



Tuition assurance: Assisting displaced VET FEE-HELP and VET Student Loans students – Replacement provider requirements and information

Introduction

'Tuition assurance' refers to the protections and assistance available to support **VET Student Loans, VET FEE-HELP** and **FEE-HELP** students in the event that their approved provider stops offering their course or closes.

This document and the attached FAQs provide information on the tuition assurance process and replacement provider obligations under the relevant legislation.

Current interim tuition assurance arrangements

From 1 January 2018, interim tuition assurance arrangements have been in place. Under these arrangements, the Department of Education and Training (the department) is managing tuition assurance with the assistance of a third party tuition assurance administrator.

Providers are exempted from the legislative requirement to be party to an approved tuition assurance arrangement (for VET Student Loans) and to comply with the VET tuition assurance requirements (for VET FEE-HELP), subject to:

- meeting certain Exemption Conditions, advised in the VET FEE-HELP and VET Student Loans Exemption Notices provided to each approved provider on 20 December 2017.
- any additional conditions imposed on providers' approvals as VET providers or approved course providers, pursuant to subclause 20(1) of Schedule 1A to HESA and/ or subsection 34(1) of the Act.

The obligations and requirements of providers in regards to assisting displaced students of 2018 tuition assurance activations, are outlined in the Exemption Conditions.

New VET Student Loans providers approved for commencement from 1 January 2019 will be advised of tuition assurance obligations and arrangements in their Conditions of Approval.

Providers with enquiries regarding tuition assurance arrangements or replacement provider requirements and obligations for VET Student Loans / VET FEE-HELP students, should contact the department's Tuition Assurance Taskforce by email at VETTuitionAssurance@education.gov.au.

Previous arrangements

Prior to 1 January 2018, VET FEE-HELP and VET Student Loans approved providers were required to be party to tuition assurance arrangements. Most providers were members of tuition assurance schemes

operated by one of two tuition assurance operators: the Australian Council for Private Education and Training (ACPET) or TAFE Directors Australia (TDA). The transitional approval of ACPET and TDA as VET Student Loans tuition assurance scheme operators expired on 31 December 2017. Both operators have now discharged their obligations in regards to their former tuition assurance schemes.

VET FEE-HELP and VET Student Loans providers assisting as replacement providers for displaced students of pre-2018 tuition assurance activations, **are still required to meet their legislative obligations as replacement providers:**

- For VET FEE-HELP providers, the requirements are specified in Schedule 1A to the Higher Education Support Act 2003 (HESA) and the Higher Education Support (VET) Guideline 2015 (Guideline).
- For VET Student Loans providers, the requirements are specified in the VET Student Loans Act 2016 (the Act) and VET Student Loans Rules 2016.

Assistance for Higher Education FEE-HELP providers

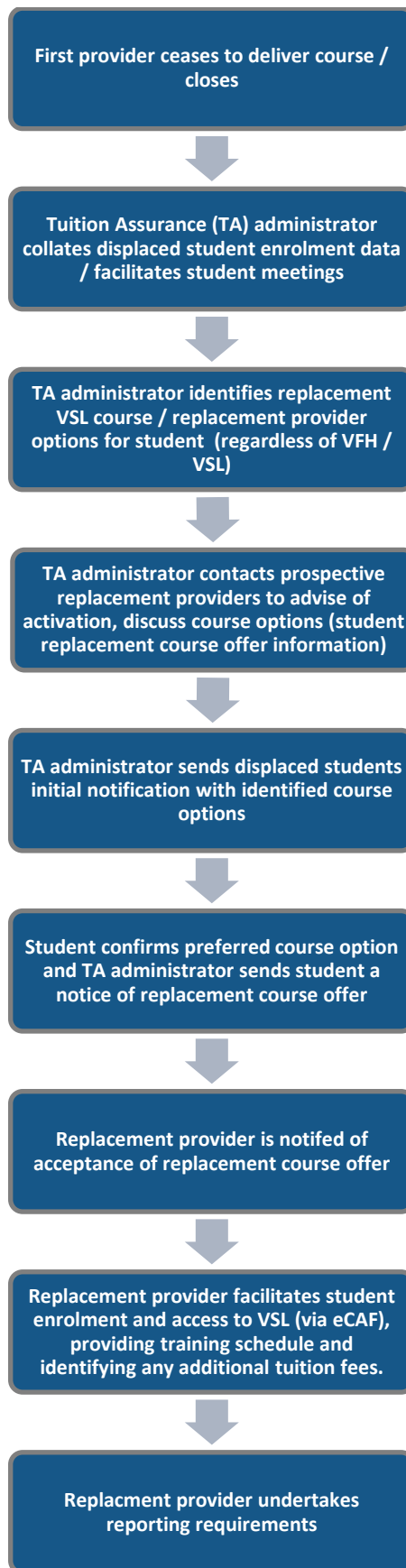
Higher Education providers with an enquiry relating **specifically to the placement process** for displaced FEE-HELP students impacted by a tuition assurance activation, should contact the tuition assurance administrator by email at administrator@ta.education.gov.au or phone 1300 259 044.

