



STUDENT REFUND POLICY AND PROCEDURES

Policy Statement	All Kent Institute Australia (Kent) applications for refunds will be assessed and processed in accordance to the requirements of this policy and with regard to: <ul style="list-style-type: none">• Education Services for Overseas Students (ESOS Act)• Department of Home Affairs (DHA) visa regulations• TEQSA, Higher Education Standards Framework, (Threshold Standards) 2015, Standard 1• Standards for Registered Training Organisations 2015, Clauses 5.2 – 5.4• National Code Practice for Providers of Education and Training to Overseas Students 2018, Standards 2 & 3
Responsibility for Implementation	Chief Executive Officer (CEO), Executive Manager Finance & Administration, Executive Manager Operations & Development, Executive Manager Student Engagement, Executive Dean, Manager Student Services
Compliance and Monitoring	Manager Risk & Compliance/Governing Board Secretary, Governing Board

Purpose

Detail the refund eligibility available for Kent students.

Scope

This policy applies to all Kent students and includes courses offered to international students by Kent, as registered with the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).

Aim

Outline the requirements and procedures pertaining to the calculation of refunds for Kent students.

Procedure

1.0 Application Process

All requests for refunds must be made in writing and submitted on the *Student Refund Request Form* in person or by email to StudentFinance@Kent.edu.au. (*Documents > Student Policies and Forms > FORM - Student Refund Request Form. Login Required*).

This written application for a refund is only considered complete, where the *Student Refund Request Form* is duly signed by the student and the correct refund details have been provided (including any third party recipients) in accordance with this Policy & Procedures and specifically Clause 2.0.

2.0 Refund Procedure

Kent will assess all Student Refund Request Forms within **twenty (20) working days** from the date of receipt and written responses will be provided by Student Services Unit staff to the Kent student. Kent gives priority attention to security measures and refund payments will have restrictions until payments have cleared the dispute period as follows:

Dispute period:

1. **Bank transfer (either via internet banking or a direct transfer from the bank) – twelve (12) working days.**
No refund will be made until the expiration of the **12 working** days clearance period.
2. **Credit card payment** - one hundred and twenty working (120) days
Payments by credit card do not clear the disputed period until the expiration of **120 working days**.

A student can submit the written application via the Student Refund Request Form, however the refund payment must be made back to the same credit card through which the original payment was made, if it is still within the dispute period.

If the credit cardholder is not the Kent student, the alternative payee section of the Student Refund Request Form must be completed **prior** to any refund payment being processed.

If a payment was made by:

- Credit card through CohortPay, the refund payment will be processed to the same account through CohortPay.
- Credit card in person, the same credit card used for the original payment will be required to be produced to staff at the Kent campus for the purpose of processing the refund using the EFTPOS machine.

After the dispute period has expired, the refund may be made directly into the student's nominated bank account.

3. **Cash payments** – no dispute period applies
All refund payments will be paid in Australian dollars. Kent is not responsible for charges incurred by banks during the processing of refund payments.

Refund payments will only be calculated and processed based on Kent tuition fees.

It is important to recognise that the following Kent fees and charges are **not tuition fees** and are therefore, **non-refundable**:

- Enrolment fees
- Change of course fee
- Late payment administrative charges
- Ancillary charges, including credit card surcharges
- Graduation fees
- Library fines
- VET Re-assessment charges
- Postage, printing or ID Card replacement charges

3.0 Full Tuition Fee Refunds

a) Provider Default

Note: The **Tuition Protection Service (TPS)** is an initiative of the Australian Government to assist international students whose education providers are unable to fully deliver their course of study.

The TPS ensures that international students are able to either:

- complete their studies in another course or with another education provider or
- receive a refund of their unspent tuition fees.

More information for students is available at tps.gov.au.

New Students (course not yet commenced)

If Kent is unable to offer the course for which an applicant has applied, a full refund will be provided for all tuition fees paid for that course.

Continuing Students (course commenced)

If Kent is unable to continue offering a course for which a student is enrolled, a full refund of tuition fees paid for subject(s)/Unit(s) not studied will be refunded.

b) Visa Refusal

Off-shore Students - If an offshore applicant is unable to obtain a student visa from an Australian Diplomatic Office, a full refund will be provided for all tuition fees paid.

On-shore Students – If an on-shore applicant is unable to obtain a student visa from an Australian Diplomatic Office, a full refund of **unspent** tuition fees will be refunded. Example: A student pays up front for 12 weeks tuition and has a visa refusal during Week 4, the student will be entitled to the remaining 8 weeks of tuition by way of refund.

c) Excess Credit Balance

If a continuing student has requested withdrawal, or completed their course early and has:

- i. tuition fees which were paid in advance for a particular Unit(s)/subject(s) for which the Census Date has not yet passed; and
- ii. those tuition fees were not part of an initial deposit amount;

they will be entitled to a full refund of those tuition fees paid in advance.

d) Domestic Students

An Australian Citizen, Australian Permanent Resident or Australian Permanent Humanitarian Visa Holder, who withdraws before the commencement of a course, is eligible for a refund of tuition fees paid in advance for that course.

e) Non Award Students

A Non Award applicant or Cross Institutional student who withdraws before the commencement of a study period, is eligible for a refund of tuition fees paid in advance.

