



The Redcliffe Aero Club VET Student Loan Tuition Fee Policy

Overview

The Redcliffe Aero Club (RTO No. 40971) acknowledges that we must comply with the VET Student Loans Act 2016 and the VET Student Loans Rules 2016, with regards to all marketing requirements.

We acknowledge that we must comply with the below, which are outlined in the VET Student Loans/ Manual for providers/ Version 3.1 – April 2019 – below is a direct extract.

4.8.10 Processes and procedures relating to fees

Students may access VET Student Loans to obtain a loan for course tuition fees. As VET Student Loans may only cover tuition fees, any other fees and charges must be borne by the student. The requirements around other fees that are incidental to study are to help ensure that any upfront costs to students are kept to a minimum and to what may reasonably and fairly be charged to a student.

Determining tuition fees

A provider must determine the tuition fees for each approved course it offers [Act s 55].

In determining tuition fees an approved course provider must not have regard to any of the following:

- any matter related to the manner or timing of payment of tuition fees by students or payment of loan amounts by the Secretary to the provider (for example, different fees should not be charged based on whether a student pays upfront or requests a loan or pays prior to a certain date before the census day)*
- fees payable for anything other than assessing academic suitability for the course, enrolment in, and tuition and examination for the course and award of a qualification for completion of the course*
- fees payable for goods and services that are essential to the course, or any fine or penalty that may be imposed on a student*
- the provision to a student of a good or service that is not essential for all or part of the course [Rules s 118].*

Note that section 118 of the Rules sets out in full other requirements in relation to determining tuition fees. See also 'What cannot be included in a withdrawal process and procedure?'

*Examples of fees and charges that are not covered fees, and examples of fees and charges that may be charged in addition to tuition fees are set out in **Appendix F**.*

Course content and activities must be necessary

The course must not include content or activities that do not contribute to achieving the qualification concerned [Rules s 8]. This requirement ensures students are being delivered the education required for their qualification and not being in effect charged tuition fees for material not relevant to their qualification. Therefore, when establishing tuition fees, you must not include costs for content which is neither necessary nor relevant to the qualification.

Students not liable for covered fees

If an approved course provider enrolls a student in a course, the provider must give the student a written statement as to whether or not the enrolment is accepted on the basis that some or all of the tuition fees for the course will be covered by a VET Student Loan [Act s 56].

The statement must be given in accordance with section 129 of the Rules. See 'Providing a VET Student Loan statement of covered fees.'

A provider contravenes subsection 56(4) of the Act if the provider requires a student to pay covered fees.

This means that where a student enrolls in a course with the understanding that part of the student's fees are covered fees, and the Secretary is not required to pay the loan amount for the student, the provider must not require or ask the student to pay the provider the amount of the covered fees.

A Civil penalty of 120 penalty units applies.

Providing and publishing fee information for students

Before enrolling a student in an approved course, a provider must give to the student information about (among other things) the tuition fees for the course and any fees other than tuition fees that are payable for the course [Rules s 98(2)(b) and (c)].

Providers must publish tuition fees on their website in a readily accessible way no later than the day before a student enrolls in a course (on the basis that some or all of the fees are covered by a VET Student Loan) [Act s 57(b)].

Giving the Secretary a list of fees

A provider must give to the Secretary, in the manner and form approved by the Secretary, in relation to each approved course offered by the provider, a list of the fees charged for the course including the tuition fees for each part of the course [Rules s 115(1)]. The provider must update the list whenever there is a change to the fees charged for the course [Rules s 115(2)].

The My Skills website (www.myskills.gov.au) is the required form for giving to the Secretary the list of the current and up to date fee information, including tuition fees and other fees, for approved courses under the VET Student Loans program [Rules s 115(3)]. Further the list must be updated whenever there is a change to the fees charged for the course [Rules s 115(2)].

IMPORTANT NOTE: Providers must publish course fees on My Skills with respect to all approved courses for which the provider is approved to offer loans. The fees for each calendar year must be published by uploading the information to My Skills by 1 December of the previous year, or prior to enrolling students in approved courses, whichever is the earlier.

Charging of Tuition fees

Different requirements apply to charging of tuition fees by:

- approved course providers that are Table A providers, and
- other approved course providers.

Table A providers are the higher education providers listed at subsection 16-15(1) of HESA.