Higher Education providers with enquiries regarding **general FEE-HELP tuition assurance arrangements**, including replacement provider requirements and obligations, should contact the department's Higher Education tuition assurance team by email at FEE-HELPTuitionAssurance@education.gov.au.

Ongoing tuition assurance arrangements

It is anticipated that ongoing tuition assurance arrangements will be introduced in 2020, subject to the passage of legislation. Please refer to the [Tuition Assurance and Provider Closures](#) page on the VET Student Loans website for more information.

What happens in a tuition assurance activation?



Tuition assurance: Assistance to students

The key purpose of tuition assurance is to assist VET Student Loans, VET FEE-HELP and FEE-HELP displaced students, whose provider has ceased to provide a unit the student started but was unable to complete due to the course / provider closure, to ensure they are not further disadvantaged by the closure of their course / provider.

2018/19 activations: Available assistance

Eligible VET FEE-HELP students	Eligible VET Student Loans students
<p>Displaced students are assisted to move to a <u>replacement provider</u> to complete the same or similar course (VET qualification).</p> <p>Students are entitled to be 'taught out' by the replacement provider at no additional cost for replacement units of study the student has already incurred a debt for and had commenced but were unable to complete, due to the closure (course assurance).</p> <p>Where a student is unable to be placed in a comparable course, a loan re-credit for units commenced but not completed due to the tuition assurance activation, may be available.</p>	
<p>Managed by the department, with the assistance of a tuition assurance administrator.</p>	

Pre-2018 activations: Available assistance

Eligible VET FEE-HELP students	Eligible VET Student Loans students
<p>Displaced students had the choice of either:</p> <p>a. continuing their studies in the same or similar course (VET qualification) with a <u>replacement provider</u>, including being 'taught out' at no additional cost for replacement VET units of study the student has already incurred a debt for and had commenced but was unable to complete, due to the closure (course assurance)</p> <p>OR</p> <p>b. a loan re-credit for ongoing, reported units of study the student commenced but was unable to complete due to the tuition assurance activation (fee assurance).</p>	<p>Displaced students were assisted to move to a <u>replacement provider</u> to complete the same or similar course (VET qualification).</p> <p>Students are entitled to be 'taught out' by the replacement provider at no additional cost for replacement VET units of study the student has already incurred a debt for and had commenced but was unable to complete, due to the closure (course assurance).</p> <p>Where a student was unable to be placed in a comparable course, a loan re-credit for units commenced but not completed due to the tuition assurance activation was available.</p>
<p>Formerly managed by ACPET and TDA. Now managed by the department.</p>	

Replacement provider requirements

To help facilitate the course assurance process, a replacement provider must meet certain obligations. Providers are to refer to the legislation, their 2018/19 tuition assurance Exemption Conditions and the Replacement Provider FAQs for a comprehensive understanding of replacement provider requirements and obligations (*see next section for links to relevant resources*).

KEY REQUIREMENTS

✓ Enrolment in the same / similar VET course

The replacement provider must enrol a displaced student in a **similar, eligible VET course** that leads to the same or a comparable VET qualification with the replacement provider.

The student must be provided with clear information on **what remaining studies they will need to undertake** to complete their qualification.

The student must be advised of **any additional tuition fees required** (including any 'gap' fee amounts, in excess of the approved course cap (for those requiring access to a VET Student Loan).

✓ Recognition of studies completed

For any units of study a student has successfully completed with their first provider, the replacement provider must ensure the student receives:

- **full credit** towards the same or comparable VET qualification **or**
- **as much credit as possible** towards the same or comparable VET qualification, if the Secretary agrees that the first course was of such a specialised nature that full credit transfer cannot be arranged.

This is also a requirement under the *Standards for Registered Training Organisations (RTOs) 2015* (refer clause 3.5).

✓ Teach-out of replacement units

A student is entitled to be taught-out at no additional cost for any replacement unit^[1] (or part of a replacement unit), if the student has already incurred a debt for that unit.

i.e. A replacement provider is required to teach replacement units (reported VET units of study commenced but not completed by the student, due to the closure of their first provider) **at no charge to the student**.

