

Refund and Special Circumstances Review Policy For Domestic Students

1.1. PURPOSE

The purpose of this policy is to provide a broad framework, set of principles and minimum requirements for the circumstances under which a student may seek remission of a VET Student loan (previously FEE-HELP) debt or refund of fees under special consideration, or other circumstances, where the application of Envirotech Education (“Envirotech”) policies requires consideration of special circumstances.

This refund policy applies to all domestic students who were found eligible and are enrolled at Envirotech.

1.2. RELEVANT LEGISLATION

1.2.1. Standards for Registered Training Organisations (RTOs) 2015

1.2.2. National Vocational Education and Training Regulator Act 2011

1.2.3. Higher Education Support Act 2003

1.2.4. Corporations Act 2001

1.2.5. Privacy Act 1988 - Tax File Number Guidelines 2011

1.2.6. Privacy Act 1988

1.2.7. Fit and Proper Person Specified Matters 2012

1.3. RELEVANT DOCUMENTS AND POLICIES

1.3.1. Refund Application Form/ Re-Credit Application Form, available on Envirotech website (www.envirotech.edu.au)

1.3.2. Pre-Enrolment and Enrolment Policy, including Student’s offer letter

1.3.4. Student Handbook

1.3.5. Complaints and appeals Policy

1.3.6. Course Progress and Students' Engagement Monitoring Policy

1.3.7. Domestic Learners Deferral, Suspension and Cancellation of Enrolment Policy

1.4. POLICY STATEMENT

This Refund Policy is made publicly available on Envirotech website, and is accessible on the Student Handbook. Students are informed of the refund policy through the pre-enrolment process.

Envirotech offers a fair and equitable refund policy that complies with all legislative requirements.

Students are informed of all fees, charges, census dates and of the refund policy during the enrolment process.

This policy applies to cases of special circumstances whereby a student for reasons beyond their control is seeking to withdraw without penalty due to an inability to continue with their studies.

This specifies the circumstances in which Envirotech will be satisfied that special circumstances apply.

In compliance with the VET Student Loans Act 2016.

Special circumstances apply to the person that:

- 1.4.1. Are beyond the person's control (paragraph 68 (3) a of the Act);
- 1.4.2. Do not make their full impact on the person until on or after the census date for the course, or part of the course (paragraph 68 (3) b of the Act); and
- 1.4.3. Make it impracticable for the person to complete the requirements for the course, during the student's enrolment in the course, or part of the course. (paragraph 68 (3) (c) of the Act).

1.5. ABBREVIATIONS

- 1.5.1. ASQA – Australian Skills Quality Authority.
- 1.5.2. AAT – Administration Appeals Tribunal.
- 1.5.3. VSL – VET Student Loan.
- 1.5.4. VET – Vocational Education and Training.

1.6. DEFINITIONS

1.6.1. VSL Student

VSL student, for the purposes of this policy, refers to a student who is an Australian citizen, Permanent humanitarian visa holder or qualifying New Zealand citizen (eligibility criteria applies), who will be resident in Australia for the duration of their VET Units of study, and who access VSL for payment of their tuition fees in respect of the VET unit of study in which they are enrolled.

1.6.2. Census date

A published date, set by Envirotech, no earlier than 20% of the way through an approved course.

There are at least three (3) census dates for a course. Census dates are defined on the student's offer letter and on Envirotech website under 'Schedules' for each individual course.

1.6.3. VSL Tuition fees

Are fees will be paid for the eligible student by the Commonwealth in a VET Unit of Study for Envirotech approved course under the VET Student Loans Act 2016.

1.6.4. Unit of Study

A VET unit of study approved for VSL that a student may undertake with Envirotech, for which the student may access VSL to pay for all or part of their tuition fees.

1.7. POLICY

1.7.1. REFUND FOR CERTIFICATE 3 GUARANTEE PROGRAM

1.7.1.1. Students who are enrolled under the Certificate 3 Guarantee program are not entitled for a refund for their co-contribution fee in any case or circumstances. Envirotech receives funded payment from the Queensland Department of Education on progression of completed units of competency and when students decide to cease their studies, a cancellation form must be completed. Envirotech will notify the department through AVETMISS data reporting on the cessation of study.

