

FEE APPEAL GUIDELINES

Section	AVC OI&UR
Contact	Student Administration
Last Review	June 2017
Next Review	June 2020
Approval	SLT 17/10/159

DEFINITIONS:

Definitions used in these guidelines are defined by the glossary to the calendar.

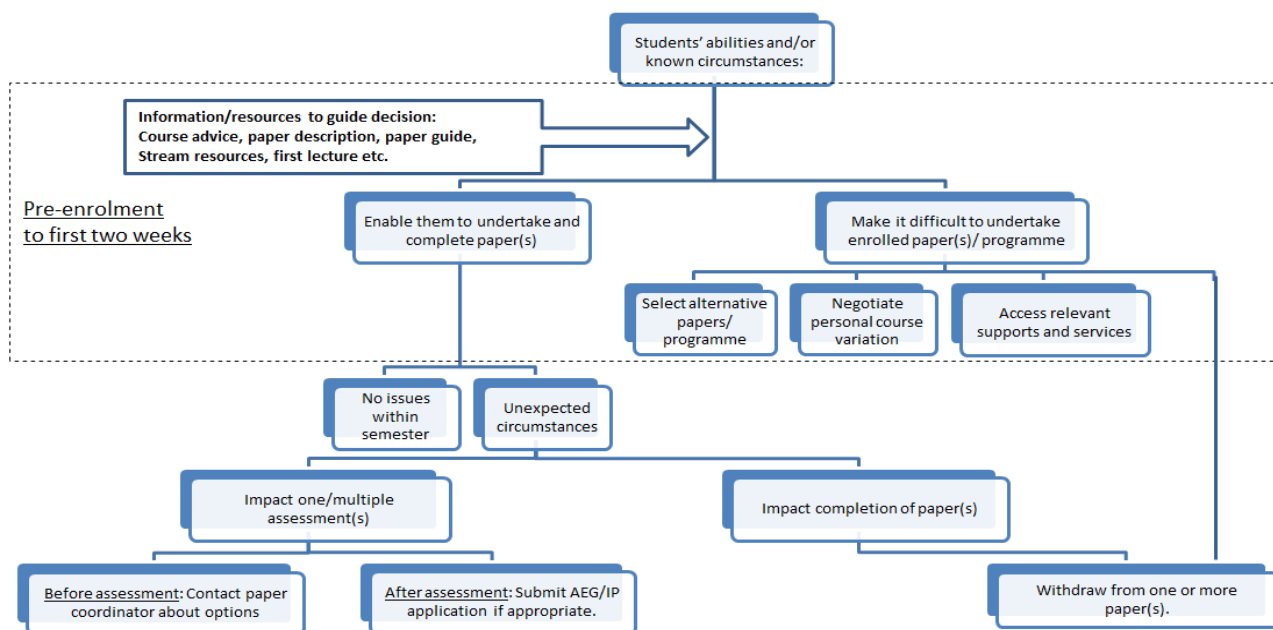
PROCEDURES:

The Fee Appeal Guidelines guide staff in the consideration and processing of Fee Appeals.

The following principles will apply:

1. Applications must be consistent with the timeframes outlined in the Enrolment and Fee Appeal Regulations;
2. Applications will be considered on the merits of, the context of, and the evidence for, each situation;
3. Where appropriate a Refund of Fees is the preferred option for redress.

The diagram below outlines the options available to students:



Consistency with Enrolment and Fee Appeal Regulation Timeframes

Check that the student has withdrawn from the course(s) between the Dates for Withdrawal without Financial Penalty and the Final Examination, or end-date for the paper if no examination. The Enrolment Regulations specify the Dates for Withdrawal without Financial Penalty and the Dates for Withdrawal without Academic Penalty. These may change from time to time and staff are advised to check these regulations periodically to ensure activities are undertaken in accordance with approved timeframes.

If no withdrawal has occurred, the student should be referred to the Academic Standing process so an appeal can be made via this route. Should the Academic Standing Hearings Committee refer a student appeal to the Fee Appeal process, the requirement to comply with withdrawal timeframes may be waived.

