

Statement of Reasons for Special/ Compassionate or Compelling Circumstances

In accordance with Section 79-5 of the *Higher Education Support Act 2003* [HESA] the ALC provides the following provision for 'special circumstances' in relation to **tuition fee refunds and remission of FEE-HELP debt**. ALC also utilises the 'special/compassionate or compelling circumstances' definition in relation to the consideration of **assignment and unit extensions and consideration of grievances** for all ALC students [domestic and overseas] and **course [and unit] variations for domestic students**.

Please note that course/unit variations for overseas students including deferment and leave of absence are considered under the compassionate or compelling circumstances provision in accordance with the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007.

Special circumstances apply to all ALC students if and only if ALC is satisfied that circumstances apply to the person that:

- (a) are beyond the person's control; and
- (b) do not make their full impact on the person until on or after the census date for the unit of study in question; and
- (c) make it impracticable for the person to complete the requirements for the unit during the period during which the person undertook, or was to undertake, the unit.

Circumstances beyond a person's control include:

- ALC will be satisfied that a person's circumstances are beyond that person's control if a situation occurs which a reasonable person would consider is not due to the person's action or inaction, either direct or indirect, and for which the person is not responsible.
- This situation must be unusual, uncommon or abnormal.
- Special circumstances may involve [but are not limited to]: serious illness or injury, pregnancy or childbirth, serious illness or bereavement of close family members, course structure or unit availability, serious upheaval or disaster, traumatic experience.

Circumstances that did not make their full impact until on or after the census date for the purpose of consideration of tuition fee refund:

- ALC must be satisfied that a person's circumstances did not make their full impact on the person until on or after the census date for a unit of study if the person's circumstances occur:
 - (a) before the census date, but worsen after that day; or
 - (b) before the census date, but the full effect or magnitude does not become apparent until on or after that day; or
 - (c) on or after the census date.

ALC requires appropriate original or certified documentary evidence for the consideration of all requests related to 'special circumstances' provision, including clear notification of how these were beyond your control.

As provisioned in the *Higher Education Support Act 2003* [HESA] ALC on behalf of the Secretary of the Department of Education Science & Training [DEST], will advise the re-crediting of a person's Student Learning Entitlement [SLE] or tuition fees in relation to a unit of study if ALC is satisfied that special circumstances apply to the person and the person meets the other requirements detailed in section 79-1.