1.7.2. REFUND FOR STUDENTS PAYING FULL FEE FOR SERVICE

1.7.2.1. Students who are paying for their course directly to Envirotech are required to pay a deposit as agreed in their payment plan and offer letter. Refunds will be offered to full fee-paying students in the following circumstances:

1.7.2.1.1. When the initial deposit has been received prior to commencement of the course, and a student chooses to withdraw no less than 48 hours before the start date, a refund less the enrolment fee of \$200 will be made.

1.7.2.1.2. Once the course has commenced, if a student chooses to cancel the course, within the first week of study, a refund less the enrolment fee of \$200 will be made. After this time, no refund will be made, unless special or compelling circumstances can be demonstrated and Refund/ Re Credit Request Form is submitted for review to Envirotech staff, together with supporting documents.

A refund can only be made for Units of Competency which have not yet started and where not available to the student at the time of request.

1.7.3. REFUND FOR STUDENTS UNDER VSL

1.7.3.1. Students who are paying for their course under the VSL will be able to request a refund/ Re Credit for their loan in case they withdrawn from the course due to special circumstances after their census date passed. Students will have to complete Refund/ Re Credit Request Form online, together with supporting documents, and await the review of Envirotech staff.

1.7.3.2. Should the application meet the criteria referred to as in the Special or Compelling Circumstances, the student will be withdrawn from the VET Unit of Study or a VET Course which is being supported via VET Student Loans and the outcome of the refund/re-credit request will be advised to the student via email and the student will be issued with a new

Commonwealth Assistance Notice (CAN) that will reflect the recredit of the HELP Debt balance.

1.7.3.3. Envirotech will assess if compassionate reasons exist, these are generally outside of the control of the student and include but not limited to:

1.7.3.3.1. serious illness or injury where medical certificate states unable to attend classes

1.7.3.3.2. bereavement of close family members such as parents and grandparents (Death Certificate should be provided where possible)

1.7.3.3.3. major political upheaval or natural disaster in home country requiring emergency travel which has impacted on student's studies

1.7.3.3.4. a traumatic experience such as involvement in, or witnessing a serious accident or witnessing or being the victim of a serious crime

1.7.3.4. Special Circumstances need to be:

1.7.3.4.1. beyond the student's control; AND

1.7.3.4.2. do not make their full impact until on or after the census date for the unit of study in question; AND

1.7.3.4.3. make it impracticable for a person to complete the requirements for the unit of study.

1.7.3.5. For circumstances to be beyond a student's control, the situation should be that which a reasonable person would consider is not due to the student's action or inaction, either direct or indirect, and for which the person is not responsible.

1.7.3.6. Envirotech needs to be satisfied that a student's circumstances did not make their full impact until on or after the census date for a unit of study. If satisfied, Envirotech will provide a re-credit/refund if the student's circumstances occur:

1.7.3.6.1. before the census date but worsen after that day; or

1.7.3.6.2. before the census date, but the full effect of magnitude does not become apparent until on or after that day; or 1.7.3.6.3. on or after the census date.

1.7.3.6.3 A student may apply to the Secretary for the student's FEE-HELP balance to be recredited under section 71 of the Act because:

- 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.
- that applications for re-crediting 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

- that application 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
- that there is no charge for reconsideration or review of decisions, other than review by the Administrative Appeals Tribunal
- that the Secretary may re-credit a student's FEE-HELP balance in relation to special circumstances if a 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.

1.7.4. SPECIAL CIRCUMSTANCES

1.7.4.1. Envirotech will determine where special circumstances have made it impracticable or the student to complete the course, or part of the course because of, but not limited to:

1.7.4.1.1. Medical reasons.

1.7.4.1.2. Family/personal reasons.

1.7.4.1.3. Employment-related reasons.

1.7.4.2. In considering these circumstances Envirotech will consider whether the student could meet course requirements through;

1.7.4.2.1. Private study.

1.7.4.2.2. Attending training sessions and other activities.

1.7.4.2.3. Engaging online.

1.7.4.2.4. Completion of assessments, or demonstration of competencies.

1.7.4.3. Special circumstances DO NOT apply to:

1.7.4.3.1. A normal change in work arrangements such as a change of shift or planned holiday.

1.7.4.3.2. Students under VSL who have changed their mind by taking the course after a census date or did not complete a Unit of Competency.

