

International Students

Refund Policy

Policy

Kennedy Baptist College will process all international student requests for refunds in accordance with the requirements of the *Education Services for Overseas Students (ESOS) Act* and the College's refund procedures. This policy sets out the circumstances where refunds will apply and the amounts that will be paid in each circumstance.

Purpose

The purpose of this policy is to ensure compliance with *the Education Services for Overseas Students (ESOS) Act 2000, ESOS Regulations 2019, the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (The National Code 2018)* and *Australian Consumer Protection Laws*.

Scope

This policy applies to all prospective and current international students and their parents / guardians to Kennedy Baptist College.

Definitions

Term	Definition
Compassionate or compelling circumstances	<p>Compassionate or compelling circumstances are generally those beyond the control of the international student and which have an impact upon the student's course progress or wellbeing. These could include, but are not limited to:</p> <ul style="list-style-type: none"> • Serious illness or injury, where a medical certificate states that the international student was unable to attend classes. • Bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided). • Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the international student's studies. • A traumatic experience, which could include: <ul style="list-style-type: none"> ○ Involvement in, or witnessing of a serious accident; or ○ Witnessing or being victim of a serious crime, and this has impacted on the international student (these cases should be reported by police or psychologists' reports); or

Definitions continued.

Term	Definition
Compassionate or compelling circumstances continued.	<ul style="list-style-type: none">Where the College was unable to offer a prerequisite unit, or the international student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol. <p>Compassionate circumstances do not extend to visiting relatives for weddings, graduations, or similar events; or requests for early departure or late return from holidays.</p>
Enrolment bond	A one-time payment, payable at enrolment, that is refunded when requested on student graduation or withdrawal, after all costs and fees have been recovered.
(International) student	Includes the parents / legal custodians responsible for paying the (international) student's fees
Non-tuition fees	Fees not directly related to provision of the student's course including, course materials and textbooks, uniforms, resource fees, camps, and yearbook. Non-tuition fees will be refunded on a pro-rata bases proportional to the amount of time the student was studying in the course, except where a non-refundable payment on behalf of the student has been made.
Pre-paid fees	Tuition fees relating to a future study period, received by the College before the student starts the study period.
Tuition fees	Fees directly related to the provision of the student's course and include Student Accident Insurance and basic excursion fees.
Unspent pre-paid tuition fees	Will be calculated according to legislative instrument: https://www.legislation.gov.au/Details/F2014L00907

1. College Fees

Fees (tuition and non-tuition) are approved by the College Board and subject to change without notice. All fees are subject to variation because of changes in Federal laws, regulations, and charges.

Fees are payable per semester, three (3) months in advance. Fees for Semester 1 are due in November of the preceding year and fees for Semester 2 are due in April of Semester 1.

Fees are payable in Australian dollars (\$AUD).

The \$50 application for enrolment fee is non-refundable.

The College must have received funds from the student for any refunds to be made available (i.e., cheques are cleared, international fund transfers have been received).

2. Non-tuition Fees

Specific refund provisions for certain fees may also apply in cases of student default.

2.1 Enrolment Bond

The Enrolment Bond will not be refunded unless:

- At least, 10 school weeks' notice (not including scheduled school holidays) of a student's withdrawal is given to the Registrar, in writing.
- The College resources have been returned; or
- The student's enrolment has not been cancelled.

The bond is refundable after all costs have been recovered (e.g., for College library books not returned or for student damage to College resources and equipment) and fees have been paid in full on leaving the College.

The *Application for Refund – International Students* form is available from the Registrar.

2.2 Overseas Health Cover

A full refund of *Overseas Health Cover* fees (where *OSHC* was organised by the College) will be provided where cancellation before enrolment commences. If the *OSHC* was arranged by the student (or their family), the student must apply to the *OSHC* provider.

Cancellation after enrolment commences is by application to the *OSHC* provider.

3. Refund Process

Requests for a refund of fees must be made in writing to the Registrar using the *Application for Refund – International Students* form. The refund application must be submitted within 12 months of the student exiting the international student program at the College. The application must be accompanied by evidence.

The refund will be payable in the name of the parent / legal guardian named in the *Written Agreement* unless notification has been received from the parent / legal guardian indicating another person / entity is responsible for the payment of fees.

