

POLICY AND PROCEDURE: REMISSION (REMOVAL) OF FEES UNDER SPECIAL CIRCUMSTANCES

If a student withdraws from a Unit of Study after the census date for that Unit of Study and believes that special circumstances* apply to their withdrawal post census, they may request a remission of fees of their VET Student Loan (VSL) debt for that Unit of Study only under Part 6 of the Act. Students may not apply for remission of debt in special circumstances if they are currently enrolled with the College.

An application for remission of fees under special circumstances must be made to Ella Baché College:

- under section 68 of the Act must be made within 12 months after the census day for the course, or the part of the course, concerned, or within that period as extended by the provider, or
- that applications for re-crediting under section 71 of the Act must be made within 5 years after the census day for the course, or the part of the course, concerned or within that period as extended by the Secretary within 12 months of the student's withdrawal date. Conditions to request under section 71 of the Act are:
 - the provider, or a person acting on the provider's behalf, engaged in unacceptable conduct in relation to the student's application for the VET student loan, or
 - the provider has failed to comply with the Act or an instrument under the Act and the failure has adversely affected the student

NOTE: The Secretary may re-credit a student's VSL balance in relation to special circumstances if an approved course provider is unable to act or is being wound up or has been dissolved; or has failed to act and the Secretary is satisfied that the failure is unreasonable

Each application will be examined and determined on its merits by considering a student's claim together with independent supporting documentation substantiating the claim. Students will be provided in writing an outcome of the special circumstances request within 10 days of receipt of submission. If a student is unsatisfied with the outcome, they can lodge use the appeal process outlined in the Complaints, Grievances and Appeals Form.

* Special Circumstances apply where:

- The circumstances were beyond the student's control; and
- Did not make their full impact until on or after the census date; and
- Were such that it was impracticable for the student to complete the requirements of the Unit of Study

Circumstances beyond a student's control are those for which the student is not responsible, are abnormal or unusual and not due to a student's action or inaction. Examples could include:

- Serious illness or injury including those that are pre-existing conditions
- Bereavement of close family members such as parents, siblings, or grandparents
- A traumatic experience which could include but is not limited to:
 - Involvement in or witnessing a serious accident
 - A serious crime was committed against the student
 - The student has been witness to a serious crime.

Supporting documentation is required and should include:

- Being provided by a professional (e.g registered treating medical practitioner, counsellor or approved specialist) or person qualified to assess and support the application depending on the nature of the situation or circumstances; and
- specifies suitable information regarding the situation or circumstances that prevented the student from completing their studies; and
- specifies the dates the situation or circumstances occurred
- where a student was caring for an immediate family member, evidence of being a 'primary caregiver' is required
- supporting documentation from family or friends will not be accepted

Ella Bache will consider in its decision making

- whether the student could do enough private study, or attend training sessions and other activities, or engage online, to meet course requirements
- whether the student could complete any required assessable work, or demonstrate competencies required,

and

- whether the student could complete any other requirements arising from the student's inability to do the above [Rules s 145].