1.7.5. SPECIAL CIRCUMSTANCES APPLICATION FORM AND SUPPORTING DOCUMENTATION

1.7.5.1. Students must complete a Refund/ Re Credit Request Form available on Envirotech website to be processed by Envirotech staff

1.7.5.2. They must complete this form, and provide supporting documentation should their special circumstances fall under the following one (1) or more categories:

1.7.5.2.1. Medical reasons.

1.7.5.2.2. Family/personal reasons.

1.7.5.2.3. Employment-related reasons.

1.7.5.2.4. Course-related reasons.

1.7.5.3. A student must provide original, independent documentation as part of any application due to special circumstances. The documentation must clearly indicate the following:

1.7.5.3.1. The level of impact of the special circumstances.

1.7.5.3.2. What the special circumstances were.

1.7.5.3.3. When they occurred.

1.7.5.3.4. How long they lasted.

1.7.5.3.5. For applications relating to a remission/refund of debt, that the circumstances made their full impact on the student on, or after, the census date.

1.7.5.4. MEDICAL REASONS

Where the severity of a medical condition results in a student being unable to continue studying.

1.7.5.5. SUPPORTING DOCUMENTATION

A statement from an appropriate health care practitioner that states:

1.7.5.5.1. The date the medical condition began.

1.7.5.5.2. How the condition affected the student's ability to study.

1.7.5.5.3. When it became apparent that the student could not continue their studies.

1.7.5.5.4. Recommendation

Note: The student should inform their doctor that the statement will be sent to Envirotech in support of the application for a refund/remission/waiver under special circumstances.

1.7.5.6. FAMILY/PERSONAL REASONS

Due to unforeseen personal/family reasons that occur or worsen after the last date to withdraw without penalty and is beyond the student's control, resulting in the inability to continue with studies.

1.7.5.7. SUPPORTING DOCUMENTATION

A statement from a doctor, counsellor or independent member of the community, for example, a Justice of the Peace or a Minister of Religion, stating:

1.7.5.7.1. The date family/personal circumstances began or changed.

1.7.5.7.2. How these circumstances affected the student's ability to study.

1.7.5.7.3. When it became apparent that the student could not continue their studies.

1.7.5.8. EMPLOYMENT-RELATED REASONS

After the last date to withdraw without penalty, the student's employment status or arrangements change unexpectedly due to circumstances beyond the student's control, resulting in the inability to continue with studies.

1.7.5.9. SUPPORTING DOCUMENTATION

A statement from the student's employer stating:

- 1.7.5.9.1. Previous work hours and location.
- 1.7.5.9.2. Current work hours and location and date applied.
- 1.7.5.9.3. The reason for changed hours and location.

1.7.5.10. COURSE-RELATED REASONS

Where Envirotech has changed the unit of competency it has offered and the student is disadvantaged by not being able to complete the unit, or not being given credit towards other units or course.

1.7.6. APPLICATION PROCESS

The student will be required to:

- 1.7.6.1. Submit Refund/ Re Credit Request From
Refund requests are to be completed online and together with supporting evidence. The form is available on Envirotech website (www.envirotech.edu.au)
- 1.7.6.2. Refund Request is assessed by the relevant Envirotech staff and Compliance Manager
Envirotech management will assess the tuition fees refund applications due to special circumstances according to the quality of the independent supporting evidence provided by the student to substantiate their claim.
- 1.7.6.3. Submit to the student their Refund Request Decision

The student will be provided with a written decision, including reasons for the decision and appeal options, within twenty-eight (28) calendar days from the date of refund application request submitted.

1.7.7. REVIEW OF DECISION

- 1.7.7.1. Appealing Envirotech decision

Students may appeal Envirotech decision by accessing the Complaints and Appeal mechanism.

Students must first appeal internally by submitting a written appeal form and follow the Complaints and Appeal policies and procedures.

1.7.8. APPEALING A DECISION

A student may also apply to:

- 1.7.8.1. The AAT for a Review of Decision

AAT website: <http://www.aat.gov.au/contact-us>

Fees: <http://www.aat.gov.au/FormsAndFees/Fees.htm>

1.7.8.2. Training and Education Ombudsman

<https://www.ombudsman.qld.gov.au/training-and-education>

1.7.8.3. VSL Ombudsman

<http://www.ombudsman.gov.au/about/vet-student-loans-ombudsman>

Students may supply additional information they did not supply to Envirotech.

