

Policy Title: REMISSION OF TUITION FEES

Policy Owner: Manager Student Progress

Keywords: Student Fees Remission

Policy Code: PL221 (ad076)

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1. INTENT

The intent of this policy is to determine how Edith Cowan University administers remission (removal) of debt (HECS HELP, FEE-HELP, VET Student Loan and up-front payments) in special circumstances.

The policy and associated guidelines also outline the review of associated decisions to ensure compliance with the processes and procedure prescribed in the Higher Education Support Act (HESA) and the Standards for Registered Training Organisations (RTOs) 2015.

2. ORGANISATIONAL SCOPE

This policy applies to all Edith Cowan University

3. DEFINITIONS

TERM	DEFINITION
Census date	Means the date at which a student's fee liability is assessed. The Census dates are published on the University web site and vary depending on the academic period
Commonwealth Supported Student	A Commonwealth supported student is a student who is eligible for and enrolled in a Commonwealth supported place. To be eligible for a Commonwealth supported place, a student must be a domestic student, as defined in this policy. Commonwealth supported students do not pay tuition fees, but instead are charged a student contribution amount towards the cost of their program.

TERM	DEFINITION
Day	Means a day on which the University is open to the public for normal business operations
DET	Department of Education and Training
Domestic Student	Domestic students are Australian citizens, New Zealand citizens, holders of a permanent visa or holders of a permanent humanitarian visa. New Zealand citizens and holders of Australian permanent visas must be resident in Australia for the duration of their studies.
Higher Education Loan Program (HELP)	A loan program to help eligible students pay their student contribution. These loans are repaid through the taxation system.
International Student	Means a student who is not an Australian citizen, a permanent resident of Australia or a New Zealand citizen
The Act	Means the Higher Education Support Act (HESA) 2003, and ministerial guidelines issued under its authority.
Unit	Means a unit of study or unit of competency
VET	Vocational Education and Training
VET Student Loan	Australian Government loan program that helps eligible students enrolled in approved higher level vocational education and training courses at approved course providers pay their tuition fees.

4. POLICY CONTENT

- 4.1 In some special circumstances a student who withdraws from their studies after the census date can apply for remission of HECS-HELP, FEE-HELP, VET Student Loan and up-front fees charged. Such special circumstances which are described in the attached guidelines are those that:
- are beyond a student's control; and
 - 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 in the period during which the student undertook, or was to undertake the unit.
- 4.2 A student cannot apply for remission of fees if they have successfully completed the requirements of that unit. A student who receives a fail grade (Higher Education), or a non-Competent grade (Vocational Education and Training) is not considered to have successfully completed the unit and may apply for a re-credit or remission providing the fail is attributable to special circumstances.
- 4.3 Being unable to meet the academic and financial requirements of a unit does not of itself make a student eligible for remission of fees.

- 4.4 Students who withdraw from a unit of study after census date may apply for remission of fees.
- 4.5 When a student's tuition fee for a teaching period is remitted due to special circumstances, the student continues to be liable for any applicable Student Services and Amenities Fee (SSAF). Any SA-HELP debt incurred by a student for that teaching period cannot be remitted under any circumstances.

Applications for remission of Fees cannot be processed where there is an outstanding SSAF.

