

Procedure Name	EXCEPTIONAL CIRCUMSTANCES (Re-credit FEE-HELP or Tuition Fee Refund) PROCEDURE
Procedure Number	G012_PR (Governance)
Purpose	<p>To outline the procedure for the re-crediting of a FEE-HELP balance or tuition fee refund in exceptional circumstances for the Whitehouse Institute Pty Ltd trading as the Whitehouse Institute of Design, Australia (Whitehouse).</p> <p>This procedure requires actions by the following:</p> <ul style="list-style-type: none"> • Students • Student Administration • Executive Director.
Scope	This procedure applies to Whitehouse across all campuses and for all FEE-HELP- enabled courses offered by Whitehouse and to current and prospective students.
Procedure	<p>The Exceptional Circumstances application for Re-Credit FEE-HELP or Tuition Fee Refund is to be lodged with the Student Administration officer at the relevant campus for consideration.</p> <p>Application Period</p> <p>The application must reach the Student Administration officer within 12 months from the day the student formally discontinued their studies. If the student did not formally discontinue their studies, the application must reach the Student Administration officer within 12 months from the last day of the period in which they undertook or were to undertake the subject(s).</p> <p>The time limit may be waived if Whitehouse is satisfied that it was not possible for the student to apply within the time limit.</p> <p>If not supplied at submission of application, supporting documentation is required within 28 days of receipt of the application.</p> <p>Supporting Documentation</p> <p>The application to re-credit FEE-HELP/tuition fee will be considered on its merits, in conjunction with the supporting documentation provided. Supporting documentation must be independent and provide enough detail for the Student Administration officer to advise the Executive Director to make an informed decision regarding the application. Statements made by parents/guardians, husbands /wives/partners or close relatives are not considered to be independent documentation.</p> <p>Supporting documentation should include:</p> <ul style="list-style-type: none"> • Medical Reasons: a statement from a doctor indicating: the date the medical condition began or changed; how the condition affected the student’s ability to study; and when it became apparent that they could not continue with their studies. • Family/Personal reasons: a statement from a doctor, counselor, police or independent member of the community (for example: A Justice of the Peace or a Minister of Religion) indicating the date the personal circumstance began or changed; how the circumstances affected the students ability to study and when it became apparent that they could not continue with their studies.

	<p>The application, along with supporting documentation and any relevant student administration documentation will be forwarded to the Executive Director for review and decision. The Student Administration officer will then advise the student in writing of a decision within 45 working days that either the application is approved or disallowed, or if further documentation/ validation is required.</p> <p>If approved, in the event of a refund, it will be paid in favor of the student (or their nominated agent) within 4 weeks of approval. In the event of FEE-HELP, the re-credit of FEE-HELP balance will be remitted through the relevant government agency.</p> <p>If disallowed, the student will be advised the reason why and relevant information will be provided on how a student may request a review of the decision.</p> <p>If the student is not satisfied with the decision, they may apply to the Executive Director in writing for a review. The application for review must be sent within 28 days of receiving the original advice. The student must state the reason why they are applying for a review and may submit further documentation. Whitehouse will acknowledge receipt of the request for a review by the Executive Director.</p> <p>The student will be notified in writing of the Executive Director's decision and the reviewer's reasons for making the decision within 45 working days.</p> <p>If the student is still dissatisfied with the results of the review, they have the right to appeal to the Administrative Appeals Tribunal (AAT) for a review of the reviewer's decision. Whitehouse will participate in any procedures as deemed necessary by the AAT to resolve the matter.</p>
<p>Relevant Legislation</p>	<ul style="list-style-type: none"> • Higher Education Standards Framework (Threshold Standards) 2021 • 2016 Higher Education Support Act (2003) • National Vocational Education and Training Regulator Act 2011 • ASQA Regulatory Risk Framework • Education Services for Overseas Students Act 2000 (ESOS) • Commonwealth Register of International Courses for Overseas Students (CRICOS) • Commonwealth Government Fee Help Guidelines • Education Services for Overseas Students Act 2000 (ESOS) • Privacy Act (Cwlth) 1988 • Privacy and Personal Information Protection Act 1998 (NSW) • State Records Act 1998 (NSW) • Information Privacy Act 2000 (Victoria)
<p>Key Related Documents</p>	<p>Exceptional Circumstances (re-credit fee help or tuition fee refund) Policy</p> <p>Cancellation and Refund Policy (HE)</p> <p>Cancellation and Refund Procedure (HE)</p> <p>Admission Policy (HE)</p> <p>Admission Procedure (HE)</p> <p>Notification to Withdraw or Defer Subject/Studies</p> <p>Student Handbook</p> <p>Student Enrolment/Application Forms</p> <p>Withdrawal and Deferment Policy Higher Education</p> <p>Withdrawal and Deferment Procedure Higher Education</p>

Definitions

Exceptional Circumstances: exceptional circumstances are those that are considered unusual, uncommon or abnormal - these include:

- death of a close family member (parent, guardian, sibling, spouse, child)
- partial or total incapacitation
- medical or personal circumstances
- department of immigration and citizenship (DIAC) refusing to grant a student visa for study in Australia (overseas students on student visas only).

When are Exceptional Circumstances Accepted?

As a general guide, exceptional circumstances include those that are beyond a student's control; i.e. a situation occurs which a reasonable person would consider is not due to the person's action or inaction, either direct or indirect, and for which the person is not responsible.

AND

Did not make its full impact on the student until on or after the census date; for example, the circumstances occurred:

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

AND/OR

Made it impracticable for the student to complete the course/subject requirements and complete assessment.

Exceptional circumstances do not include:

- a lack of knowledge or understanding of FEE-HELP regulations.

OR

- a lack of knowledge or understanding of the Whitehouse's Selection & Admission policy and procedure.

Course Commencement: course commencement is the published start date of the course.

Census Date: a census date for all programs is the closing date for a student to apply for or withdraw from government funded Fee Help assistance and the date a student incurs a Fee Help debt for the unit undertaken.

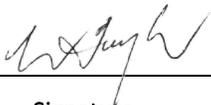
The census date is set by the education provider and can be no earlier than 20% of the way through a subject or unit of study except for VET in Schools where the census date is the first date of the study period enrolled in.

Study Period: a study period is the time scheduled for the delivery of a unit of study.

Unit of Study: a unit of study is the class or subject in which a student is enrolled.

Responsible Officer

Executive Director

Approval Authority/ Authorities	Board of Governors		
Date Approved	10/04/2017		
Date of Commencement	11/04/2017		
Date for Review	11/04/2020		
Documents superseded by this Procedure	015 - Governance: Exceptional Circumstances (re-credit FEE-HELP or tuition fee refund) Policy and Procedure, January 2013 Whitehouse Refund and Withdrawal/Deferment Policy 2012		
Amendment History	<p>05/2018 Re-branding – Header & Footer only</p> <p>12/2016 Policy and Procedures separated. Updated formatting and minor amendments Changed formatting Updated hyperlinks, updated documents</p> <p>01/2013 Changed formatting – included procedure and policy in one document Minor adjustments and inclusions to policy wording and updating of compliance requirements</p> <p>09/04/ 2014 Change of policy name Minor adjustments to policy wording</p>		
Signed and dated for Whitehouse Institute Pty Ltd		Les Taylor	30/05/2018
	Signature	Name	Date

INFORMATION FOR PUBLISHING ON POLICY REGISTER	
Category	Governance
Stakeholders	Board of Governors Academic Board Executive Management Academic Staff Administration Staff Applicants to HE Programs Students