Charging tuition fees by other approved course providers

The following sections on 'Fee periods,' 'Length of fee periods,' 'Charging tuition fees over periods of the course' and 'Exemption from fee period requirements to comply with State or Territory funding arrangements' apply to the charging of tuition fees by approved course providers, which are not Table A providers.

For information about refunding tuition fees see 'Refund of tuition fees where student withdraws by the census day'.

Fees other than tuition

An approved course provider must not charge fees other than tuition fees unless the provider has processes and procedures for ensuring that students understand the following:

- that the fees are not for tuition
- the purpose of the fees
- the student's total liability for the fees
- when and how the fees are to be paid [Rules s 93(1)].

Examples of fees and charges that are not covered fees but are fees and charges that may be charged separately are set out in Appendix F.

Also note matters that cannot be regarded in determining tuition fees.

Fees that cannot be charged

An approved course provider's processes and procedures in relation to fees other than tuition fees must not require fees to be paid for:

- assessments to determine whether a student is academically suited to undertake a course and
- applying for enrolment, or enrolling in, an approved course [Rules s 93(2)].

Examples of other goods and services for which a provider must not charge a fee is at Appendix G.

4.8.11 Recognition of Prior Learning (RPL), fees and reporting requirements

For the purposes of reporting Recognition of Prior Learning (RPL), RPL is defined as the acknowledgement of a person's skills and knowledge acquired through previous training, work or life experience, which may be used to grant status or credit in a unit. The granting of status or credit by an institution or training organisation to students for existing qualifications or units of competency completed or previously formally recognised at the same or another institution or training organisation does not constitute RPL.

The **Standards for Registered Training Organisations (RTOs) 2015** (the Standards) deal with RPL as a method of assessment against a training product's requirements (refer Standard 1). We note that in the section titled 'What clauses 1.8 to 1.12 mean for your RTO' (at: www.asqa.gov.au/standards/chapter-4/clauses-1.8-1.12) it, relevantly states:

"[r]ecognition of prior learning is simply a form of assessment of a learner's competence. Recognition of prior learning uses evidence from formal, non-formal and informal learning (rather than from specific assessment activities directed by the RTO). This evidence is often combined with assessment activities sometimes known as 'challenge testing'. As such, recognition of prior learning must be conducted with the same rigour as any other form of assessment".

Fees

Providers must determine the tuition fees for each approved course it offers [Act s 55], summarised in **section 4.8.10** of this manual). In determining tuition fees for an approved course, a provider must not have regard to fees payable for anything other than assessing whether a student is academically suited to undertake the course, enrolment in the course, tuition for the course, examination for the course and award of a qualification for completion of the course [Rules s 118(1)(b)]. Note that this section of the Rules sets out in full other requirements in relation to determining tuition fees.

Where a student receives RPL for a particular approved course, it is open to a provider to set a lower tuition fee that is commensurate to the remaining portion of the course the student must complete. Determining tuition fees are discussed in **section 4.8.10** of this manual.

If the provider is satisfied that the fee that it charges for the assessment of RPL for the student is within the definition of tuition fees (noting the types of fees listed in paragraph 118(1)(b) of the Rules), a student can access a loan for a tuition fee that covers the charge for the assessment of RPL, as for other tuition fees.

Where the provider's procedure is that only an 'RPL assessment fee' is charged (rather than providing additional tuition and requiring the student to enrol in the standard teaching unit, as only RPL assessment is required with no additional tuition), this RPL assessment fee can constitute a tuition fee for which the student can access a loan so long as the provider is satisfied that this RPL assessment fee satisfies the requirements of paragraph 118(1)(b) of the Rules. RPL unit enrolment is required and the tuition fee for RPL should be reported.

RPL unit reporting requirements are detailed below.

Charging and Reporting RPL

Note, unless the exemption regarding compliance with State or Territory subsidy funding arrangements applies [Rules s 124], fees covered by VET Student Loans and other tuition fees for approved courses must meet the requirements of sequential and reasonably apportioned fee charging – i.e. the fees must be spread across at least three census days over three periods for the course [Rules s 122 and 123]. This includes for RPL units. Providers should note that the Secretary is not required to pay a loan amount for a student for a course if the Secretary suspects on reasonable grounds that the course provider is not complying with the Act [Act s 20(f)]. This includes where the provider fails to comply with the requirements of the Rules in relation to tuition fees such as sequential and reasonably apportioned fee charging.

