

MACLEAY COLLEGE

FEE-HELP REVIEW PROCEDURES

POLICY OVERVIEW

It is recognised that, from time to time, circumstances may arise regarding the re-crediting of FEE-Help amounts.

Under the provisions of the *Higher Education Support Act 2003*, a student withdrawing from a unit of study from one of Macleay College's accredited higher education courses may make a written request to have his/her FEE-Help balance re-credited if the student has been unable to complete the academic requirements and she/he believes that this was due to special circumstances.

APPLICATION FOR RE-CREDITING FEE-HELP

Macleay College will re-credit a student's FEE-Help balance with the amount equal to the amount of FEE-HELP assistance that the student received for the unit of study where the following conditions are met:

- (a) The student is enrolled in the unit with Macleay College; and
- (b) The student has not completed the requirements for the unit during the period during which the student undertook, or was to undertake the unit; and
- (c) Macleay College is satisfied that *special circumstances** apply to the person; and
- (d) The student applies in writing to Macleay College for re-crediting of the FEE-Help balance; and either:
 - (i) The application is made before the end of the *application period*⁺; or
 - (ii) The provider waives the requirement that the application be made before the end of that period, on the ground that it would not be, or was not, possible for the application to be made before the end of the period.

**Special Circumstances*

Special circumstances apply to the student if and only if Macleay College is satisfied that circumstances apply to the person that:

- (a) Are beyond the person's control; and
- (b) Do not make their full impact 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 in the period during which the person undertook, or was to undertake the unit.

⁺Application Period

(1) Where a student apply for re-crediting of FEE-Help assistance in relation to a unit of study has withdrawn from the unit in writing, and Macleay College has given notice to the student that the withdrawal has taken effect, the application period is 12 months after the day specified in the notice as they day the withdrawal takes effect.

If (1) does not apply, the application period for the application is the period of 12 months after the period during which the person undertook, or was to undertake, the unit.

HOW TO MAKE AN APPLICATION FOR RE-CREDITING FEE-HELP

Where a student believes that they meet the conditions for re-crediting his/her FEE-Help balance under the requirements of the *Higher Education Support Act 2003*, the student must make a written request to the Registrar outlining their reasons for the request and enclose any relevant supporting documents. The Registrar will advise the student in writing of the decision within 14 days of receipt of the request.

REVIEW OF DECISION

If unsatisfied with the decision, the student may request a review of the decision. A written request outlining reasons for the request (and including any relevant supporting documents) must be submitted to the Dean of Macleay College within 28 days of receiving notice of the original decision.

Upon receipt of the request for a review, Macleay College shall acknowledge receipt of the request in writing and inform the student that:

- (a) The review shall be carried out by the Dean of Macleay College
- (b) If Macleay College has not advised the student of the decision within 45 days of receipt of the request, the Dean should be taken as having confirmed the original decision; and
- (c) The student has the right to apply to the Administrative Appeals Tribunal for a review of the decision, providing the contact details of the closest Administrative Appeals Tribunal Registry, and the approximate costs of lodging and appeal with the Administrative Appeals Tribunal.

In reviewing the original decision, the Dean shall request all relevant and available information and review the case within 14 days. The Dean will reconsider the decision, and either:

- (a) Confirm the decision; or
- (b) Vary the decision; or
- (c) Set the decision aside and substitute a new decision.

The student will receive written advice of the outcome outlining reasons for the decision. At this time, the student will again be advised their right to apply to the Administrative Appeals Tribunal for a review of the decision, with the contact details of the closest Administrative Appeals Tribunal Registry, and the approximate costs of lodging and appeal with the Administrative Appeals Tribunal.

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