- 4.6 An application for remission of fees must be made in writing.
- 4.6.1 **Higher Education** students must apply 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 was, or was to be, undertaken.
- 4.6.2 **Vocational Education and Training (VET)** students must apply within 12 months after the census day for the course or the part of the course.
- 4.6.3 The 12 month time limit cannot be extended unless the applicant can substantiate that it would be unreasonable to expect them to submit their application due to serious illness or other circumstances which a reasonable person would consider to be impractical for them to have lodged their application within 12 months of the withdrawal date or the study period in which the unit was, or was to be, undertaken.
- 4.6.3 Where an application is declined for being made out of time the applicant cannot seek reconsideration of the decision by the University.
- 4.7 Applications for remission of fees must be substantiated with adequate supporting documentation such as a medical certificate or letter from a health professional.
- 4.8 Applications for remission of fees will be assessed and the student notified of the outcome within 20 working days of receipt of application.
- 4.9 If the student is dissatisfied with the outcome of the application the student may ask for a review by writing to the Student Fees Office - student.fees@ecu.edu.au within 28 days from the receipt of the original decision.
- 4.10 If the student is not satisfied with the outcome of the review as outlined in clause 4.8 of this policy, the student can lodge a formal complaint by contacting ECU's Complaints Officer or emailing complaints@ecu.edu.au.
- 4.11 Domestic students who may not be satisfied with the outcome of their appeal or complaint can apply to the following agencies/departments for a review of the decision:

Higher Education students

- Administrative Appeals Tribunal (AAT)

Vocational Education and Training (VET) students

- National Training and Complaints Hotline
- VET Student Loans Ombudsman

International students

- free mediation/conciliation service through the Department of Education Services.

5. ACCOUNTABILITIES AND RESPONSIBILITIES

In relation to this policy, the following positions are responsible for the following

Policy Owner

The Policy Owner the Manager Student Progress has overall responsibility for the content of this policy and its operation in ECU.

Staff and students are required to comply with the content of this policy and to seek guidance in the event of uncertainty as to its application.

6. RELATED DOCUMENTS:

6.1 The policy is supported by the following Guidelines:

Remission of Tuition Fees Guidelines

6.2 Other documents which are relevant to the operation of this policy are as follows:

- The Higher Education Support Act (HESA)
- Standards for Registered Training Organisations (RTOs) 2015
- Grievance Procedure (<http://www.ecu.edu.au/student/student-equity/grievances.php>)
- Application for Remission of HECS-HELP, Fees Liability or FEE-HELP and VET Student Loan and Debt
- VET Student Loans Act 2016

7. For queries relating to these documents please contact:

Policy Owner	Manager Student Progress
All Enquiries Contact:	Manager Student Progress
Telephone:	08 6304 3899
Email address:	student.fees@ecu.edu.au

8. APPROVAL HISTORY

Policy Approved by:	Vice-Chancellor
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Next Revision Due:	December 2020
HPRM File Reference	SUB/12331

GUIDELINES

Linked to: Remission of Tuition Fees Policy

[Intent Process](#)

[References](#)

[Contact Information](#)

1. Intent

These guidelines describe processes and procedures for the remission of tuition fees in special circumstances and should be read in conjunction with the Remission of Tuition Fees Policy, and the review process of associated decisions at Edith Cowan University (ECU).

These guidelines are developed to assist students to submit a valid request for review by the University and provide details of the letters, including the required content of the letters to be submitted for consideration. They also outline the information the University is expected to have publicly available for students and any appeal avenues including external Appeal to Administrative Appeals Tribunal (AAT) for domestic students.

2. Process

A student can apply for a remission of fees charged in respect of tuition fees (HECS- HELP, FEE-HELP and VET Student Loan and up-front payment) if they withdraw from their studies after the census date in special circumstances. Special circumstances are circumstances that were:

1. beyond the student's control; and
2. did not make their full impact on the student until on, or after, the census date; and
3. made it impracticable for the student to complete the requirements for the unit in the period during which the student undertook, or was to undertake, the unit.

Students can clarify their HECS-HELP balance through the Study Assist Uni website:

(www.studyassist.gov.au).

Student Central and Student Fees staff can assist students in understanding their HECS/FEE-HELP, and VET Student Loan debt.

Special circumstances do not include, for example:

- lack of knowledge or understanding of HESA or VET Standards requirements or relevant policies; or
- a person's incapacity to repay a Higher Education Loan Program (HELP) debt or tuition fees charged.

1. **Beyond a student's control**

Circumstances are beyond a student's control if a situation occurs that 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.