4.0 Partial Tuition Fee Refunds

a) Student Requests Withdrawal (International Students)

Clause 3(a) is only applicable to a student who:

- holds a visa type that restricts them from ongoing studies; or
- withdraws their student visa application on their own accord; or
- fails to lodge for a student visa on their own accord.
 - i. A student who requests withdrawal 1 (one) calendar month or more prior to the commencement of the first intended study period of each applicable course, will be entitled to a refund of the initial deposit amount and any

- additional tuition payments made for that course, less an AUD\$2,000.00 withdrawal fee.
- ii. A student who requests withdrawal less than 1 (one) calendar month prior to the commencement of the first intended study period of each applicable course will be entitled to a 50% refund of the initial deposit amount, less an AUD\$2,000.00 withdrawal fee.
 - iii. A student who requests for a deferral of course commencement and then applies for a withdrawal prior to the commencement of the revised start date will be entitled to a 30% refund of the initial deposit amount, less an AUD\$2,000.00 withdrawal fee.

Note: If a student has paid less than the withdrawal fee as their initial deposit, they will not be entitled to refund.

b) Release

A student who has had a release application approved prior to, or within the first six (6) calendar months of their principal course, will be entitled to a 50% refund of any tuition fees paid in advance for which the Census Date has not passed. This refund must be transferred directly into the account of the new educational provider.

5.0 No Tuition Fee Refunds

a) Student Requests Withdrawal (International Students)

- i. A student who has been issued a CoE for a course(s) with Kent, **has not had a release request approved, and holds a visa type that does not restrict them from ongoing studies**, will not be entitled to receive a refund for any initial deposit amount.
- ii. A student who **withdraws after the commencement date of a study period** will not be entitled to any refund of tuition fees or initial deposit amounts paid in advance. (This applies even if a student's withdrawal date is before the Census Date of their first period of study).

b) Provider Cancellation

A student who has had a course cancelled by Kent under the following circumstances will NOT be entitled to receive a refund for any tuition fees paid in advance for that study period or as part of an initial deposit amount:

- the cancellation was due to a student's failure to enrol in a compulsory study period with Kent;
- the cancellation was due to unsatisfactory course attendance or progress at the conclusion of the appeals period;
- the cancellation was due to a student's failure to comply with visa conditions relating to their course/study with Kent;
- the cancellation was due to a student providing false or misleading information at the point of application and this has been substantiated (example, falsified documentation).
- the cancellation was due to misbehaviour under serious disciplinary action.

6.0 Overseas Student Health Cover (OSHC)

International students who have organised their OSHC premium through Kent will be entitled to a full refund prior to their arrival in Australia. If a student arrives in Australia and wishes to return home early and receive a refund of unused OSHC, they must apply for the refund directly with the OSHC provider and follow their refund processes.

7.0 Compassionate and Compelling Circumstances

Kent understands that on occasion a student may be required to withdraw from a course due to unforeseen compassionate and compelling circumstances. Therefore, provision is made under this policy for a student to provide appropriate documentary evidence with their refund application for consideration by Kent for a full or partial refund.

To be considered, the situation *must*:

- be outside of the students control; *and*
- make it impractical for the student to continue with their studies; *and*
- be supported by documentary evidence.

Compassionate and compelling circumstances *do not include*:

- failing to progress adequately or successfully complete a pathway course to meet an entry requirement for the Kent **course**; **or**
- inability to pay tuition fees alone (International Students) as it is a visa condition to have sufficient funds for study and living purposes.

Requests for special consideration in compassionate and/or compelling circumstances should be sent to StudentFinance@Kent.edu.au accompanied by independent supporting documentation. Students will be informed of the outcome within 10 working days.

8.0 Consumer Protection

This policy, and the right to make complaints and seek appeals of decisions and actions under various processes (see the Kent Complaints and Appeals Policy & Procedures), does not affect the rights of the student to take action under the *Australian Consumer Law* if the *Australian Consumer Law* applies. ([Documents](#) > Student Policies and Forms > POLICY - Complaints & Appeals Policy & Procedures).

Document Title: Student Refund Policy and Procedures	
Date Compiled: 11 th February, 2016	By: Executive Manager Student Engagement
Due Date for Review: November, 2019	Website Access Permission: Public
Date Updated: 23 rd November, 2016 26 th May, 2017 30 th October, 2017 (Minor amendments) 20 th February, 2018 (Minor amendment) 17 th October, 2018	Reviewed By: Executive Manager Student Engagement Executive Manager Student Engagement Executive Manager Student Engagement Executive Manager Student Engagement Executive Manager Student Engagement
Version Control Update (Current): Version 1 - 11 th February 2016 Version 2 – 23 rd November, 2016 Version 3 – 26 th May, 2017 Version 4 – 17 th October, 2018	Approved By: Governing Board Meeting Date: V1 – 24 th February, 2016 V2 – 7 th December, 2016 V4 – 5 th December, 2018 Approved By: Managing Director V3 – 26 th May, 2017
AMENDMENTS: 23/11/2016 – Add explanation for on-shore visa refusal refunds Clause 2.0 (b). 26/05/2017 – Add clauses related to non-award and cross institutional students 30/10/2017 – Update Policy Statement reference to the National Code 2018 and minor amendment to reflect the National Code 2018 reference in Clauses 2 a) and 7.0 20/02/2018 – update reference to Department of Home Affairs (DHA) 17/10/2018 – 12 month review – include security measures to ensure attention to clearance of funds via the dispute periods and refund payment procedures using Cohortpay.	