At a glance:

Date of Withdrawal	Mitigating Factor	Outcome
Prior to Date of Withdrawal without Financial Penalty		No Financial Penalty applies therefore not eligible for Fee Appeal
Withdrawal between Date of Withdrawal without Financial Penalty and the Final Examination, or end-date for the paper if no examination		Eligible to be considered for Fee Appeal if other criteria met
No withdrawal or late withdrawal	Referred to Fee Appeal process by the Academic Standing Hearings Committee	Eligible to be considered for Fee Appeal if other criteria met

Exceptional Personal Circumstances

Fee Appeals are considered when Exceptional Personal Circumstances prevent the student from completing their study. A check must be made that the student has not already applied for and received a concession, an Aegrotat or Impaired Performance, or a Fee Appeal, on the same grounds.

Situational Merit, Context, and Evidence

There are three factors to consider:

1. Student Enrolment/ Academic Standing History
2. Situation Experienced by Student
3. Specific Programmes

1. Student Enrolment History

It is important that Fee Appeals are not used to avoid the justified application of an academic penalty or an academic progress restriction. If a student submits a Fee Appeal and there is any evidence of the following, consultation should take place with the Director of Teaching and Learning for the relevant College, or nominee, and the Student Success and Engagement Coordinator:

- Repeated Fee Appeal(s)
- Repeated Enrolment and Withdrawal
- Previous Exclusion status
- Academic Standing is 'At Risk'

This will ensure that a multiple applications/appeals are not submitted on the same grounds and if so, that the students application for consideration is referred to the most appropriate route, i.e. AEG/IP, Study extension, Academic Standing/ Exclusion Appeal, or Fee Appeal, for consideration.

2. Situation Experienced by Student

The following are some common situations identified by applicants, the evidence that may be sought to support these, and the options for outcomes:

Situation	Procedure to Verify	Potential Outcomes
Financial Reasons:		
Personal Bankruptcy	Court records	Advise Credit Control
Can't Afford	N/A	Not generally an acceptable reason for Fee Appeal; however the underlying cause may be. If not upheld, WD or DNC is awarded.
Third party (e.g. employer) refuses to pay/ scholarship falls through	Evidence that an agreement was in place that should have reasonably been able to be relied upon.	If Massey is party to the agreement, pursue payment through contractual means. If Massey is not a party to the agreement, a fee appeal may be considered. If upheld, the enrolment may be cancelled as not a valid enrolment.
Redundancy	Evidence including the date of advice and the date redundancy has occurred/will occur must be supplied on official letterhead from the employer.	A fee appeal may be considered; if upheld a WD may be awarded.
Enrolment Issue		
Late Enrolment	Enrolment records, transaction dates, advice provided, correspondence.	If the student has elected to enrol late and has been advised of possible consequences, award of WD or DNC is appropriate outcome.

		<p>If student has enrolled late with no counselling a fee appeal may be considered; an award of WD may be granted if upheld.</p> <p>If student enrolment was delayed by University a fee appeal may be considered; if upheld, the enrolment may be cancelled as not a valid enrolment.</p>
Failed attempt at Withdrawal	Check contact records, system log, or request online log from ITS to determine whether a withdrawal has been requested.	<p>If the student has attempted to withdraw prior to 10% of the elapsed course, the enrolment may be cancelled as not a valid enrolment.</p> <p>If the Student has attempted to withdraw after 10% of the elapsed course, a fee appeal may be considered; an award of WD may be granted if upheld.</p> <p>If no evidence of withdrawal attempt, the likely outcome is a decline.</p>
Study Concern		
Course Content different to Expectation	Explanation/ evidence of how course is inconsistent with published material or advice provided; seek validation from relevant College Director of Academic Programmes or similar.	<p>Grounds for Fee Appeal. If upheld, the enrolment may be cancelled as not a valid enrolment.</p> <p>If not upheld, WD or DNC may be awarded.</p>
Study Materials/ Texts not available	Check availability of Stream site, study materials, or textbooks (via University bookseller).	<p>Grounds for Fee Appeal. If upheld, the enrolment may be cancelled as not a valid enrolment.</p> <p>If not upheld, WD or DNC may be awarded.</p>
Massey has admitted fault, student tried to persevere with study, but now withdrawn.	<p>Seek relevant evidence:</p> <p>Names of Massey staff they have received advice from.</p> <p>Copies of correspondence.</p> <p>Detailed written explanations.</p> <p>Contact records, Student letters</p>	<p>Grounds for a Fee Appeal. If upheld, the enrolment may be: cancelled as not a valid enrolment, or a WD may be awarded.</p>
Grievance – action of the University has caused the student disadvantage		Refer to Student Complaints and Grievance Procedures
Other Commitments		
Work Commitments	Request letter on official letterhead from employer including dates that work circumstances changed and if	<p>A fee appeal may be considered; if upheld a WD may be awarded.</p> <p>Confirm that previous fee appeals have not been made on this ground.</p>

