

VICTORIAN INSTITUTE OF TEACHING

GUIDELINES FOR THE EXERCISE OF DISCRETION IN THE REFUND OR WAIVER OF ANNUAL REGISTRATION FEES

BACKGROUND

Section 2.6.77(2)(b) of the *Education and Training Reform Act 2006* (the Act) provides for the Minister to allow for the reduction, waiver, or refund in whole or in part of any of the fees.

The need to consider the refund or waiver of the required annual registration fee can arise from the particular circumstances of an individual, human error or the highly particular issues relevant to the profession.

With the authorization of the Minister, the Chief Executive Officer or the Institute will administer section 2.6.77(2)(b) of the Act consistent with these guidelines.

The initial policy governing decisions where it is deemed appropriate to exercise discretion in the refund or waiver of the annual registration fee were approved by the Victorian Institute of Teaching Council in 2003, and were subsequently amended in November 2004.

In December 2006 the Institute Council amended the policy to take account of the Memorandum of Understanding with New South Wales on the registration of teachers who work across the Victorian-NSW border.

In October 2007 the Institute Council amended the policy to take account of the Working With Children legislation and allow teachers on an inactive waiver to continue to hold a registration card.

REFUND OF FEES

The Institute will refund an annual registration fee in part or in whole where:

- a) an error has been made in the charging or payment of the fee. In such cases the error or overpayment will be directly refunded in full as quickly as possible.
- b) a person registered with the Institute advises that they no longer wish to be registered and request a refund of the registration fee. In this case the refund will be provided on a pro-rata basis on return of the individual's registration card.
- c) a waiver is granted under these guidelines. In this case the refund will be provided on a pro-rata basis on return of the individual's registration card. A substitute card indicating that the person may not be employed as a teacher in Victoria, will be issued instead.

Pro-rata refunds or waivers will be only be granted for periods of 3 months or more.

The recommendation to refund fees will be made by the Group Manager (Registration and Accreditation) in consultation with the Group Manager (Corporate Services).

WAIVER OF FEES

Applications for waiver of the annual registration fee can be considered on the grounds that a person seeks to continue to hold their registration or be granted registration under the following criteria.

Inactive Registration

Waivers for inactive registration will only be approved for registered teachers who will not be teaching for family or sickness reasons, or for those persons who have not been teaching in Victoria since 31 December 2002 and who wish to take up their deemed registration prior to 30 December 2007.

Where an application for waiver of the annual registration fee is made from a registered teacher on the grounds that the teacher is either not employed or is on leave from their employment, for family, carer or illness reasons, the Institute may waive the requirement for payment of an annual registration fee for a maximum period of up to 2 years.

Where the period of a waiver includes a date on which the renewal of the teacher's registration comes due, then that teacher must satisfy the registration renewal requirements at that date. (For further information on Renewal of Registration refer to the Institute's website www.vit.vic.edu.au – link to *Professional Learning*.)

As a general rule, an application for waiver must be made prior to the period for which the waiver is sought. Evidence of the reason for leave must be provided and, if appropriate, the current registration card returned before approval will be considered. Refunds of any fees paid will not be approved retrospectively.

Waiver of an annual registration fee will enable a person registered with the Institute to maintain an inactive registration status for a maximum of 2 years. Persons with inactive registration status will continue to receive *iteach* so they can keep up-to-date with Institute policies.

Application for waiver of an annual registration fee will require that the person return their registration card in acknowledgement that they will not be seeking employment in a Victorian school. A person will instead be issued with a registration card with a different design for the period of their inactive registration status. This will allow the person to provide evidence of suitability of working with children – for example in a voluntary capacity - under the *Working With Children Act 2005*, but not to work as a teacher in a Victorian school.

Beyond the 2 year limit, the person will be required to

- re-activate their registration status by payment of the required annual registration fee or
- cease to be registered with the Institute or
- reapply for waiver of the registration fee.

Active Registration

A waiver of Institute fees for teachers who wish to teach in Victoria during the period of the waived fee may be granted in the following circumstances. The teacher will maintain an active registration status for the period of the waiver and be issued with a registration card.

Inter-governmental Agreement and Approved Exchange Programs

Applicants who are on an approved exchange program from Interstate or Overseas or who are teaching in Victoria as part of a formal inter-government agreement and who will be working as teachers in Victoria for a limited period, are not required to pay either the application fee or annual registration fees.

Teachers maintaining accreditation in NSW – working in Victoria

If a person who is an accredited teacher in New South Wales wishes to also work in Victoria, then the Victorian Institute of Teaching (VIT) annual fee will be waived while the teacher maintains accreditation in NSW.

The teacher must apply for registration in Victoria in the usual way, and pay the application fee, but the VIT annual registration fee will be waived on presentation of evidence of NSW accreditation.

This policy follows a reciprocal agreement between the Victorian Institute of Teaching and the NSW Institute of Teachers to allow teachers who reside near the NSW-Victorian border to have flexibility to work in both jurisdictions without having to pay annual fees in both states.

Cases of extreme financial hardship

Where an application from a person registered with the Institute for waiver of the annual registration fee is made for reasons of extreme hardship, the Institute will consider such applications on a case by case basis.

Requests for waiver of the fee in cases of extreme financial hardship must be accompanied by full reasons for the request, including why the person cannot earn sufficient income and documentation that the person is in receipt of no more than a minimal income and has few assets that could not easily be liquidated.

Financial hardship only applies in specific circumstances. These may include receipt of a Social Security benefit, though this is not of itself proof of financial hardship. Examples of extreme financial hardship would be

- a. A person undergoing treatment for a serious medical condition with limited income who intends to return to work as a teacher when the treatment finishes.
- b. A person on limited income caring for a chronically ill member of the family, but who does occasional casual relief teaching.

Implementation

The recommendation to waive a registration fee will be made by the Group Manager (Registration and Accreditation) in consultation with the Group Manager (Corporate Services).

This policy came into effect on 31/1/2007 with minor amendments on 28/11/2007