A lack of knowledge or understanding of ECU's policy and procedures, or the rules and regulations that govern is not considered to be beyond a student's control.

2. **Did not make full impact until on or after the census date**

Circumstances do not make their full impact on the student until on or after census date for the unit if the student's circumstances occur:

- before the census date, but worsen after that day;
- before the census date, but the full effect or magnitude does not become apparent until after that day; or
- on or after census date.

3. **Impracticable for the student to complete the unit of study requirements**

Circumstances that make it impracticable for the student to complete the requirements for their unit of study include:

- medical circumstances. For example, where a student's medical condition has changed to such an extent that they are unable to continue studying;
- family/personal circumstances. For example, death or severe medical problems within a family, or unforeseen family financial difficulties, so that it is unreasonable to expect a student to continue studies;
- employment-related circumstances. For example, where a student's employment status or arrangements have changed so that the student is unable to continue their studies, and this change is beyond their control; or
- course-related circumstances. For example, where the University has changed the unit it had 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 requirements for a unit, for example, if they are 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 requirements because of their inability to meet the above

2.1 Request for remission (removal) of debt (HECS-HELP, FEE-HELP, VET Student Loan and up-front payment) in special circumstances

- 2.1.1. Students may request a remission (removal) of debt (HECS-HELP, FEE-HELP and up-front payment) by submitting a completed Application for Remission of HECS-HELP, Fees Liability or FEE-HELP Debt. This request must be in accordance with the

Remission of Tuition Fees policy.

- 2.1.2. Any SA-HELP debt incurred by a student for that teaching period cannot be remitted under any circumstances. A copy of the application form can be obtained online, the Student Fees Office or the Student Services Centre website:
(<http://www.ecu.edu.au/SSC/>).
- 2.1.3. The application must include the reasons for the request and include adequate documentation to substantiate the claim. This could include a doctor/counsellor certificate which demonstrates:
- that the circumstances were beyond the student's control and how they prevented the student from continuing their studies;
 - that the circumstances changed after the census date.
- 2.1.4. The Student Fees Manager (or delegate) will acknowledge the receipt of the application in writing within 10 working days notifying the student the timeframe for consideration of the application.
- 2.1.5. The application will be assessed based on the information provided but if required, further information may be requested from the applicant.
- 2.1.6. The Student Fees Manager (or delegate) will advise the applicant the outcome of the application in writing, normally within 20 working days from receipt of the application or additional requested information.
- 2.1.7. If the application is successful, the Notice of Decision letter will include:
- the HELP debt that will be reduced;
 - the up-front payment amount that will be available for refund if the student has made such a payment; and
 - who to contact for further questions.
- 2.1.8. If the application is unsuccessful, the Notice of Decision letter will include:
- the reasons for the decision not to refund associated up-front payments and/or remit the associated HELP debt;
 - how to submit a valid request for a review of the decision and who to contact for further questions.
- 2.1.9. An application for remission of fees must be made.
Higher Education students must apply 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 was, or was to be, undertaken.
Vocational Education and Training (VET) students must apply within 12 months after the census day for the course or the part of the course.

When an application is rejected as being out of time, as per the guidelines, merits of the application will not be addressed.

2.2 Review of Decision

- 2.2.1 Where a student is dissatisfied with the outcome of their request for refund of associated up-front payments and/or remission of associated HELP debt, they may appeal in writing to the Manager, Fees and Scholarships who will act as the 'Review Officer' within 28 days from the receipt of the decision. Applications for review of a decision may be accepted after 28 days where the student can demonstrate that it would not be, or was

not, possible for the application to be submitted by the deadline.