	<p>possible when work commitments are likely to ease.</p> <p>If the student is self-employed or the Director/CEO of the company request a sworn affidavit. This must be signed and dated by a Lawyer, Justice of the Peace. Corroborating evidence may assist.</p> <p>With appropriate evidence a partner's change in work circumstances may be considered if it impacts heavily on the students' ability to study.</p>	
Attending another Training/Educational Institute	<p>Request evidence of attendance (NB: Evidence of enrolment only is not enough) at other training/educational institute. Acceptable evidence is verified copies of academic transcripts, exam result slips, and a letter from the tertiary institute's registry office. Evidence of fee payment is not sufficient.</p>	<p>Grounds for Fee Appeal. If upheld, the enrolment may be cancelled as not a valid enrolment. If not upheld, WD or DNC may be awarded.</p>
Sporting, Military, Navy, Airforce, and Police commitments	<p>Request evidence of reason from commanding officer, superior, coaches or union of sport with reason for inability to continue study, including dates that the student's ability to study was affected and if possible when they will be able to commence study.</p>	<p>A fee appeal may be considered; if upheld a WD may be awarded.</p> <p>Confirm that previous fee appeals have not been made on this ground.</p>
Medical		
Temporary Medical Condition (including immediate family)	<p>Request medical evidence on official letterhead from the student's DR, GP or medical professional detailing the dates that the student's ability to study was affected.</p> <p>If the student's evidence advised that their illness was less than one week the student must provide a letter/email from their paper co-ordinator stating that the student had fallen too far behind due to the illness and is not able to catch up with the work.</p>	<p>A fee appeal may be considered; if upheld a WD may be awarded.</p> <p>Confirm that previous fee appeals have not been made on this ground.</p>

	Ensure an AEG/IP has not been submitted.	
Long Term Medical Condition (Physical, Terminal illness – including family and close friends)	Request medical evidence from the student’s Medical Professional on official letterhead including the date of incapacity and the fact that the student will not recover sufficiently to be able to resume studying.	A fee appeal may be considered; if upheld a WD may be awarded.
	If the student is appealing on the grounds of a family member or close friend’s illness they will need to supply evidence stating that their ability to study has been affected by this, including dates from when this affected their study.	A fee appeal may be considered; if upheld a WD may be awarded. Confirm that previous fee appeals have not been made on this ground.
Temporary Mental Health Condition (Stress, etc.)	Request medical evidence from a General Practitioner, Medical Professional, Psychiatrist or counsellor, including the date that the student’s ability to study was affected. Ensure that the counsellor is suitably qualified.	A fee appeal may be considered; if upheld a WD may be awarded. Confirm that previous fee appeals have not been made on this ground.
Long Term Mental Health Condition	Request evidence from Dr, GP, psychiatrist or medical professional on official letterhead that includes a statement regarding the fact that this is a long-term mental illness and the student is unfit for study. If the student suffered from the mental illness before they enrolled the statement must include dates that the illness affected the student ability for the current academic year.	A fee appeal may be considered; if upheld a WD may be awarded. Confirm that previous fee appeals have not been made on this ground.
Personal Matter		
Relationship Breakdown (Student/ Student’s Parents)	Request evidence from an appropriate source – medical, counsellor or solicitor, sworn affidavit, church counsellor, court documents, women’s refuge. This evidence must state dates that the relationship breakdown affected the student’s ability to study.	A fee appeal may be considered; if upheld a WD may be awarded. Confirm that previous fee appeals have not been made on this ground.

