



**VET Student Loan (VSL) Tuition Assurance
Policy and Procedure**

Purpose and Scope

Infinity Institute Australia (“IIA”) is committed to providing quality training and assessment that meets the needs of its stakeholders and to exceeds in its compliance, contractual and regulatory requirements.

IIA’s VET Student Loan (VSL) Tuition Assurance Policy and Procedure affirms IIA’s commitment in protecting its students enrolled in approved VET Student Loan (VSL) courses in an event where IIA cease to provide a VET course of study, while students are still enrolled and consequently unable to complete.

IIA VET Student Loan (VSL) Tuition Assurance Policy and Procedure outlines IIA requirements under the VET Student Loans Act 2016 and VET Student Loans Rules 2016 to ensure:

- To inform students and the Tuition Assurance Administrator when the IIA ceases or is intending to cease a VET course of study while any students are enrolled and unable to complete their course, or part of a course.
- Circumstances for re-crediting student VETSL balances excluding students applying for Special Circumstances.
- Processes and information for re-crediting under section 71 of the VET Student Loans Act 2016.

This policy and its procedures apply to all domestic students enrolled at IIA in an approved VSL course and to all IIA administration and Management staff.

Definitions

VET Student Loans (VSL) - VSL is an income contingent loan program to assist eligible vocational education and training (VET) students to pay their tuition fees for selected courses at the Diploma level and above. The program is designed to provide financial loan support to students undertaking higher level training in courses that address workplace and industry needs, creating better opportunities for employment.

Census date - The day the student incurs financial liability for the unit of study. Students may cancel their enrolment on or before the census day without incurring tuition fees (or a HELP or VSL debt) for the course or the part of the course.

Unit of Study - The components of training (subjects or competencies) needed to be undertaken by students as part of the course or qualification. Students incur the liability to pay tuition fees at the unit level. Preferably, a unit of study is equal to a unit of competency (or module in an accredited course). However, a unit of study may comprise a group of units of competency.

Tuition Fee - The total fees to be charged to the student for the course (including the covered fees plus any gap fee). Tuition fees can include the cost of assessing academic suitability for the course, enrolment in and tuition and examination for the course and the award of a qualification for completion of the course. Additional fees for certain goods or services cannot be included.

Tuition Protection - The VSL tuition protection arrangements, as set out in the VSL Act [Act Parts 5A and 5B; Rules Part 6; and Rules Subdivision J, Division 1, Part 7]. and VSL Rules, provide assistance and protections for VSL students in the event their private education provider defaults. It is important to note that VSL tuition protection arrangements are limited to the tuition fees paid using a VSL. All providers, regardless of whether private or publicly-owned, must also comply with fee protection requirements for any up-front fees charged to students, as set out in the Standards for Registered Training Organisations (RTOs) 2015.

Help Loan Limit - The maximum amount a person can borrow over their lifetime for VSL, VET FEE-HELP, FEE-HELP, and HECS-HELP. As a person accesses VET Student Loans, FEE-HELP, HECS-HELP or VET

FEE-HELP to pay their tuition fees, the amount they may borrow in the future is reduced. Once a person has borrowed an amount equal to the HELP loan limit, they are no longer eligible for VET Student Loans or FEE-HELP to pay further tuition fees. A person's HELP loan limit is renewable. This means that any compulsory or voluntary amounts that are repaid from the previous financial year's income onwards will be able to be re-borrowed, up to the HELP loan limit

Help Balance - A person's HELP limit minus any VSL, VET FEE HELP, FEE HELP and HECS-HELP loans they have used. Loan fees and indexation of outstanding debts are not included in a student's HELP balance. A student's HELP balance is renewable – this means any compulsory or voluntary amounts that are repaid from the 2019-20 financial year onwards will be able to be re-borrowed, up to the HELP loan limit.

Loan fee - A loan fee of 20% applies to VSL for all courses other than state or territory subsidised courses. The amount of the VETSL debt is the amount of the VSL provided for a part of a course or unit, plus the loan fee. The loan fee is not included in a person's HELP balance but is included in a person's VETSL debt.

VSL Tuition Protection Director - Statutory appointed Director to manage the VSL tuition protection arrangements.

VET Student Loans Ombudsman (VSLO) - The VSLO will act as the external dispute resolution body to conduct investigations and make recommendations in relation to VET loan assistance (that is, VSL and VET FEE HELP) and compliance by VET providers with the Act, the HESA and any legislative instruments under either of those Acts. The VSLO will report on its investigations and recommend providers and others to act, or stop certain behaviour, to address identified problems and provide redress to affected students.

Policy

This policy and procedure outlines processes and considerations that IIA has implemented for its domestic full fee paying and students enrolled in VSL approved courses to protect them in an event where IIA cease to provide a VET course of study, while students are still enrolled.