✓ Student data and reporting requirements

Replacement providers must meet **all VET student data and reporting requirements**.

COMPLIANCE WITH TUITION ASSURANCE REQUIREMENTS

Providers are reminded that the department **may undertake compliance action** against providers who do not meet their tuition assurance requirements and obligations.

^[1] The replacement unit is the unit of study the student commenced with the first provider but was unable to complete due to the provider ceasing to provide the course of which the unit was a part – i.e. due to the tuition assurance activation.

Replacement providers: Resources, reference tools and legislation

- **Tuition assurance replacement provider FAQs**
See the following 'Replacement provider FAQs' for more information on the tuition assurance process and replacement provider requirements.
- **2018/19 tuition assurance provider exemption conditions**
Replacement providers assisting displaced students should refer to the 'Exemption Conditions Notice' in relation to the interim tuition assurance arrangements, to ensure compliance with all replacement provider obligations.
- **Reporting guides: [HEIMSHelp](#)**
See the HEIMSHelp reporting guides for details on how to report student data in the Higher Education Information Management System (HEIMS).
- **Legislation: [VET Student Loans Act 2016](#) and [VET Student Loans Rules 2016](#)**
Refer to the *VET Student Loans Act 2016* and the VET Student Loans Rules 2016 for the tuition assurance requirements under VET Student Loans.
- **VET Student Loans website: [Tuition assurance and provider closures page](#)**
See the 'Tuition assurance and provider closures' page on the department's [VET Student Loans](#) website for information on VET Student Loans, VET FEE-HELP and FEE-HELP provider closures and tuition assurance, including updates relating to tuition assurance arrangements.
- **Tuition Assurance Administrator: email administrator@ta.education.gov.au or phone 1300 259 044**
Providers with an enquiry relating specifically to placements being facilitated for 2018/19 tuition assurance activations, should contact the administrator.
- **Tuition Assurance Taskforce: email VETtuitionAssurance@education.gov.au**
Providers with enquiries regarding tuition assurance arrangements or replacement provider requirements and obligations, should contact the department.

Tuition assurance replacement provider FAQs

How are providers notified of prospective tuition assurance placements?

- Providers who are identified by the tuition assurance administrator as a potential replacement course provider will be contacted by phone and email (initial request for student placement information notification) to request information on whether the course/s they offer is equivalent to the ceased course and whether they can reasonably place affected students.
- A prospective replacement provider must respond to the request for student placement information accurately and in the best interests of the students. The replacement course offer provided to a student will in part be based on the information the provider has given.
- It is a legislative requirement that the student be enrolled in a 'similar course'. The department may undertake audits to ensure replacement providers are facilitating this requirement.

Do I have to take on displaced students if contacted by the tuition assurance administrator?

- If the tuition assurance administrator gives written notice to a provider that a replacement tuition offer for a place with the provider has been made and accepted by a displaced student, the provider must accept the displaced student unless:
 - (a) the displaced student has failed to abide by, or to agree to abide by, the provider's reasonable policies and procedures or
 - (b) the provider can establish, to the satisfaction of the tuition assurance administrator, that circumstances apply which make it reasonable for the provider to not accept the student.
- Such circumstances may include: if placement with the provider would not be in the best interests of the displaced student; or if the provider has accepted a number of displaced students and it would be unreasonable for it to accept another displaced student, having regard to the provider's capacity and capability.

Do I have to be contacted by the tuition administrator to be a replacement provider? Can I just enrol students?

- Whilst a displaced student is able to choose whether to receive assistance from the tuition assurance administrator or not, students who directly enrol with a replacement provider *outside* of tuition assurance arrangements, will not be eligible for tuition assurance protections.
- If you wish to assist students displaced by a tuition assurance activation, please:
 - contact the tuition assurance administrator, and
 - refer any students who may have approached your organisation, to the tuition assurance administrator.

How do I enrol transferring tuition assurance students?

- You should enrol transferring tuition assurance students as per your normal enrolment procedures. You must comply with the requirements for enrolling a new student. The replacement provider should be satisfied that the student is academically suited to complete the course.
- The student must be enrolled in a similar VET course. You cannot enrol the student in a higher education course as a replacement for their VET course under tuition assurance. The department may take compliance action against providers who attempt to place VET students into **non-VET** courses through tuition assurance.
- Whilst transferring tuition assurance students have already been determined as eligible and approved for VET FEE-HELP / VET Student Loans by the Secretary, transferring students are required to complete and submit a new electronic Commonwealth Assistance Form (eCAF).
- See reporting FAQ re: reporting requirements.

