

FEE-HELP REVIEW PROCEDURES

1. Purpose

Procedures for students to be able to have a review of their FEE-HELP debt incurred in their course of study, due to special circumstances.

2. Scope

This document sets out review procedures for students who apply after the census date to have their FEE-HELP balance re-credited if they have been unable to complete the requirements of a unit of study and they believe that this was due to special circumstances.

To meet **Special Circumstances**, students need to show that what affected them:

- Was beyond their control
- Did not make a full impact on them until on or after the census date(s) of the unit(s); and
- Made it not practicable for them to complete the unit(s)

3. Procedures

- 3.1** Applications must be made within 12 months of the withdrawal date, or if a student has not withdrawn, within 12 months of the end of the period of study in which the unit was, or was to be, undertaken.
- 3.1.2** Applications must be made in writing to the ACD Registrar accompanied by supporting evidence.
- 3.2** On receipt of the written application the ACD Registrar will first verify that:
- the student has not completed the requirements for the unit; and
 - special circumstances apply; and
 - the application is made within the 12 month application period.
- 3.3.** The ACD Registrar will consider the student's claims, together with independent supporting documentary evidence which substantiates the application.
- 3.4.** The ACD will re-credit a student's FEE-HELP balance if the ACD Registrar is satisfied that **Special Circumstances** apply to the student that.
- 3.4.1** The ACD Registrar will notify the student of the decision and the reasons for making the decision within three months of receipt of the application.
- 3.5.** The ACD Registrar will inform unsuccessful applicants of their right to apply for a review of a decision to not re-credit a FEE-HELP balance. The time limit for applying for a review of a decision is 28 days from the student receiving notice of the decision, or such longer period as the reviewer allows.
- 3.5.1** Students seeking review must apply in writing to the ACD Executive Officer stating the reasons why they are applying for a review.

3.5.2 The Executive Officer will:

- 1) notify the applicant in writing of the decision and the reasons for making the decision within 45 days of receipt of the request for the review;
- 2) advise the applicant of their right to appeal to the AAT for a review of the decision within 28 days if the applicant is unsatisfied with the outcome; and
- 3) provide the applicant with the contact details of the [Administrative Appeals Tribunal](#) (AAT)

4. Legislation/Standards

- Work health and safety Act 2012 (SA)
- Equal Opportunity Act 1984 (SA)
- Sex Discrimination Act 1984 (Commonwealth)
- Racial Discrimination Act 1975 (Commonwealth)
- Australian Human Rights Commission Act 1986 (Commonwealth)
- Disability Discrimination Act 1992 (Commonwealth)
- Age Discrimination Act 2004 (Commonwealth)
- Higher Education Support Act 2003 and Higher Education Provider Guidelines

5. Related Policies and Procedures

- Fee Policy
- Accessibility and Inclusion Policy
- Grievance Procedures

6. Authorities

Approval Authority	ACD Council
Responsible Officer	Executive Officer
Approval Date	July 2014
Minor Amendment Date	August 2021
Review Date	Default is 3 years after approval date
Replaces Policy (if applicable)	XXX