If the tuition fee charged for a unit is purely an RPL assessment fee, this is required to be reported with a value against the RPL indicator. If the unit is fundamentally a teaching unit, the value against the RPL indicator will be zero. Full details of the reporting requirements are covered in the HEIMSHHELP coding notes and glossary. The glossary provides an RPL definition

([http://heimshelp.education.gov.au/sites/heimshelp/resources/glossary/pages/glossaryterm?title=Recognition of prior learning](http://heimshelp.education.gov.au/sites/heimshelp/resources/glossary/pages/glossaryterm?title=Recognition%20of%20prior%20learning)) as well as a PDF document explaining how RPL should be reported

4.8.12 Fee Periods

A provider must determine at least three fee periods for an approved course and may determine different fee periods for different students. For example, part-time students may have longer fee periods [Rules s 123].

The fee periods of the course must be sequential and together equal the duration of the course, be of equal (or approximately equal) length based on the estimated duration of the course and each contain at least one census day for the course [Rules s 123(2)].

This requirement ensures students incur debts as they progress through a course and not in one hit at the commencement of the course.

Length of Fee Periods

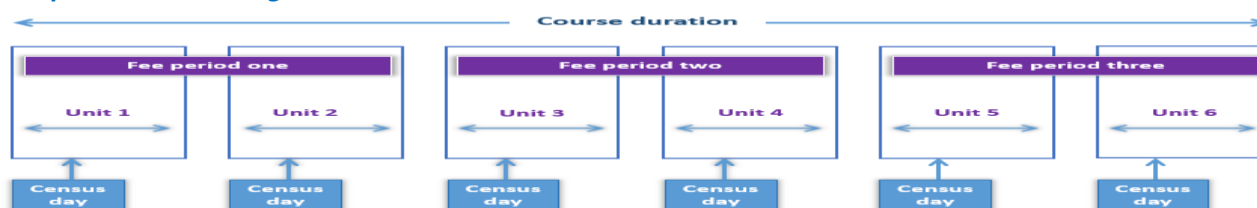
The length of a fee period depends on the duration of the course. Providers should structure their courses so that there is sufficient time between enrolment and the start of a course to accommodate the two business-day gap for requesting a loan and the time period required for issuing Fee Notices. The department may refer information to ASQA regarding the delivery of courses that do not appear to align with expected volume of learning as published in the AQF.

There is no requirement to publish fee periods, however there must be a minimum of one census day in each fee period, fee periods must be equal or approximately equal length and sequential. Refer to the Example Fee Period diagram below.

The length of fee periods that are yet to start may be changed proportionally to the change in time for the overall duration of the course. However, the changed fee periods must be of equal or approximately equal length. For example, if a student switches from full-time to part-time study, the length of their course – and consequently of their fee periods – may increase [Rules s 123(3)].

It will also allow students to indicate to the department their progression and engagement throughout their course in order to continue to access the loan. See section 'Fixed progression points'.

Example Fee Period diagram



Charging tuition fees over periods for a course

An approved course provider that is not a Table A provider (that is, not a public university) must only charge tuition fees for an approved course as follows:

- the fees to be covered by VET Student Loans, and any other tuition fees, are to be reasonably apportioned over:
 - o the fee periods for the course, and
 - o the parts of the course included in the fee periods, and
- none of the tuition fees for the course are to be payable outside a fee period for the course [Rules s 122].

A provider may charge on the basis of an estimate of tuition fees if at the time the course begins the provider does not know:

- the total of the tuition fees for the course, or
- the duration of the course, or
- whether a student will need to pay all of the tuition fees usually payable for the course [Rules s 122(2)].

The estimate cannot exceed the maximum tuition fees mentioned in marketing of the course. If the actual total of the tuition fees for the course exceeds the estimate, the provider may charge the excess only during the final fee period for the course [Rules s 122(4)].

Fee periods and complying with state or Territory funding arrangements

A provider does not have to comply with the fee period requirements if compliance with these requirements would be inconsistent with an arrangement the provider made with an authority of a State or Territory, and:

- the provider is fully complying with that arrangement, and
- the provider has provided a written notice to the Secretary describing the arrangement, the provider's full compliance with the arrangement, and how the arrangement prevents the provider from complying with the above and the extent of the non-compliance [Rules s 124].

The provider gives written notice to the Secretary of fee periods and complying with State or Territory funding arrangements by accessing the provider online enquiry form at: <https://www.education.gov.au/information-vet-student-loans-approved-providers>.

