

LATROBE COLLEGE OF ART AND DESIGN

Policy

ELIGIBILITY & COLLECTING VSL STUDENT INFORMATION

VET Student Loan Act 2016 Section 9-12 / VET Student Loan Rules 2016, Part 7 Section 85

Policy

This policy ensures that LCAD:

- Admits only students who meet the eligibility criteria as outlined in Division 2 of the VET Student Loans Act 2016; and
- Collects and retains all required information as outlined in Section 85 of the VET Student Loans Rules 2016 to support applications for a VET Student Loan.

This policy applies to:

- All prospective students applying for a VET Student Loan.
- All LCAD staff involved in admissions, enrolments, student support, and compliance.

LCAD is committed to ensuring that:

- All applicants for a VET Student Loan meet the eligibility requirements under the VET Student Loans Act 2016;
- All required documentation and declarations are collected, verified, and retained in accordance with Section 85 of the VET Student Loans Rules 2016;
- Students are fully informed of their obligations and rights under the VET Student Loans program;
- Student information is securely stored and only disclosed as required under law.

(Section 11) Student Eligibility Requirements (as per VSL Act 2016)

To be eligible for a VET Student Loan at LCAD, a student must:

1. **Citizenship/Residency:**
 - Be an Australian citizen, or
 - Hold a permanent humanitarian visa and usually reside in Australia, or
 - Be a New Zealand Special Category Visa (SCV) holder who meets the required residency criteria.
2. **Student Enrolment:**
 - Be enrolled in an approved course with LCAD as an approved course provider.
3. **Loan Cap and Fee Period:**
 - The loan amount must not exceed the student's remaining VET Student Help-Balance, nor the course cap DEWR has allocated to the selected qualification.
 - The application must relate to an eligible unit of study within an approved course.
4. **Academic Suitability:**
 - Provide a copy of their Year 12 Certificate; or
 - Display competence in literacy and numeracy at Exit Level 3 in the Australian Core Skills Framework (ACSF) through an approved Learning, Literacy, Numeracy and Digital (LLND) assessment;
 - Provide documentation of successful completion of an Australian Qualifications Framework (AQF) qualification at Certificate IV level or above.

5. Additional Requirements:

- Have a valid Tax File Number (TFN), or provide proof of application;
- Have a Unique Student Identifier (USI);
- Be at least 18 years old, or have signed parental consent if under 18;
- Submit a valid electronic Commonwealth Assistance Form (eCAF) on or before the census day.

Required Application Information (as per VSL Rules 2016, Section 85)

LCAD must collect and retain the following for each VET Student Loan applicant:

- Student's full name and date of birth
- Citizenship or visa documentation
- USI
- Academic suitability evidence
- Loan amount being requested
- Enrolment details, including course and units
- eCAF completion and acknowledgement
- Confirmation the student has been informed of their rights and obligations
- Any other required information under the Rules or requested by the Department

Procedure

Application Process

1. Initial Enquiry or submission of an Application Form
 - Student submits application form and required documentation.
 - Provide prospective students with the VET Student Loans Information Booklet, detailing the required documents they must submit and the eligibility requirements.
2. Information Session and Interview:
 - The course advisor, coordinator, or delegate will interview the student to assess academic suitability and provide them with course and study information.
 - The student may submit a folio of their artwork, or examples of any of their creative work from the past few years, and/or outline other experience.
 - The student is advised if they will receive a course offer during the interview.
 - The interviewer will verify the student's documents.
3. Letter of Offer (LO), Acceptance Form (AF), Enrolment Form (EF):
 - The student is sent an LO with course details and dates. Attached will be an AF and EF, which the student completes and submits to the college if they accept the course offer. The AF will include details on course fees, privacy and enrolment conditions. The indicates on the AF whether they wish to access VSL. The EF collects student personal details required by Government Departments, which LCAD is obliged to collect and submit.
 - Student completes LCAD's approved LLND test (if required) only if they intend to enrol.
4. Enrolment Confirmation (EC)
 - Upon receipt of the AF and the EF, the admin will verify that all necessary documents are in place and will save them to the student's master file. This includes the student's Australian birth certificate or Australian passport (or a qualifying New Zealand citizen, or they hold a permanent humanitarian visa), USI number, Year 12 certificate from a state or LLND pass, CIV certificate, or higher, and a U18 certificate (if required). It will also be ascertained whether the student has a Tax File Number, and if not, a recommendation will be made to the student to apply for one, provided there is sufficient time to do so before Census.
 - If enrolment is complete, the student will be sent an EC with advice on attending an orientation session.
5. eCAF Submission:
 - Student receives a Departmental login to access the eCAF portal and complete a questionnaire. Once completed the college will be advised by the eCAF system that the student has agreed to accept a VET Student Loan.

