

Purpose:

The purpose of this policy is to provide information to staff and clients regarding the repayment requirement to a student who is entitled to access VET Student Loans via Frontier Education.

Policy:

This refund policy applies to all students who are entitled to VET Student Loans assistance.

To be entitled to VET Student Loans assistance a person must be:

- an Australian citizen; or
- the holder of a permanent humanitarian visa who will be resident in Australia for the duration of the individual's VET units of study.
- be a New Zealand citizen on Special Category Visa who meets the long-term residency requirements

Frontier Education will repay to a student who is, or would be, entitled to a VET Student Loan any VET tuition fees that he or she may have paid for a VET Unit of study if the student withdraws from that unit on or before the relevant census day.

This does not apply where VET tuition assurance arrangements have been activated and the student has elected the VET course assurance option for that unit.

In the event of a student withdrawing from a VET unit of study on or before the census day for that unit of study:

- The student withdrawing from the unit does not have to request a refund; the action of withdrawal is sufficient
- 100% of tuition fees paid for that unit will be refunded to the student; and
- the student will not incur a VET Student Loan debt.

In the event of a student withdrawing from a VET unit of study after census day for that unit of study:

- *no refund is applicable; and/or
- the student will incur a VET Student Loan debt.

***Note:** Where a student withdraws from a VET unit of study after the relevant census date, no refund of VET tuition fees will be paid as per *Student Review Requirements, Refunds and Re-crediting Balance*.

Re-crediting of Fee-HELP Balances

Special Circumstances

- (1) In accordance with Division 2, Section 68 of the VET Student Loans Act 2016, Frontier Education must on the Secretary's behalf, re-credit a student's HELP Balance if:
 - a) the student applies to the provider (Frontier Education) in writing for the re-credit; and
 - b) the application is made within 12 months after the census day for the course, or the part if the course; and
 - c) the provider (Frontier Education) is satisfied that special circumstances prevented, or will

prevent, the student from completing the requirements for the course, or the part of the course.

(2) The course provider (Frontier Education) may extend the period for making the application mentioned in paragraph (1)(b).

(3) Circumstances are special circumstances if they:

(a) are beyond the student's control; and

(b) do not make their full impact on the student until on or after the census day for the course, or the part of the course; and

(c) make it impracticable for the student to complete the requirements for the course, or the part of the course, during the student's enrolment in the course, or the part of the course.

(4) The amount re-credited must equal the amount of the VET student loan that has been used to pay tuition fees for the student for the course, or the part of a course.

(5) Frontier Education must, as soon as practicable:

(a) consider an application for a student's HELP balance to be re-credited under this section; and

(b) notify the student of the Frontier Education's decision on the application.

The notice must include a statement of the reasons for the decision.

Secretary may act in place of Frontier Education

The Secretary may re-credit a student's HELP balance in accordance with this Division 3 if:

(a) a course provider (Frontier Education) is unable to act under this Division or is being wound up or has been dissolved; or

(b) a course provider (Frontier Education) has failed to act under this Division and the Secretary is satisfied that the failure is unreasonable.

Re-crediting by Secretary other than on discharge of debt

When Secretary may re-credit HELP balance

(1) The Secretary may re-credit the student's HELP balance if the Secretary is satisfied that the course provider (Frontier Education), or a person acting on the Frontier Education's behalf, engaged in unacceptable conduct in relation to the student's application for the VET student loan.

(2) Unacceptable conduct, in relation to an application for a VET student loan, has the meaning given by the rules.

(3) The Secretary may re-credit the student's HELP balance if the Secretary is satisfied of one or more of the following:

(a) the student is not an eligible student;

(b) the student is not a genuine student;

- (c) the student does not have a tax file number;
 - (d) the student does not have a student identifier.
- (4) The Secretary may re-credit the student's HELP balance if the Secretary is satisfied that:
- (a) the provider (Frontier Education) has failed to comply with this Act; and
 - (b) the failure has adversely affected the student.
- (5) The amount re-credited must not exceed the amount of the VET student loan that has been used to pay tuition fees for the student for the course, or the part of the course.
- (6) This section applies whether or not the student applies for the re-credit.

Student may apply for re-crediting by Secretary

- (1) A student may apply to the Secretary for the student's HELP balance to be re-credited under section 71.
- (2) The application must be in writing and meet any requirements set out in the rules.

When Secretary must re-credit HELP balance

- (1) The Secretary must re-credit a student's HELP balance if:
- (a) the student has not completed the requirements for the course, or the part of the course, because Frontier Education defaulted in relation to the student; and
 - (b) the VSL Tuition Protection Director decides, under paragraph 66E(1)(b), that the Director is not satisfied that there is a suitable replacement course for the student.

Note: Frontier Education may be required to pay an amount to the Commonwealth as a result of re-crediting under section 22. That amount may be debited from the VSL Tuition Protection Fund: *Reference, section 66L* of the Act. If the amount is debited from the Fund, a later payment of the amount by the Frontier Education is credited to the Fund: *Reference, section 66K* of the Act.

- (2) The amount re-credited must equal the loan amount that has been used to pay tuition fees for the student for the affected part.
- (3) In determining the amount to be re-credited for the purposes of subsection (2) of the Act, the Secretary must take into account any submissions received by the VSL Tuition Protection Director under subsection 66H(3) in relation to the amount to be re-credited.
- (4) The Secretary must give the student and Frontier Education written notice of the Secretary's decision in relation to the re-credited amount. The notice must be given as soon as practicable after the decision is made.

Secretary must invite submissions before re-crediting

- (1) Before re-crediting a student's HELP balance under Division 2 of the Act (other than section 72A), the Secretary must give the course provider (Frontier Education) concerned notice in writing:
- (a) stating that the Secretary is considering the re-credit; and

- (b) stating the reasons why the Secretary is considering the re-credit; and
 - (c) inviting the provider (Frontier Education) to make written submissions to the Secretary about the re-credit within 28 days.
- (2) In deciding whether to re-credit the HELP balance, the Secretary must take into account any submissions received within the 28-day period.
- (3) The Secretary must give the student and the provider (Frontier Education) written notice of the Secretary's decision and the reasons for the decision. The notice must be given as soon as practicable after the decision is made.

Students seeking review

Frontier Education ensure that a student is not victimised or discriminated against for:

- (a) seeking review or reconsideration of a decision; or
- (b) using Frontier Education's processes or procedures about dealing with grievances; or
- (c) making an application for re-crediting of the student's HELP balance under Division 2 or 3 of Part 6 of the Act.