Procedure

Tuition Protection

- Tuition protection' refers to the protections and assistance available to support VET Student Loans (VSL) students, in the event that IIA defaults (ceases delivering their course or closes entirely).
- The Australian Government's Tuition Protection Service (TPS) provides tuition protection assistance
- for domestic students accessing a VSL, FEE-HELP or HECS-HELP loan at a private education provider, and international students.
- The VSL Tuition Protection arrangements impose obligations and requirements on providers and provide support and protections for VSL students in the event their private education provider defaults.
- In the event of a provider default, VSL students will be supported to continue their studies in an equivalent or similar course.
- In some circumstances, students may be entitled to receive a loan re-credit for parts of the course commenced but not completed.

A Statement of Tuition Assurance

- The Tuition Protection Service (TPS) is an initiative of the Australian Government to assist and support students whose education providers are unable to complete the delivery of their course of study.

- The TPS provide assistance and support to:
 - international students on student visas,
 - domestic Vocational Education and Training (VET) students accessing a VET Student Loan (VSL),
 - domestic higher education students accessing the Higher Education Loans Program (HELP) (FEE-HELP or HECS-HELP).
 - domestic fee-paying students at private higher education providers
- For international students on student visas, the TPS will help eligible students find another provider that offers a similar course so they can continue their studies. If a student is unable to be placed in a suitable replacement course, the TPS will refund unspent tuition fees.
- For domestic VSL students, the TPS will help eligible students to find another VSL provider that offers a similar course so they can continue their studies. If a suitable replacement course is unavailable, we will arrange for a loan re-credit for commenced but not completed units.
- For domestic HECS-HELP, FEE-HELP and up-front higher education fee paying students, the TPS will provide eligible students with the option to either transfer to a suitable replacement course or receive a refund of tuition fees or loan re-credit for commenced but not completed.
- The TPS Director, appointed by the Australian Government, is responsible for delivering the service and ensuring its sustainability.

In an event, that IIA ceases to provide a course after it starts but before it is completed, there are arrangements in place to ensure a replacement course is identified and the student is placed with a suitable provider.

IIA Students who access VET Student Loans

IIA is a part of the VSL Tuition Protection arrangements as set out in the VET Student Loans Act 2016 and VET Student Loans Rules 2016. This protects IIA students in the event that IIA ceases to provide a course of study that a student is enrolled in.

If this were to occur, IIA students will be provided:

An offer of a place in a similar VET course with another provider without the requirement to pay the other provider any tuition fee for any replacement units of study. This is known as the ‘VET Course Assurance Option’

OR

A refund of student’s upfront tuition fees for any unit of study that the student commenced but did not complete because IIA ceased to provide the course that the unit of study was part of. This is known as the ‘VET Tuition Fee Repayment Option’.

IIA domestic students who do not access VET Student Loans/ Full Fee-paying students

Domestic up-front fee-paying students studying with IIA are eligible for tuition protection assistance if the course has not commenced, or ceases after commencement but before completion, and the student has not previously withdrawn. All domestic full fee-paying students who are unable to complete their course due to IIA default, will be assisted under the tuition protection arrangements.

If this were to occur, IIA domestic full fee-paying students will be provided:

Assistance to move to another education provider who is delivering the same or a similar course. Student can complete their studies at this new provider and not be charged for replacement units,

Or

IIA will refund the tuition fees for the units of study that the student had paid for and were unable to complete due to IIA default.

Approved Provider (IIA) default

IIA will occur a default when either:

IIA will fails to start a course or part of a course on the day on which it was scheduled to start, and the student has not withdrawn before that day, or

IIA ceases to provide a course or part of a course after commencement but before completion, and the student has not withdrawn before that day

IIA's Obligation if it defaults

Within 24 Hours of default:

- IIA must, give written notice to the VSL Tuition Protection Director of the circumstances of the default.
- IIA must, give written notice of the default to the students in relation to whom the IIA has defaulted. IIA will provide the written notice to the impacted students by emailing the students and /or posting the written notice to the student's postal address as advised by the student and/or by another method agreed to by the student.
- The written notice of the default, to the student will specify
 - The name of the course, or part or parts of the course the student was enrolled in at the time of the default
 - The date and time of the default

Within 3 business days of default occurring:

- IIA must, give a written notice to the VSL Tuition Protection Director specifying the following information for each student in relation to whom IIA has defaulted:
 - the student's full name and contact details;
 - the course, or part or parts of the course, that the student was enrolled in at the time of the default;
 - the amount of the tuition fees for each course, or part of the course, that student was enrolled in at the time of the default;
 - details about the payment of those tuition fees, including the amounts that are covered fees; and
 - any other matter prescribed by the VSL rules
- If requested in writing by the VSL Tuition Protection Director, IIA must give to the Director either of the following for a student in relation to whom it has defaulted:
 - a copy of a statement of attainment or other Australian Qualifications Framework certification documentation issued by the course provider or an authorised issuing organization in accordance with the Australian Qualifications Framework for the parts of the course that the student has completed;
 - a copy of an authenticated VET transcript prepared by the Registrar (within the meaning of the Student Identifiers Act 2014) for the parts of the course that the student has completed.