How are transferring VET FEE-HELP grandfathered students to be assisted, given the end of VET FEE-HELP grandfathering access on 31 December 2018?

Displaced VET FEE-HELP tuition assurance students will now be placed by the tuition assurance administrator in a VET Student Loans approved course.

How do I determine what successfully completed course components and replacement teach-out units apply for a transferring student?

- For any VET units of study a displaced student has successfully completed with their first provider, the replacement provider must ensure the student receives:
 - (a) **full credit** towards the same or comparable VET qualification **or**
 - (b) **as much credit as possible** towards the same or comparable VET qualification, if the Secretary agrees that the first course was of such a specialised nature that full credit transfer cannot be arranged.
- Students are not to be double-charged for studies. A replacement provider is required to teach replacement units (reported VET units of study commenced but not completed by the student, due to the closure of their first provider) at no charge to the student.
- A replacement provider is required to identify what units of competency (or parts thereof), i.e. components of the students course, were included as part of any reported, open VET units of study, for a displaced student.
- The tuition assurance administrator will seek to advise a replacement provider of the number of units of study the student had completed and what reported ongoing unit/s the student was studying when the provider closed. Where first provider fee schedules or other information is available, this will also be provided.

- A student's **Statement of Attainment** will assist a replacement provider with determining what units of competency a student has successfully completed.
- Where a tuition assurance student has not been provided with an up-to-date Statement of Attainment by their closing provider, a student can access their ASQA academic transcript. Students can request a transcript at: <https://www.asqa.gov.au/students/applying-copy-student-records>. Alternatively, a student can contact the ASQA info line on 1300 701 801.
- A student can also request a copy of their Unique Student Identifier (USI) transcript, at <https://www.usi.gov.au/students/training-records-and-transcript>.
- In some instances, the student may not be able to access their academic records due to circumstances beyond their control. The replacement provider should support these students to ascertain their level of study and recognise prior learning where appropriate.
- **Legacy (pre-2018) activation students:** in some instances, data supplied to a replacement provider by the former tuition assurance scheme operators (ACPET / TDA) re. a course assurance student's completed and reported VET units of study, may not have been up-to-date. Where a legacy student is disputing the reported units of study the replacement provider has been advised were reported by the first provider, the replacement provider may request the student provide a copy of their reported debt in HEIMS, available through the myuniassist portal at <https://app.heims.education.gov.au/myuniassist/Forms/Logon.aspx>. The student will need their CHESSN to log in.

Do I have to issue a transferring student with their award on successful completion of remaining studies, where some units of competency have been recognised through credit transfer?

- Credit must be granted for studies completed at an RTO. Where a student has successfully completed all required units of competency in a qualification (including units of competency successfully completed with another RTO and recognised through credit transfer), a replacement provider is to issue the student with their Award and a Statement of Attainment.

Replacement providers should refer to the Standards for RTOs 2015, in particular clauses 3.1 – 3.5, which outline RTO requirements in relation to the recognition of credit and the issuing of AQF certification documentation. The Users' Guide to the Standards for RTOs 2015 is available at <https://www.asqa.gov.au/standards>.

What constitutes a 'VET unit of study' / 'part of a course' for the purposes of course assurance?

- A 'unit of study' is comprised of a combination of the units of competency (or parts thereof), required to complete a VET qualification.
- A replacement provider is required to identify what units of competency (or parts thereof), i.e. components of the students course, were included as part of any reported, open VET units of study,

for a displaced student. Those units of competency (or parts thereof) are to be taught out as replacement units and the replacement provider is not to charge a VET tuition fee for these units.

- For any additional units of competency (or parts thereof) that a student has yet to be charged for (as part of a reported unit of study), a replacement provider may charge tuition fees for these, in line with VET FEE-HELP reporting requirements.
- This may mean that the replacement provider will be required to have specific 'units of study' and related fee schedules for such students.

What can I charge transferring tuition assurance students (loan amounts)?

- The replacement provider is able to claim for any further components of a course that do not form part of the VET units of study a student has already commenced but not completed with their first provider. You are able to charge students, for further units, as per your published fee schedule.
- The department may take compliance action against providers who have charged students for replacement units. Students are entitled to be 'taught out' by the replacement provider at no additional cost, for replacement VET units of study the student has already incurred a debt for and had commenced but was unable to complete, due to the closure of their former provider.
- A reminder: requirements for replacement courses stipulate that the displaced student enrolling in the course will not incur **additional fees that are unreasonable**. This will have been assessed, based on the information provided by the replacement provider to the tuition assurance administrator, at the commencement of the activation process.
- A replacement provider must ensure a student is provided with all tuition fee information, including any gap fees that may apply, for which the student will not be able to access VET Student Loans assistance.

