

## Review Procedures Re-crediting FEE-HELP Policy

This policy has been approved by the College Council. It is published on the College web site ([www.moore.edu.au](http://www.moore.edu.au)) and a reference to it is set out in the *Student Handbook*. The policy is communicated to academic staff through the *Faculty Handbook* and to support staff through the *Registrar's Handbook*. The Academic Dean is responsible for the training of academic staff in the application of the policy. The Registrar is responsible for the training of support staff in its application.

This policy applies only when all of the following conditions are satisfied:

- a student is enrolled in a unit of study within an accredited course of the College;
- the student has completed a Request for FEE-HELP Assistance for the unit of study;
- the census date for the unit of study has passed;
- the student has been unable to complete the requirements of the unit of study; and
- the student believes that this inability to complete the unit was due to special circumstances.

### Policy

1. Where all of the foregoing conditions are satisfied, a student may apply in writing for re-crediting of the applicant's FEE-HELP balance for the unit of study.
2. Applications for the re-crediting of FEE-HELP balance must be made in writing to the Registrar of the College.
3. Applications for the re-crediting FEE-HELP balance must be accompanied by independent documentary evidence, provided by a competent person, which substantiates the claim that one of the following special circumstances exist or existed:
  - 3.1. medical circumstances; or
  - 3.2. family circumstances; or
  - 3.3. personal circumstances; or
  - 3.4. employment related circumstances; or
  - 3.5. course related circumstances.
4. Applications for re-crediting of FEE-HELP balance must be submitted within 12 months of the withdrawal date, or if the student has not withdrawn, within 12 months of the end of the semester (if it was a semester length unit) or year (if it was a year length unit) in which the unit was, or was to be, undertaken. If the College is satisfied that the application could not be submitted within this timeframe due to circumstances beyond the control of the student, the College may at its discretion waive this requirement.
5. The Registrar must consider each application for re-crediting of FEE-HELP balance on its merit. In order to approve an application, the Registrar must be satisfied that special circumstances (see par. 2, above) applied or apply to the applicant that are or were:
  - 5.1. beyond the applicant's control;
  - 5.2. did not make their full impact on the applicant until after the census date; and
  - 5.3. made it impractical for the applicant to complete the requirements of the unit during the period in which the student undertook, or was to undertake, the unit of study.
6. The Registrar will be satisfied that the applicant's circumstances were beyond the applicant's control if:
  - 6.1. a situation occurred which a reasonable person would consider is not due to the applicant's action or inaction, either direct or indirect, and for which the applicant is not responsible; and
  - 6.2. the situation was unusual, uncommon or abnormal.
7. The Registrar will be satisfied that the applicant's circumstances did not make their full impact on the applicant until on or after the census date for the unit(s) of study concerned if the applicant's circumstances occurred:
  - 7.1. before the census date, but worsened after that day; or

- 7.2. before the census date, but the full effect or magnitude did not become apparent until on or after that day; or
- 7.3. on or after the census date.
8. The Registrar must give a written response to applications for re-crediting of FEE-HELP balance within one month of receiving them in writing.
9. If the Registrar decides against re-crediting of FEE-HELP balance for the unit of study, the written response must inform the applicant or his or her right to apply for a review of the decision and that the time limit for such applications for review is 28 days from the time when the applicant receives the decision (or such longer period as the Reviewer may, at the Reviewer's sole discretion, allow).
10. Requests for a review of a decision not to re-credit FEE-HELP balance must be made in writing to the Academic Dean and must state the reasons why the application for review is being made.
11. The Academic Dean must acknowledge in writing receipt of an application for a review of a decision within fourteen days. This written acknowledgement must include advice that if the applicant has not been advised of a decision concerning the review within 45 days of the Academic Dean receiving the request for review, the Academic Dean is taken to have confirmed the original decision by the Registrar. The written acknowledgement of the application for a review must inform the applicant of the right to appeal a decision made by the Academic Dean to the Administrative Appeals Tribunal (see below for contact details).
12. The Academic Dean will review the consistency of decisions reached by the Registrar with the College's published Review Procedures: Re-crediting of FEE-HELP Policy and will consider information contained in the written reasons for the application for review in terms of this policy.
13. The Academic Dean has available one of the following options:
  - 13.1. confirm the decision; or
  - 13.2. vary the decision; or
  - 13.3. set aside the decision and substitute a new decision.
14. The Academic Dean must inform the applicant in writing of his decision on the review of the Registrar's decision and state his reasons for making his decision. This written advice must also inform the applicant of the right to appeal a decision made by the Academic Dean to the Administrative Appeals Tribunal (see below for contact details).
15. An applicant unsatisfied with the Academic Dean's review of a decision by the Registrar has the right to appeal to the Administrative Appeals Tribunal (AAT) for a review of the Academic Dean's decision. The AAT may be contacted on tel: (02) 9391 2400, at <http://www.aat.gov.au> or at 55 Market St, SYDNEY NSW 2000. An application to the AAT for review of a decision, may involve an application fee of \$639.

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