider the student's application as soon as practicable, but no later than twenty-eight (28) days after both the application and supporting evidence has been received from the Remissions Actioning Officer.

(16) The Student Service Centre on receipt of applications must forward same to the Remissions Actioning Officer within two (2) days of receipt.

## Notification of the decision

(17) The Remissions Actioning Officer must notify the student of the decision within 14 days of a determination being made. The notification must detail:

- a. the basis of the decision; and
- b. the right to a review of the decision if the student is unsatisfied with the outcome.

(18) Where a decision results in the re-crediting of the student's SLE or FEE-HELP balance, the remission of the student's HELP debt, and/or the refund of a student's up-front payments,

- a. the Remissions Actioning Officer will:
  - i. notify AES in writing;
  - ii. notify the Faculty in writing; and
  - iii. the student of the decision in writing; and
  - iv. ensure that the approved decision is reflected in the student's enrolment record on the student management system;
  - v. arrange appropriate documentation and processes to effect a refund, where appropriate; and
  - vi. forward all documentation relating to the Variation to the Student Records Unit for filing (Under Retention and Disposal Authorities set by the Public Record Office Victoria, successful applications must be kept for 7 years. Unsuccessful applications may be discarded 1 year after application.

(19) Note: Any repayment will be made from the ledger account(s) originally credited with the funds.

- a. The Manager, Student Systems and Reporting, or nominated staff member will, on receipt of the documentation:
  - i. through the Student Management System, advise DEEWR through the SLE and Help Revisions File, or
  - ii. where a decision does not result in re-crediting or remission the Remissions Actioning Officer will forward all documentation for filing.

## Review of decisions

(20) Students have the right to apply for a review of a decision not to re-credit SLE or remit fees.

(21) HESA requires that the Review Officer occupies a different and more senior position to the officer that made the original decision. The Review Officer at Victoria University is the Director, Student Connections.

(22) The application for a reconsideration of a decision must be made within twenty-eight (28) days from the day the student first received notice of the decision [HESA — s 209-10(2)]. The student must state the reason why she/he is applying for a review.

(23) The Director, Student Connections must acknowledge receipt of the request for review.

(24) The Director, Student Connections may:

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

(25) The Director, Student Connections will notify the student in writing of the reviewer's decision, and the reason for reaching that decision, within forty-five (45) days of receiving the application for review [HESA s209-10(6)].

(26) The Director, Student Connections will also advise Commonwealth Assisted students of:

- a. their right to appeal to the AAT for a review of the decision if the student is unsatisfied with the outcome; and
- b. the contact details of the nearest AAT registry.

(27) The Director Student Connections will also advise non Commonwealth Assisted students of the processes as outlined in the University Grievance Procedure.

### **Reconsideration of Commonwealth Assisted Decisions by the AAT**

(28) The Secretary of DEEWR, or delegate, is the respondent for cases which are before the AAT. To enable DEEWR to meet the twenty-eight (28) day timeframe, the Director, Student Connections must:

- a. within 5 business days of being notified in writing by DEEWR of an appeal, provide DEEWR with all the original documents relevant to the appeal.
- b. send the relevant documents to DEEWR by courier or Express Post.

(29) DEEWR will notify Victoria University of the outcome of the appeal.

### **Faculty Requested Amendments to HECS-HELP/FEE-HELP and VET FEE-HELP Enrolments post Census Date.**

(30) Consistent with the HESA legislation the University may only make amendments to a Higher Education enrolment after Census date as a consequence of exceptional circumstances pertaining to a student or as a result of administrative error.

(31) Where a Faculty seeks to amend enrolments for reason of administrative error, the Faculty General Manager (or nominee) or Executive Director (or nominee) shall approve the submission of an Application for Post Census Date Amendment form and forward it to the Manager, Admissions and Enrolments for consideration.

(32) The Faculty General Manager or Executive Director will advise the Manager, Admissions and Enrolments, using the form, the circumstance(s) which make the proposed change reasonable. The circumstances may include:

- a. The student made the change prior to census date but the change was not forwarded to the Student Connections Department. (The date the student made the change and the reason why it was not forwarded must be included on the form, with supporting documentation.)
- b. the Unit of Study is not being delivered in this teaching period/Semester/Year.
- c. the Unit of Study was confirmed after census date due to delay by the Faculty for reasons outside the student's control.

(33) Each request is considered on its own merits and a fee determined through University Regulation 11.1.1 processes is charged for each amendment made under Section 6.7 to contribute to the additional administrative costs.

(34) Note: Amendments made as a result of information incorrectly entered into the student management system do not attract a fee.

## **Section 5 - Guidelines**

(35) Nil



## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	16th September 2014
<b>Review Date</b>	31st December 2018
<b>Approval Authority</b>	Vice-Chancellor
<b>Approval Date</b>	16th September 2014
<b>Expiry Date</b>	8th July 2019
<b>Accountable Officer</b>	Lisa Line Deputy Vice-Chancellor Enterprise and Digital Lisa.Line@vu.edu.au
<b>Responsible Officer</b>	Michelle Gillespie Chief Student Officer 9919 5106
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