Under 'Frequently asked questions' scroll to the last option on the list ('Click here if you still need help'), then choose 'Notifiable Event' from the drop-down list and then choose 'Notice – Fee Period Exemption'. Provide details in the enquiry text field and upload any relevant attachments.

The department will then liaise with the provider regarding providing required information.

4.8.13 Variations to the tuition fees

A provider may only vary a published tuition fee for a course or a part of a course:

- if the Secretary has given the provider written approval of the proposed variation, or
- if the change:
 - o occurs before the published census date; and
 - o does not disadvantage students enrolled in, or seeking to enrol in that course or part of the course; and
 - o is necessary to correct an administrative error or deal with a change in circumstances [Rules s 126(1)].

While providers do not need to notify the department of variations to tuition fees that do not disadvantage students, they must publish the varied information on their website as soon as practicable after making that decision.

This section does not apply in relation to a course offered under an arrangement that:

- was entered into between the provider and an employer or industry body and
- limits or restricts enrolments in some or all of the places in the course [Rules s 126(3)].

4.8.14 Variations to tuition fees that disadvantage students

Approval of the Secretary of the department is required for proposed variations that will disadvantage students, such as increasing a tuition fee [Rules s 126].

The request must include:

- the name of the affected unit of study and unit of study code
- the course to which the unit forms a part
- what change is being made
- details of when the provider first became aware of the need to change
- the commencement date for the unit
- the current census day for the unit
- the current tuition fees
- the intended increase in the tuition fee
- the last day a person may enrol in the unit without incurring the increase
- the number of students who are eligible for VET Student Loans and enrolled in the unit of study
- whether the students have been advised of the possible variation, and
- why the Secretary should approve the request.

The Secretary will give written notification of the decision. The variation cannot be made unless the Secretary has provided notice of approval.

Providers can request approval by uploading the request into HITS. See the chapter on 'Uploading a Document' in the **HITS User Guide** for further information.

The provider must alert the department to its request by accessing the provider online enquiry form at **www.education.gov.au/information-vet-student-loans-approved-providers**.

Under 'Frequently asked questions' scroll to the last option on the list ('Click here if you still need help'), then choose 'Notifiable Event' from the drop-down list and then choose 'Other Variation requests. Provide details in the enquiry text field and upload any relevant attachments.

4.8.15 Processes and procedures relating to re-crediting a FEE-HELP balance

An approved course provider must have processes and procedures for explaining the re-crediting of students' FEE-HELP balances under Part 6 of the Act [Rules s 89].

The processes and procedures must explain [Rules s 89]:

- that a student's FEE-HELP balance can be re-credited under Part 6 of the Act
- that a student may apply to the provider for the student's FEE-HELP balance to be re-credited under section 68 of the Act because of special circumstances
- that a student may apply to the Secretary for the student's FEE-HELP balance to be re-credited 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 special circumstances are circumstances that are beyond the student's control; do not make their full impact on the student until on or after the census day for a course, or the part of a course; and 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
- 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 applications for re-crediting under section 71 of the Act must be made within five years after the census day for the course, or the part of the course, concerned or within that period as extended by the Secretary

- the processes available to students in relation to reconsideration and review of decisions whether or not to re-credit FEE-HELP balances, including relevant time limits that apply (see **Appendix E**)
- that there is no charge for reconsideration or review of decisions, other than review by the Administrative Appeals Tribunal (AAT)
- that the Secretary may re-credit a student's FEE-HELP balance in relation to special circumstances if an approved 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.

Re-crediting by provider for special circumstances

Section 68 of the Act provides for re-crediting of a student's FEE-HELP balance by a provider on behalf of the Secretary in **special circumstances**.

Where the provider is satisfied that special circumstances apply, the provider must re-credit the person's FEE-HELP balance with an amount equal to the VET Student Loan that has been used to pay the tuition fees for the course or part of the course **[Act s 68]**.

A course provider must, on the Secretary's behalf, re-credit a student's FEE-HELP balance if:

- the student applies to the provider in writing for the re-credit, and
- the application is made:
 - within 12 months after the census day for the course, or the part of the course, or
 - within such longer period for the application as allowed by the provider, and
- the provider is satisfied that "special circumstances" prevented, or will prevent, the student from completing the requirements of the course or the part of the course.