As soon as practicable

- IIA must update its website to reflect the course is no longer being provided and to provide tuition protection information.

Replacement Courses

VSL Tuition Protection Director identify and decide a replacement course and arrange for students to be placed with replacement providers. Replacement courses must meet the following requirements:

- the course must lead to the same or comparable qualification as the original course.
- the mode of delivery of the replacement course must be the same as or, with the student's consent, similar to the mode of delivery for the original course.
- the location of the replacement course must be reasonable, having regard to the costs of, and the time required for, a student's travel; and
- the student will not incur additional fees that are unreasonable and will be able to attend the replacement course without unreasonable impacts on the student's prior commitments.

Affected students will be offered a replacement course and may seek a review about whether the course offered to them meets the requirements for replacement courses.

Replacement Providers

If requested by the VSL Tuition Protection Director, all providers must provide information to assist the Director make decisions about whether a suitable replacement course exists for displaced students.

Under tuition protection arrangements providers are encouraged to act as replacement providers to support displaced VSL students to continue their study.

Replacement providers have a number of obligations under the VSL Act to facilitate efficient and fair treatment of students to allow them to continue their studies with minimal disruption.

IIA's obligation as replacement provider

- If a student accepts an offer of a place in a replacement course, IIA must give written notice of the acceptance to the VSL Tuition Protection Director within 14 days of the student's acceptance of the offer
- IIA must also ensure that the student:
- is granted course credits for parts of the original course successfully completed by the student, as evidenced by:
 - a statement of attainment or other Australian Qualifications Framework certification documentation issued in accordance with the Australian Qualifications Framework; or
 - an authenticated VET transcript prepared by the Registrar (within the meaning of the Student Identifiers Act 2014); and
- if tuition fees have been paid for the affected part of the original course— IIA must not charge the student for the tuition fees for the replacement component of the replacement course; and
- IIA must enrol the student in the replacement course as soon as practicable.

IIA's Obligations where there is no replacement course

In an event where IIA defaults in relation to a student and the VSL Tuition Protection Director is not satisfied that there is a suitable replacement course for the student, IIA will ensure to re-credit the student's VSL balance. The amount re-credited will be equal to the amount of VSL used to pay tuition fees for the student for the course, or parts of the course which were not completed due to IIA's default.

Student Application to the Secretary for Re-credit

A student may apply to the Secretary in writing for their VETSL balance to be re-credited under section 71 of the VET Student Loans Act 2016 due to unacceptable conduct concerning the student's VET Student Loan application, or on the grounds that IIA breached the requirements of the Act and supporting regulations. Unacceptable conduct may encompass the following:

- Unconscionable conduct.
- Misleading or deceptive conduct.
- Making representations that are not considered reasonable.
- Advertising tuition fees if the provider is aware the course may not be delivered.
- Harassment or coercion during the student's application process or enrolment of the course

These applications must be made within five years after the census day of the course, or part of the course unless otherwise extended by the Secretary. The Department requests the following information be provided to support the application:

- Details of the course.
- Details of the provider.
- The loan amount to be re-credited.
- Student identifier.
- Supporting documentation.

A student not satisfied with the re-credit decision made, may apply to the Administrative Appeals Tribunal (AAT) for review of a review officer's decision and may supply additional information to the AAT they did not previously supply to IIA, including the review officer.

Responsibilities

CEO is responsible for:

Notifying the Department and facilitating tuition assurance arrangements in the event IIA is unable to deliver a VET Student Loan course where the course has commenced but before its completion.

Providing the Department information on the equivalency of courses and feasibility of accepting displaced students as a potential replacement provider.

VET & Administration Manager are responsible for:

Monitoring changes to the VET Student Loan tuition assurance arrangements and updates this policy/procedure accordingly.

Communicating updates in this policy/procedure to internal team members.

Publishing this policy/procedure on IIA's website, freely accessible to students.

Student Administration Staff are responsible for:

Assisting students with the transition into the institute and the enrolment process into a replacement course.

Applying Credit Transfers to student's competency record when enrolling displaced students following the Assessment Policy and Procedure.

Informing students when a course has commenced and can no longer be delivered.

IIA Staff Members

Directing students to this policy/procedure on the website if required or on receiving an enquiry about IIA VSL tuition assurance arrangements. Following the direction from CEO and this policy/procedure when carrying out the tuition assurance procedure.

Documents and Regulatory Authority Referenced:

[VET student Loans Act](#)

[VET student Loans Rules](#)

[Standards for RTO 2015](#)

[VET Student Loans Manual for Providers](#)