

Recrediting and Remission of HELP Debt Policy

Section 1 - Purpose and Scope

(1) This policy establishes a standard for assessing and processing the re-crediting of a FEE-HELP balance, remitting a HECS-HELP balance and refunding of up-front student contribution amounts or partial payments in exceptional/special circumstances. It recognises that exceptional or special circumstances relating to medical, personal/family, employment or course related situations may affect SCU students and impact on their capacity to complete their studies.

(2) The Policy accords with the Higher Education Support Act 2003 (HESA) which contains provisions to allow the University to re-credit Commonwealth supported students and domestic fee paying students' HECS-HELP or FEE-HELP balance in special circumstances.

(3) Scope

- a. This policy applies to the administration of all Commonwealth supported and domestic fee paying students.

Section 2 - Definitions

(4) For the purposes of this Policy:

- a. Census dates
 - i. the date prescribed by the University in accordance with the Higher Education Support Act 2003 as the date on which a student's enrolment is taken to be finalised. A domestic student cannot enrol or withdraw from units after census date without significant academic and/or financial penalties;
- b. Commonwealth Supported student
 - i. a student whose place in the course is Commonwealth Supported. Australian and New Zealand citizens, and Permanent Residents of Australia are eligible for a Commonwealth Supported place;
- c. Course
 - i. a course is a higher education award or enabling course. This may include award courses such as the Bachelor of Arts, Bachelor of Science, and enabling courses such as Preparing for Success;
- d. Delegated Officer
 - i. a Student Management Unit staff member responsible for assessing and processing applications for remission or refund;
- e. Domestic student
 - i. a student who is an Australian Citizen, New Zealand citizen or the holder of a permanent visa;
- f. HECS-HELP
 - i. a Commonwealth loan scheme that provides a discount facility and loan option to help eligible Commonwealth supported students to pay their student contribution amount;
- g. FEE-HELP
 - i. a Commonwealth loan scheme which allows eligible non Commonwealth supported (fee-paying) students

to pay their fees;

h. Review Officer

i. a Student Management Unit staff member responsible for reviewing decisions made by the Delegated Officer. The Review Officer is not involved in the initial assessment or outcome of an application;

i. Unit of study

i. a subject or unit that a person may undertake with SCU that could be undertaken as part of a course of study.

Section 3 - Policy Statement

(5) A student may be granted a remission of deferred fees, re-crediting of fee balance and/or refund of up-front payment amounts where he or she:

- a. withdraws from a unit/s after the unit census date or fails to complete their unit/s of study due to exceptional/special circumstances; and
- b. is or was enrolled in a unit/s as part of a course of study with the University, (including award and enabling courses); and
- c. has not successfully completed the requirements of the unit/s during the study period.

(6) The Delegated Officer will determine that exceptional/special circumstances apply where the circumstances:

- a. are beyond the person's control; and
- b. do not make their full impact on the person until on or after the census date for the unit of study in question; and
- c. make it impracticable for the person to complete the requirements for the unit during the period during which the person undertook, or was to undertake, the unit.

(7) The Delegated Officer will be satisfied that a person's circumstances are beyond that person's control if:

- a. 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; and
- b. the situation is unusual, uncommon or abnormal.

(8) The Delegated Officer will 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 unit of study if the person's circumstances occur:

- a. before the census date, but worsen after that day; or
- 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.

Remitting HELP debt/Refunding upfront payments.

(9) Where exceptional/special circumstances exist, the Delegated Officer may remit a student's HELP debt by the amount equal to the deferred student contribution amount or deferred domestic fee amount.

(10) If a student's HELP debt is remitted, the University will:

- a. refund any up-front payments to the student made in respect of the unit; and/or
- b. remit the HECS-HELP or FEE-HELP debt for the unit/s approved in the application and advise the ATO of the

- reduction in debt for the student; and
- c. issue an amended Commonwealth Assistance Notice for the relevant study period.

(11) The Director, Student Services is responsible for ensuring that applications for the re-crediting, remission and/or refund of student contribution amounts, domestic full fee amounts and up-front payment amounts in Special Circumstances are administered and assessed according to this policy.