Where a provider allows a person to defer completion of their studies regarding a course, or part of a course, the 12-month application period applies from the end of the extended period for the course.

A provider has the discretion to refund any other payments the person made in respect of the course in line with its own policies, which should be accessible to the student. It is open to providers to use the 'special circumstances test' in deciding whether to refund a student's upfront payment.

Meaning of 'special circumstances'

Circumstances are special circumstances under the Act, if a student can demonstrate to the satisfaction of the provider that the circumstances were **[Act s 68]**:

- beyond the student's control and
- did 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
- made it impracticable for the student to complete the requirements for the course, or part of the course, during the student's enrolment.

Special circumstances beyond a person's control

Examples of circumstances that may be considered beyond a person's control and may meet the criteria, might include a motor vehicle accident or the worsening of a serious illness.

Special circumstances that do not make full impact until on or after the census date

Circumstances could be considered not to make their full impact on the person until on or after the census day for the VET unit of study if the person's circumstances occurred:

- before the census day, but worsen after that day
- before the census day, but the full effect or magnitude did not become apparent until after that day; or
- on or after the census day.

Students do not need to demonstrate they were unable to withdraw from the course prior to the census day.

Special circumstances arising from pre-existing conditions

A circumstance that first occurred before the census day may satisfy the special circumstances requirement where it worsens after that day or the full effect or magnitude does not become apparent until after that day.

For example, a person may have an illness or other underlying, pre-existing condition or incapacity prior to the census day for a course, but that condition may worsen, or the person may suffer from an aggravation, deterioration or serious episode, after the census date.

Alternatively, the full implications of a person's condition may not have been apparent until after the census day. This may be because recovery does not go to plan, or the degree of disability or incapacity for study is not fully realised until after the census day.

The provider must consider whether the person's circumstances changed on or after the census day and when the full effect or magnitude of the circumstances became apparent, taking into account any additional circumstances, including continuation of a pre-existing condition that may have affected the person on or after the census day.

Circumstances that made it impracticable to complete a course

The term 'impracticable' is defined as 'not practicable, that which cannot be put into practice with the available means'. The provider should keep this definition in mind when deciding whether a student's circumstances made it impracticable for them to complete a course, or part of a course. In considering whether circumstances are special circumstances because they make it impracticable for the student to complete the requirements of the course, or part of the course, during the student's enrolment, the provider must consider:

- whether the student could do enough private study, or attend training sessions and other activities, or engage online, to meet course requirements
- whether the student could complete any required assessable work, or demonstrate competencies required, and
- whether the student could complete any other requirements arising from the student's inability to do the above [Rules s 145].

Circumstances that make it impracticable for the person to complete the requirements for their course may include (among other things):

- medical circumstances – for example where a person's medical condition has changed to such an extent that he or she is unable to continue studying
- family or personal circumstances – for example death or severe medical problems within a family, or unforeseen family financial difficulties which affect the student to such an extent that it is unreasonable to expect a person to continue studies, or
- the student's employment related circumstances – for example where a person's employment status or arrangements have changed so the person is unable to continue their studies and this change is beyond the person's control [Rules s 146].

Specifications

With respect to marketing requirements, VET Student Loans/ Manuals for Providers/ Version 3.1 – April 2019 Section 4.10, pages 66 – 72. The Redcliffe Aero Club continues to publish and discuss fees with all Diploma students so that they are well informed of costs required in relation to their chosen course of study.

Policy

All cost summaries for the below courses are published on our website as well as students being given a comprehensive break down of course fees while attending the two (2) day “Pre-Enrolment Information Session” which is required as part of enrolment for all students.

- AVI50215 Diploma of Aviation (Commercial Pilot Licence – Aeroplane)
- AVI50415 Diploma of Aviation (Instrument Rating)
- AVI50516 Diploma of Aviation (flight Instructor)

Fees are discussed for, all Diploma courses listed above,

- Landing fees
- Dual Flight time
- Solo Flight time
- Maps
- ERSA
- Consolidation flights
- Pre – test Flights
- Over flies

The Tuition fee policy must comply with all relevant standards, the CEO / CFI and RTO Co Ordinator must collaborate before making any decisions regarding course or training costs in their absences a qualified external Auditor for approval before said tuition changes are implemented and published. There is no exception to this rule.

Review

This policy shall be reviewed annually or as required in conjunction with any changes to the RTO Standards 2015.