What happens if a transferring student's course has been superseded?

- Where a displaced student's course has been superseded, it may be beneficial / necessary for the student to be enrolled by the replacement provider into the new version of the course. Transferring students who enrol into a new version of a qualification may be required to study additional units of competency to complete their qualification.
- In these instances, the replacement provider should clearly communicate to the student:
 - that their qualification has been superseded
 - by completing the new qualification, the student will be gaining an up-to-date qualification if they successfully complete all requirements
 - they will be required to complete additional units under the new qualification and what tuition fees will apply
 - credit transfer / recognition of prior learning may be available in regards to studies already completed. Superseded qualifications generally update some, but not all, units of competency

- the replacement provider will still be required to 'teach-out' any ongoing units of study, where the competencies are still included in the new qualification.
- Replacement providers should refer to reporting requirements for reporting students into a superseding qualification.

What enrolment information and reporting requirements apply for transferring students?

- The replacement provider must report students who have enrolled as transferring tuition assurance students, using the Higher Education Information Management System (HEIMS). This is standard procedure for all students enrolled with a VET FEE-HELP / VET Student Loans provider.
- The replacement provider must keep up-to-date enrolment information on displaced students enrolled in replacement unit/s (through course assurance). This information must include the following (and must be reported to the department as part of the replacement provider's standard VET student data submissions):
 - (a) each student's full name and contact details
 - (b) the name of the course of study and the units of study in which each student is currently enrolled
 - (c) the amount of the VET tuition fees for each unit of study in which each student is currently enrolled
 - (d) details about the payment of those fees, including if they are to be paid upfront or involve amounts of VET Student Loans assistance
 - (e) details of any VET units of study successfully completed by each student with the VET provider
 - (f) details of credits granted by the VET provider as a replacement provider.

For further details on how to report student data in HEIMS, please see the [HEIMSHelp](#) reporting guides.

What units do I report to the department?

- To ensure displaced students are not being double-charged for units of study for which the student has already incurred a debt, replacement providers should report a \$0 fee against the replacement unit in HEIMS.
- For units the students has completed with the first provider (and recognised by you), you should record these units in HEIMS with a \$0 fee and note that Recognition of Prior Learning was applied.
- For further details on how to report a replacement unit of study, please see the [HEIMSHelp](#) reporting guides.

Does a transferring VET Student Loans student have access to the full course cap again, once enrolled in the same course with a replacement provider under tuition assurance?

No. However, if the student is enrolling in the new version of a superseded course, the student will have access to the full loan cap for the approved course.

How do I know what remaining course cap / lifetime FEE-HELP limit a transferring student has left available?

- Students are responsible for tracking what reported debt they have for studies undertaken, and ensuring they have a sufficient FEE-HELP limit remaining to cover tuition fees.
- A transferring tuition assurance student will need to complete a new eCAF at enrolment, to access VET Student Loans assistance with the replacement provider. When a student signs a new eCAF, the student agrees that they will maintain awareness of their FEE-HELP balance and advise their provider if they are approaching their limit. Students should be directed to log in to [myuniassist](#) to keep track of how much Commonwealth assistance they have used.
- **Checking remaining FEE-HELP entitlements:**
 - There are two reports in HEIMS Online Reports that provide detailed information on the total HELP entitlement used by a student and the amount of their remaining entitlement.
 - Providers can access these reports from the HELP Entitlements menu in HEIMS Online and further information on [monitoring students' use of HELP](#) is also available on HEIMSHelp.
- **Checking remaining loan cap**
 - In terms of the maximum course cap available, if students change providers and continue studying the same course, there is no increase to their course cap and their course cap does not 're-set'.
 - There is no functionality in HEIMS currently to check students' loan balances. This is available from the eCAF system as set out below.
 - If the student has accessed a VET Student Loan in the past and is continuing to study the same course with a replacement provider, the replacement provider should seek relevant information from the student as to ascertain how much of the course cap has been used.
 - Additionally, upon uploading enrolment data into the eCAF system to create an eCAF, providers can view a student's accumulated FEE-HELP and VET Student Loans debt. This information is available when the student's CHESSN is entered into the eCAF at enrolment.
 - This information is also accessible via the eCAF API as well as the web interface. Providers should check these details prior to the creation of an enrolment record in eCAF.

Last updated: 1 April 2019