(12) Students are responsible for providing sufficient valid information and documentation with their application to enable a full, fair and reasonable assessment of the special circumstances on which the application is based.

(13) If a student withdraws from any unit of study after the unit of study census date, he or she is considered to have a liability associated with that unit of study.

Section 4 - Procedures

(14) An Application for Remission or Refund of Fees after Census Date Due to Special Circumstances must be lodged with:

The Director, Student Services

Southern Cross University

PO Box 157

LISMORE NSW 2480

(15) Application forms and instructions are available from Student Services or the Student Services website at <http://www.scu.edu.au/student-services/>

(16) Applications which are received more than 12 months after withdrawal from the relevant unit/s or the last day of the study period for the relevant unit/s must provide appropriate documentation outlining the reason/s for late application.

(17) Separate documentation must be provided as explanation for making a late application, and this documentation cannot be the same as the documentation submitted for the application for remission or refund.

(18) Circumstances supporting late applications may include, but are not limited to:

- a. student incarceration;
- b. income threshold reaching repayment level for the first time;
- c. long term illness or extended family crises; or
- d. defence personnel being deployed overseas.

These circumstances must be documented and submitted with the application.

Application Outcomes

(19) The Director, Student Services will nominate a suitably qualified member of staff to process a preliminary assessment of a student's application, allocate a Case Reference Number and send a letter acknowledging receipt of

the application within 10 working days.

(20) The Director, Student Services will advise the student in writing of the outcome of his or her application, within 6 weeks of receipt of the application. The notice of decision will state:

- a. the reasons for the decision
- b. the right of review
- c. an outline of the review process

Successful Applications

(21) If the application is successful, the Director, Student Services will:

- a. authorise a refund to the student of any upfront student contributions or fees already paid, to a maximum amount of \$10,000. Amounts over \$10,000.00 will be referred to the Vice Chancellor or Senior Deputy Vice Chancellor for authorisation; and/or
- b. grant a 'withdrawal without failure' from the approved units and adjust the students' Academic Record accordingly; and/or
- c. remit the HECS-HELP or FEE-HELP debt for the unit/s approved in the application and advise the ATO of the reduction in debt for the student; and/or
- d. provide an amended Commonwealth Assistance Notice (CAN) for the relevant study period.

Review of Decision

(22) If a student is not satisfied with the outcome of their application, they may request a review within 4 weeks of receipt of notification.

(23) The request for review must be in writing and should:

- a. contain information and/or documentation additional to that provided in the original application; and
- b. directly address the reasons provided for the original decision (see 11 above).

(24) Applications for review should be lodged with:

The Reviewer, Remissions & Appeals

Southern Cross University

PO Box 157

LISMORE NSW 2480

(25) Within 4 weeks of receipt of the review application, the Director, Student Services will advise the student in writing of the outcome of his or her application. The notice of decision on review must state:

- a. the reasons for the decision on review;
- b. the right of appeal; and
- c. an outline of the appeal process.

Appeal

(26) If the student is not satisfied with the outcome of that review, he or she may apply to the Administrative Appeals Tribunal (AAT) for a review of Student Services' decision. This application must be lodged within 28 days of receiving notice of Student Services' decision. Further information is available at <http://www.aat.gov.au>

(27) SCU has a formal grievance resolution procedure through which students may lodge complaints about academic, administrative and other non-academic matters. SCU is not empowered to use this procedure to reconsider or change decisions made by the Review Officer in relation to the re-crediting of HECS-HELP or FEE-HELP loan balances. However, students may access the procedures if they think there has been maladministration in relation to their application for the re-credit of HECS-HELP or FEE-HELP balance.

(28) The Southern Cross University Complaints framework can be found at:

<http://www.scu.edu.au/complaints>

Section 5 - Guidelines

(29) Nil.

Status and Details

Status	Historic
Effective Date	31st January 2013
Review Date	1st October 2015
Approval Authority	Vice Chancellor
Approval Date	31st January 2013
Expiry Date	25th May 2014
Head of Work Unit	Fiona Wright Director, Student Administration Services
Enquiries Contact	Student Administration Services