- 2.2.2 The application should be in writing and must state the reasons for requesting a review of the decision. The application may include additional documents or evidence that was not provided in the original application.
- 2.2.3 The application for review will be acknowledged in writing within 5 working days and the student will be advised of a decision within 28 days from the day they first received notice of the decision.
- The acknowledgment letter will:
- inform the student that, if the reviewer has not advised the applicant of a decision within 45 days of receiving the application for review, the reviewer is taken to have confirmed the original decision;
 - inform the student of their right to appeal. Domestic students may apply to the AAT for a review of the decision; and
 - provide the contact details of ECU's Complaint Officer
 - inform domestic students about the closest AAT Registry and the approximate costs of lodging an appeal with the AAT.
- 2.2.4 The Review Officer will review any new or additional evidence provided by the student and re-examine the original decision in line with the requirements and guidelines under which that decision was made. The decision may be to confirm the original decision, vary the decision, or set the decision aside and substitute a new decision
- 2.2.5 If the application for review of the decision is successful, the Notice of Review Decision letter will include:
- the HELP debt that will be reduced;
 - the up-front payment amount that will be available for refund if you have made such a payment; and
 - who to contact for further questions.
- 2.2.6 If the application for review of the decision is unsuccessful, the Notice of Review Decision letter will include:
- the reasons for the decision not to refund associated up-front payments and/or remit associated HELP debt;
 - where to obtain further information on the University's formal complaint or student grievance resolution policy; and
 - who to contact for further questions.
- 2.2.7 In case of domestic students the decision letter also:
- advises the student of their right to appeal to the AAT for a review of the reviewer's decision if they are unsatisfied with the outcome; and
 - provides the student with the contact details and address of the nearest AAT registry.
- 2.2.8 If the reviewer has not advised the student of a decision or provided an update on progress within 45 days of receiving the application for review, it is deemed that the original decision has been confirmed.

Amending the Student's Academic Record

Where a decision is made to remit or refund cost associated with a course of study the student will also be entitled to have their academic record amended. The Fees Manager will notify Student Assessments requesting that the student's academic record be amended so that the unit(s) remain on the student's record with the grade of Withdrawn Remission (WR) or Withdrawn Late (WL) as appropriate.

Notification to Department of Education and Training (DET) of the Decision

Where the decision results in the re-crediting of the student's FEE - HELP Balance, the remission of a person's HELP debt, and/or the refund of the student's up-front payments, **DET** will be notified through the HELP Revisions File.

Appeal to Administrative Appeals Tribunal (AAT) by Domestic Students

If, after completing all the steps above, a domestic student is still not satisfied with the outcome of the review of decision, they are entitled under the Act to appeal to the Administrative Appeals Tribunal (AAT) for a review within 28 days from the day they first receive notice of the review of decision outcome. This avenue of appeal is not open to international students and is limited to Commonwealth Supported or Commonwealth assisted students.

The student may supply additional information to the AAT that they did not previously supply to the University.

Contact details and address of the nearest AAT registry can be obtained from the Student Fees Office or Student Central. A filing fee is normally payable to the AAT. Under some circumstances this fee may be waived.

The University may still reconsider matters that are before the AAT (i.e. at any time up until the AAT makes a final decision) and advise **DET** if a decision is made to re-credit or remit.

3 References

File No: SUB/12331	
Guidelines Owner:	Manager Student Progress
Approved by:	Vice-Chancellor
Date Approved:	29 January 2013
Revision Date:	December 2017
Amendments:	November 2012
Related Policies/Documents:	<ul style="list-style-type: none"> • The Higher Education Support Act (HESA) • Higher Education Legislation Amendment (Student Services and Amenities) Act 2011 • Standards for Registered Training Organisations (RTOs) 2015 • University's Grievance Procedure http://www.ecu.edu.au/centres/office-of-governance-services/our-services/student-complaints • Application for Remission of HECS-HELP, Fees Liability or FEE-HELP Debt

4 Contact Information

Contact Person:	Manager Student Progress
Telephone:	08 6304 3899
Email address:	student.fees@ecu.edu.au

UNDER REVIEW