Relationship Breakdown (Close family and friends)	Request evidence from the above list, or if that is not possible a sworn affidavit. This evidence must state dates that the relationship breakdown affected the student's ability to study and if possible a date that the student may resume study.	A fee appeal may be considered; if upheld a WD may be awarded. Confirm that previous fee appeals have not been made on this ground.
Sensitive Issue – Student's family members included (sexual abuse etc)	Request evidence from a Dr, GP, Medical Professional, Councillor or ACC on official letterhead including dates that the student's ability was affected. Stress to student that information will remain confidential. If the student requests the documentation back do not keep a copy and send all evidence back. Record on student notes on the Fee Appeal Restricted area that the evidence has been cited.	A fee appeal may be considered; if upheld a WD may be awarded. Confirm that previous fee appeals have not been made on this ground.
Bereavement		
Death of Student	Request the Death Notice of the student from the University Library. If there is not a death notice, request a copy of the death certificate.	Set student flag appropriately so no continued contact from University. Fee Appeal may be upheld with WD awarded. Send letter/Card to the next of Kin advising.
Death of a family member or friend	Need evidence of the relationship and death certificate. Contact the Library for the death notice. The funeral service sheet is also acceptable if includes name of student. If student is unable to prove relationship then a sworn affidavit is acceptable.	A fee appeal may be considered; if upheld a WD may be awarded. Confirm that previous fee appeals have not been made on this ground.
Disaster		
Natural Disaster/ Act of God (Fire etc)	Request evidence of insurance inspectors report, police report or report from Civil defence or a newspaper article naming the student.	A fee appeal may be considered; if upheld a WD may be awarded. Confirm that previous fee appeals have not been made on this ground.
Civil Unrest – Riots and Mutiny	Request evidence that proves the student was in that country/region at the time. Travel documents are acceptable, letter from the New Zealand consulate or a sworn affidavit.	A fee appeal may be considered; if upheld a WD may be awarded. Confirm that previous fee appeals have not been made on this ground.

Immigration Criteria		
A returning student was not granted a visa	N/A	Not generally grounds for appeal. Student is required to hold valid visa prior to commencement of enrolment period. Award of WD or DNC is appropriate.
Visa not obtained	N/A	New International students should not be enrolled without a visa. In the event a student enrolls and pays fees without obtaining a visa then the student will be withdrawn without academic or financial penalty, and a refund will be provided.
Visa Revoked	Correspondence from Immigration New Zealand.	A fee appeal may be considered; If upheld, the enrolment may be cancelled as not a valid enrolment, or a WD may be awarded. Confirm that previous fee appeals have not been made on this ground.
Unable to study in mode offered	Verification from International Student Support or International Admissions.	Grounds for Fee Appeal. If upheld, the enrolment may be cancelled as not a valid enrolment.

Outcomes of Fee Appeals

The outcomes listed above are only a guide and the decision will be based on the factors outlined in the sections prior. Possible outcomes include:

Decision	Evaluation	Award	Fees
Fee Appeal Upheld	Does not meet threshold for valid enrolment	N/A: withdraw enrolment	Full refund
	Meets threshold for valid enrolment	WD	Full or partial refund
Fee Appeal Declined	Withdrawal prior to Date for Withdrawal without Academic Penalty	WD	No refund
	Withdrawal after Date for Withdrawal without Academic Penalty	DNC	No refund

Audience:

University Staff.

Related procedures / documents:

Student Complaints and Grievance Procedures

University Enrolment and Fee regulations disclosed in the [University Calendar](#).

Academic Progress regulations disclosed in the University Calendar.

[Delegations Document](#)

Student Refund and Fee Protection Policy

Document Management Control:

Prepared by: Operations Manager, International Office

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