



## STUDENT REFUND POLICY AND PROCEDURES

<b>Policy Statement</b>	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"> <li>• Education Services for Overseas Students (ESOS Act)</li> <li>• Department of Home Affairs (DHA) visa regulations</li> <li>• TEQSA, Higher Education Standards Framework, (Threshold Standards) 2021, Domain 1</li> <li>• Standards for Registered Training Organisations 2015, Clauses 5.2 – 5.4</li> <li>• National Code Practice for Providers of Education and Training to Overseas Students 2018, Standards 2 &amp; 3</li> <li>• Higher Education Support Act 2003 - Administration Guidelines 2012</li> </ul>
<b>Responsibility for Implementation</b>	Chief Executive Officer (CEO), Executive Manager Finance & Administration, Executive Manager Marketing & Recruitment, Executive Manager Student, Executive Deans, Manager Student Services
<b>Compliance and Monitoring</b>	Executive Manager Governance, Risk Compliance, 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*. (Kent Website [MyKent Student Link](#) > FORM - Student Refund Request Form - Student Login Required). Submission of this Form made in person or by email to [StudentFinance@Kent.edu.au](mailto:StudentFinance@Kent.edu.au)

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. A Refund payment will only be processed utilising the same original payment method and no other alternative Credit Card, Debit Card or Bank Transfer details will be permitted.

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) or Debit Card – twelve (12) working days.**

No refund will be made until the expiration of the **12 working** days clearance period.

After the dispute period has expired, the refund will be made directly into the student's same nominated bank account as the original payment.

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 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.

3. **Cash payments** – no dispute period applies  
The refund payment will be made directly into the student's nominated bank account.

All refund payments will be paid in Australian dollars. Kent is not responsible for charges incurred by banks during the processing of refund payments. This includes any currency exchange costs where conversion rates apply and differ from those applicable at the time of the original payment.

## 3.0 Tuition Fee Refunds

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
- Fee Extension Administration Charge
- Ancillary charges, including credit card surcharges

- Graduation fees
- Library fines
- VET Re-assessment charges
- Postage, printing or ID Card replacement charges

For information on other ancillary charges that are subject to change, please refer to the *Student Ancillary Charges* on the [Kent Website MyKent Public Link](#) > *DOC- Student Ancillary Charges >Public Login 'public@kent.edu.au' and enter Password 'AccessKent!'*.

### 3.1 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](https://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:

- tuition fees which were paid in advance for a particular Unit(s)/subject(s) for which the Census Date has not yet passed; and
  - 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.

### 3.2 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.

### 4.0 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.

## 5.0 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.

## 6.0 Compassionate and Compelling Circumstances (Special Circumstances)

Kent understands that on occasion a student may be required to withdraw from a course or unit of study due to unforeseen compassionate and compelling circumstances (special circumstances). Therefore, provision is made under this policy for a student to provide appropriate documentary evidence with their refund application, or request for re-crediting of a HELP debt, for consideration by Kent for a full or partial refund.

**To be considered, the situation *must*:**

- be beyond the students control; *and*
- not make their full impact on the person until on or after the census date for the unit of study in question; *and*
- make it impracticable for the student to complete the requirements for the unit of study during the period which the person undertook, or was to undertake, the unit; *and*
- be supported by documentary evidence.

**Compassionate and compelling (special 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 compelling (special circumstances) should be sent to [StudentFinance@Kent.edu.au](mailto:StudentFinance@Kent.edu.au) accompanied by independent supporting documentation within 12 months after the date of withdrawal from the course or relevant unit of study, or, if the student did not formally withdraw, as the period of 12 months after the period during which the person undertook, or was to undertake, the unit. Students will be informed of the outcome within 10 working days. If a student is dissatisfied with the initial decision, they may appeal this decision in writing, within 28 working days of the initial notice of decision, in accordance with this Policy and Procedures Clause 8.0 Consumer Protection.

## 7.0 Consumer Protection

This policy, and the right to make complaints and seek appeals of decisions and actions under various processes refer to the Kent Complaints and Appeals Policy & Procedures (Kent Website [MyKent Public](#))

[Link](#)> POLICY – Kent Complaints and Appeals Policy & Procedures - Public Login ‘public@kent.edu.au’ and enter Password ‘AccessKent!’). It does not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies.

<b>Document Title:</b> Student Refund Policy and Procedures	
<b>Date Compiled:</b> 11 <sup>th</sup> February, 2016	<b>By:</b> Executive Manager Student Engagement
<b>Due Date for Review:</b> July 2021	<b>Website Access Permission:</b> Public
<b>Date Updated:</b> 23 <sup>rd</sup> November, 2016 26 <sup>th</sup> May, 2017 30 <sup>th</sup> October, 2017 (Minor amendments) 20 <sup>th</sup> February, 2018 (Minor amendment) 17 <sup>th</sup> October, 2018 9 <sup>th</sup> April, 2019 9 <sup>th</sup> April, 2020 7 December 2022	<b>Reviewed By:</b> Executive Manager Student Engagement Executive Manager Student Engagement Executive Manager Student Engagement Executive Manager Student Engagement Executive Manager Student Engagement Executive Manager Student & Campus Services Executive Manager Student & Campus Services Executive Manager Student Services
<b>Version Control Update (Current):</b> Version 1 - 11 <sup>th</sup> February 2016 Version 2 – 23 <sup>rd</sup> November, 2016 Version 3 – 26 <sup>th</sup> May, 2017 Version 4 – 17 <sup>th</sup> October, 2018 Version 5 – 9 <sup>th</sup> April, 2019  Version 6 – 9 <sup>th</sup> April, 2020 Version 7 – 7 December 2022	<b>Approved By:</b> Governing Board <b>Meeting Date:</b> <b>V1</b> – 24 <sup>th</sup> February, 2016 <b>V2</b> – 7 <sup>th</sup> December, 2016 <b>V4</b> – 5 <sup>th</sup> December, 2018 <b>Approved By:</b> <b>V3</b> – Managing Director - 26 <sup>th</sup> May, 2017 <b>V5</b> – CEO – 9 <sup>th</sup> April, 2019 <b>Executive Chair</b> – 14 <sup>th</sup> April, 2020 Governing Board 7 December 2022
<b>AMENDMENTS:</b> <b>23/11/2016</b> – Add explanation for on-shore visa refusal refunds Clause 2.0 (b). <b>26/05/2017</b> – Add clauses related to non-award and cross institutional students <b>30/10/2017</b> – 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 <b>20/02/2018</b> – update reference to Department of Home Affairs (DHA) <b>17/10/2018</b> – 12 month review – include security measures to ensure attention to clearance of funds via the dispute periods and refund payment procedures using Cohortpay. <b>09/04/2019</b> – Update related to student information requirements with the addition of the Higher Education Support Act 2003 - Administration Guidelines 2012 <b>09/04/2020</b> – remove reference Clause 2.0 to Cohortpay by credit card. <b>07/12/2022</b> – Include stipulation that all refunds will be processed in Australian dollar and that Kent is not responsible for charges incurred by banks during the processing of refund payments, including any currency exchange costs where conversion rates apply and differ from those applicable at the time of the original payment was made.	