- eCAF must be completed on or before the census day for the relevant study.

Recordkeeping and Data Security

- All documentation is stored securely on LCAD's student management system.
- Access to personal and loan information is limited to authorised staff only.
- Records are retained for at least five years (5) as required by legislation.

Staff Roles and Responsibilities

See Organisation Chart

Review and Continuous Improvement

This policy will be reviewed annually or upon changes to VET Student Loans legislation or guidance from the Department of Employment and Workplace Relations.

Standards

Subdivision D—Information relating to applications for VET student loans

85 Processes and procedures for information relating to applications for VET student loans

- (1) An approved course provider must have processes and procedures relating to the collection and verification of information for the purposes of, or in relation to, applications by students for VET student loans.
- (2) The processes and procedures must require the collection and verification of the following information and documents relating to a student applying for a VET student loan:
 - (a) information about the student's identity and date of birth;
 - (b) if the student is under 18, information that:
 - (i) one of the signatories to the application is a responsible parent of the student; or
 - (ii) the student has received youth allowance (within the meaning of the *Social Security Act 1991*) on the basis that the student is independent (within the meaning of Part 2.11 of that Act);
 - (c) information and documents to establish that the student meets the requirements of section 11 of the Act;
 - (d) if the student has applied for, but not been issued with, a tax file number—a certificate from the Commissioner that the student has applied for a tax file number.

VET Student Loans Act 2016 (2018)

Division 2—Eligible students

9 Eligible students

To be an *eligible student*, the student must meet the requirements of this Division.

10 Enrolment and loan application

- (1) The student must:
 - (a) be enrolled in the course; and
 - (b) have provided the course provider with any information and documents required by the rules; and
 - (c) meet any other requirements set out in the rules.
- (2) The student must be undertaking the course primarily at a campus in Australia.
- (3) The student must have applied for a VET student loan for the course in accordance with Division 4.

11 Citizenship and residency

- (1) The student must be:
 - (a) an Australian citizen; or
 - (b) the holder of a permanent humanitarian visa, or a Pacific engagement visa, who is usually resident in Australia; or
 - (c) a qualifying New Zealand citizen.

(1A) **Permanent humanitarian visa** has the same meaning in this Act as in the *Migration Regulations 1994*.

(1B) A **Pacific engagement visa** is:

- (a) a visa referred to in the *Migration Regulations 1994* as a Subclass 192 (Pacific Engagement) visa; or
- (b) a visa of a kind determined under subsection (1C).

(1C) The Minister may, by legislative instrument, determine a kind of visa for the purposes of paragraph (1B)(b) if the Minister has been advised by the Minister administering the *Migration Act 1958* (the **Immigration Minister**) that, in the opinion of the Immigration Minister:

- (a) the kind of visa has replaced or will replace:
 - (i) the kind of visa mentioned in paragraph (1B)(a); or
 - (ii) a kind of visa previously determined under this subsection; and
- (b) the replacement kind of visa is intended to give the same benefits as the replaced kind of visa.

(2) A **qualifying New Zealand citizen** is a New Zealand citizen who:

- (a) holds a special category visa; and
- (b) has been usually resident in Australia for at least 10 years; and
- (c) was a dependent child when he or she was first usually resident in Australia; and
- (d) has been in Australia for periods totalling 8 years during the previous 10 years; and
- (e) has been in Australia for periods totalling 18 months during the previous 2 years.

12 Academic suitability

- (1) The student must have been assessed by the course provider as academically suited to undertake the course concerned.
- (2) The assessment must have been done in accordance with:
 - (a) the course provider's student entry procedure; and
 - (b) any requirements set out in the rules.
- (3) The course provider contravenes this subsection if the provider completes, or assists with completing, anything the student is required to do for the purposes of determining whether the student is academically suited to undertake an approved course.

Civil penalty: 120 penalty units.