

# FEE-HELP Review Procedures

## Scope

These Procedures are applicable to Kaplan Higher Education Pty Ltd, trading as Kaplan Professional (KP) and Murdoch College, and Kaplan Business School Pty Ltd, (KBS), hereafter referred to as 'Kaplan', and to students eligible for a loan to assist with the cost of their tuition fees under the Higher Education Loan Program (HELP).

## Purpose

These Procedures outline how Kaplan handles requests for review of decisions made in relation to FEE-HELP.

Under these Procedures, a FEE-HELP re-credit may be issued where an eligible student experienced extenuating circumstances that prevented the student from:

- withdrawing from the unit of study after the census date, or
- completing the requirements for the unit of study.

In such circumstances and in accordance with the Higher Education Support Act (2003) and associated guidelines, Kaplan will follow the process outlined below in determining the outcome of FEE-HELP review applications.

## Policy Statement

These Procedures are relevant to eligible students who must:

- be one of the following:
  - an Australian citizen who will study at least one unit of their course of study in Australia; or
  - a New Zealand Special Category visa (SCV) holder, or eligible former New Zealand SCV holder; who meets the long-term residency requirements and who studies the entire course while living in Australia; or
  - a permanent humanitarian visa holder or an eligible former permanent humanitarian visa holder who studies the entire course while living in Australia; or
  - a Pacific Engagement Visa holder who is resident in Australia for the duration of your unit(s) (note: a PEV holder becomes eligible from 1 February 2024)
  - an Australian [permanent residents](#) can only get FEE-HELP for [approved bridging studies](#)
- be enrolled in a fee-paying place at a provider that offers FEE-HELP loans
- be enrolled in an eligible course at their provider by the census date
- submit the *Request for FEE-HELP loan* form to their provider by the census date
- have an available HELP balance
- provide their provider with their Unique Student Identifier (USI) prior to the first census date (for new enrolments from 1 January 2021) unless an exemption applies
- be assessed as a genuine student and as academically suitable for their unit(s) of study
- not undertake more than 2 years' worth of higher education study in the last 12 months (unless Kaplan has approved a higher study load).

## Definitions

**Census Date** is the last day a student can make an upfront payment, apply for a HELP loan, or formally withdraw, and the date is set by the provider so it will be different for different courses and providers.

**FEE-HELP**, as defined on the Australian Government's StudyAssist website, is a loan scheme that assists eligible fee-paying students to pay part or all of their tuition fees at a higher education provider for subjects studied as part of an award course. Non-award subject enrolments are not eligible for a FEE-HELP loan.

**HELP balance** means the amount of HELP a student has left to borrow from their HELP loan limit.

## Review Guidelines and Processes

Each application for re-credit of a student's FEE-HELP balance will be considered on its merits together with all supporting documentation substantiating the extenuating circumstances claim. The relevant Kaplan Manager as the designated FEE-HELP officer, is responsible for the assessment of a student's request for a re-credit of their FEE-HELP balance due to special circumstances and for the initial decision regarding the request.

1. A student can lodge an application for review of FEE-HELP in writing to Kaplan within 12 months<sup>^</sup> of the date the student withdrew from the unit of study, or if the student has not withdrawn within 12 months<sup>^</sup> of the last day of the study period in which the unit of study was, or was to be, undertaken.
2. If Kaplan is satisfied that the circumstances were:
  - beyond the student's control, and
  - did not make their full impact on the student until on, or after, the census date; which
  - made it impracticable for the student to complete the requirements for the unit of study,

Kaplan will approve the application and re-credit the relevant student's FEE-HELP balance within 14 days of receiving the application for review.

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 student is not responsible. The circumstances must be unusual to be considered extenuating.

3. Where a student is not satisfied with the initial FEE-HELP review decision made by Kaplan, they may lodge an appeal in writing to Kaplan within 28 days of the initial receipt of notification that their initial review of FEE-HELP was unsuccessful. Please refer to appeals section of the relevant Kaplan Grievances, Complaints and Appeals Policy.

Kaplan will acknowledge receipt of a FEE-HELP review appeal in writing within five working days and inform the appellant that a decision will be made within 45 days of receiving the appeal. If the reviewer does not inform the student of an outcome within 45 days as outlined above, the initial decision is taken to be confirmed.

Once the initial FEE-HELP review decision is reviewed, the reviewer will provide the appellant with written notice of the outcome and reasons as to why the decision was taken. The reviewer will also advise the student in writing of their right to apply to the Administrative Appeals Tribunal (AAT) for an independent review of the decision in relation to FEE-HELP and provide the contact details and the approximate cost of making an application.

To contact the Administrative Appeals Tribunal, go to <http://www.aat.gov.au/contact-us> and select the state or contact the AAT via email at [aatweb@aat.gov.au](mailto:aatweb@aat.gov.au). Information on the cost of lodging an appeal with the AAT is also provided on the Tribunals website.

<sup>^</sup> Kaplan will waive the requirement that the application be made within 12 months, where the student can provide evidence that it was not possible for the application to be made within that period.

## Complaints and Appeals

Students who are dissatisfied with the application of these Procedures, or who wish to appeal a decision made by Kaplan, may refer to the School's Grievances, Complaints and Appeals Policy (available on the School's website) for information regarding their options.

## Relevant Legislation

As an approved FEE-HELP provider, Kaplan operates under strict laws and regulations. Policies and procedures are in place to ensure compliance with such laws. Below, please find the most relevant legislation which apply to these Procedures:

- Higher Education Support Act (2003)
- FEE-HELP Guidelines 2017
- Higher Education Support (Administration) Guidelines 2022

## Related Policies

These Procedures should be read in conjunction with the following related Kaplan policies:

- Grievances, Complaints and Appeals Handling Policy.
- Refund Policy.

## Version Control and Accountable Officers

It is the joint responsibility of the Implementation Officer and Responsible Officer to ensure compliance with these procedures.

<b>Procedure Category</b>	Corporate_Legal			
<b>Responsible Officer</b>	General Counsel			
<b>Implementation Officers</b>	General Manager, National Operations (KBS) Head of Operations (KP)			
<b>Review Date</b>	March 2027			
<b>Approved by</b>				
General Counsel				
<b>Version</b>	<b>Authored by</b>	<b>Brief Description of the changes</b>	<b>Date Approved</b>	<b>Effective Date</b>
1.2	Academic Quality and Governance Team	Procedures revised for currency. Content restructured to enhance clarity. Additional information regarding AAT provided. Implementation and Responsible Officers introduced.	05.12.2017	20.12.2017
1.3	Quality, Regulations and Standards Team	Reviewed under policy review cycle. Combined separate school policies into one. Added sections on policy statement, definitions, and relevant legislation.	17.06.2021	24.06.2021
1.4	Quality, Regulations and Standards Team	Updated HE provider category to Institute of Higher Education	N/A	13.07.2021
1.5	Quality, Regulations and Standards Team	Inclusion of Murdoch College	N/A	02.09.2022
1.6	Quality, Regulations and Standards Team	Updated eligibility section in Policy Statement to align with updated guidelines	21.03.2024	25.03.2024