All refunds will be made in Australian dollars (\$AUD) into the nominated bank account. No compensation will be made for exchange rate differences, international transfer costs or commissions paid during foreign currency exchange.

An application for a refund will be processed within four (4) weeks from the date of receipt of the application and bank details. If the College is unable to deliver the course, the refund will be processed within 14 days.

Refund applications received less than two (2) weeks prior to the end of the school year, the receipt date will be confirmed, mid-January the following year.

A statement of how the refund amount has been calculated will be forwarded to the parent / legal guardian.

The Principal makes the final decision on refund requests.

An Administration fee¹ of \$500 will be charged and deducted from calculated refund fees.

Where students are dissatisfied with a decision to not provide a refund or the refund amount, they may appeal the decision in accordance with the College's *International Students Complaints and Appeals Policy*, the *International Students Refund Policy*, the *Written Agreement* and the availability of the complaint and appeals process, does not remove the right of the student to take action under the Australian Consumer Protection Laws.

4. Provider Default

If the College is unable to fulfil its obligations of providing an agreeable alternative course for the student, or a refund, the student will receive advice to seek assistance from the Australian government's *Tuition Protection Service (TPS)*.

For information on the TPS refer to:

<https://tps.gov.au/StaticContent/Get/StudentInformation>.

Table 1. Refund circumstances and amounts refunded.

Circumstances	Amounts to be refunded (all amounts are less the \$500 administration fee)	Notice required for refund
Student Default		
Student visa refused	Prior to course commencement, all fees paid in advance. After course commencement, unspent prepaid tuition fees. Visa refusal notification from the DHA must be submitted.	Nil
Notification of cancellation by student prior to course commencement	All fees paid in advance.	10 weeks' notice (not including school holidays)
Cancellation by student prior to course commencement without notification	Fees paid in advance less 10 weeks' tuition.	
Cancellation by student after course commencement	Fees paid in advance less 10 weeks' tuition.	10 weeks' notice (not including school holidays)
Failure to maintain visa conditions	Unless approved by the Principal, no fees will be refunded.	

¹ Under Australian law, the College is allowed to keep 5% of the fees paid or \$500, whichever is the lowest amount.

Table 1. Refund circumstances and amounts refunded.

Circumstances	Amounts to be refunded (all amounts are less the \$500 administration fee)	Notice required for refund
Student Default		
Compassionate or compelling circumstances	Unspent prepaid tuition fees.	
Change in visa status	Full overseas student fees must be paid until Australian Government funding for that student is received by the College. Students will then be entitled to pay domestic student fees.	
Course deferment	Fees transferred (for a maximum of six months) If greater than six (6) months, then a full refund of all fees paid in advance will be refunded.	10 weeks' notice
College Initiated		
Course cancellation by the College after course commencement	Unspent prepaid tuition fees.	
Course unable to be delivered by the College	All fees paid in advance. Refund will be processed within 14 days if the course has not commenced.	

5. Outstanding Fees

In the case of student or College default (as outlined in this policy), any outstanding fees to the College become due within seven (7) days.

Any costs incurred by the College to recover outstanding fees will be charged to the student.

Unpaid fees will be recorded as a debt and legal action taken to recover unpaid fees and charges. All associated debt collection costs incurred by the College will be added to the outstanding debt.

Related Documentation

- *International Students Complaints and Appeals Policy*
- *International Students Complaints and Appeals Process*
- *International Students Deferment, Suspension or Cancellation of Enrolment Policy*
- *Application for Refund – International Students Form*

Version control					
Version	Amendments	Date Reviewed	Endorsed by Board	Next Review	Author of version
1		13/09/2019			
2	Updated	03/12/2020			
3	Updated	01/09/2021	24/11/2021	08/2023	
4	Updated	02/12/2021		08/2023	C Acciano
5	Updated	09/06/2022		08/2023	C Acciano
6	Amended policy statement, purpose, scope, definitions, college fees. Moved other fees section, refund applications title amended to refund process. Provider default section moved, table created for reasons for refund and amount to be refunded.	27/11/2023	15/05/2024	08/2025	C Acciano