

International Students Refund Policy and Procedures

1. PURPOSE

This policy outlines refunds applicable to course fees paid to the school by international students only.

Kingswood College Ltd is listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS Provider No. 001550G) and is required to adhere to the Education Services for Overseas Student (ESOS) Act 2000 and National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code).

2. SCOPE

This policy applies to all current and future international students of Kingswood College and their parents and/or legal guardians.

3. REFUND POLICY CONDITIONS

In accepting the *Offer Letter* and *International Student Enrolment Agreement* and through payment of the prescribed fees to Kingswood College in order to attain a Confirmation of Enrolment (CoE), parents/guardians of International Students are also accepting the following:

3.1 Refunds in circumstances of the College not issuing an Offer Letter

In the event that a student is not issued an Offer Letter due to:

- Failing to meet the minimum academic requirements for entry to the course;
- Insufficient number of students applying to enter the course;

the College shall agree to refund the Application Fee, however, the iStart Assessment Fee is non-refundable.

3.2 Refunds in circumstances of failure to attain a relevant entry Visa to Australia.

- In the event that the student is prevented from entering Australia as a result of non-qualification for an entry visa of any description, the College shall agree to refund in full all pre-paid fees as listed in the Offer Letter with the exception of the Application Fee and the iStart Assessment Fee.
- In this instance, the College will require documentary evidence of visa rejection to be provided by the parent of the applicant or their appointed agent.

3.3 Refunds in circumstances where the decision to withdraw from enrolment is being made by the parent after the College has issued a CoE but prior to commencement of formal studies.

- (a) Prior to entry into Australia by the student
- In the event that this decision is being made prior to the student entering Australia, the College shall agree to refund in pre-paid fees as listed in the Offer Letter less one term's tuition fees and the Application Fee and the iStart Assessment Fee regardless of the advance notice provided in writing to the College Principal.

- In these circumstances, the College shall be required to implement the *International Student Transfer Policy* if the intent of the applicant is to accept a place with an alternative education provider in Australia.
- (b) After entry into Australia by the student but prior to commencement of the course
- In the event that this decision is being made after the student has entered Australia, one semester's tuition fees shall be deducted from the refundable sum in addition to forfeiture of the Application Fee and iStart Assessment Fee, regardless of the advance notice provided in writing to the College Principal.
 - In these circumstances, the College shall be required to implement the *International Student Transfer Assessment Policy* if the intent of the applicant is to accept a place with an alternative education provider in Australia.

3.4 Refunds in circumstances where the decision to cancel the enrolment is being made by the College for any reason prior to, or after arrival, of the student in Australia, but prior to formal commencement of studies in accordance with the CoE.

- (a) Reasons for cancellation may include but not be limited to:
- (i) Proven or suspected material non-disclosure of information that the College is required by law to obtain relating to the applicant, by the parent or their agent
 - (ii) Non-disclosure of information about the student and his or her ability to participate in the course that the College requires or would reasonably require to assess the application for enrolment and the student's suitability for education at the College.
- (b) In the event that the College is choosing to cancel the enrolment:
- (i) a full refund of all pre-paid fees shall occur with the exception of the Application Fee and iStart Application Fee; .
 - (ii) the College shall be required to strictly implement the *International Student Deferral, Suspension and Cancellation of Enrolment Policy and Procedures*.

3.5 Refunds in circumstances where the parent is choosing to withdraw the student from enrolment after the student has commenced enrolment at Kingswood College.

NB: Kingswood College strictly applies the minimum six month (one semester) initial enrolment requirement in accordance with the ESOS National Code.

- (a) In accordance with the *International Student Enrolment Agreement* , in these circumstances, the parent must provide one full term's written notice to the Principal of their intent to withdraw their child's enrolment at Kingswood College.
- (b) If sufficient notice of intention to withdraw the student is provided in writing by the parent then a full refund of any non-allocated pre-paid fees shall occur. Non-allocated pre-paid fees are those deemed not to have already been committed to provision of educational or other services to that student at the date of termination of enrolment.
- (c) If insufficient notice of intention to withdraw the student is provided to the Principal, one additional full term's fees shall be deducted from any refund or charged to the parents.

3.6 Refunds in circumstances where the College is choosing to cancel the student enrolment after the student has commenced studies for any reason, in accordance with the *International Student*

Deferment, Suspension and Cancellation of Enrolment Policy and Procedures, including but not limited to:

- (a) Unsatisfactory student attendance;
- (b) Unsatisfactory course progress within a semester;
- (c) A decision by the College that the student has not qualified for transition to the next year of study and therefore an inability of the College to offer the student a course of study that allows them to complete their study program within the time frame permitted by their CoE;
- (d) Serious breach of behaviour or conduct as detailed in the Behaviour Management Policy;
- (e) Serious breach of the provisions of the Confirmation of Approved Accommodation and Welfare (CAAW);
- (f) Failure by the parents to maintain their contractual obligations to Kingswood College;
- (g) Proven or suspected material non-disclosure of information relating to their child by the parent.

In all circumstances of cancellation of enrolment, the College undertakes to refund any non-allocated pre-paid fees beyond the current semester of study. Kingswood College shall retain all pre-paid allocated fees for educational and other service provision within the current semester of study.

3.7 Refunds in the event of a course not being delivered by the College

In the unlikely event that the College fails to start to provide the course for the student on the agreed starting day or the course ceases to be provided to the student after it starts but before it is completed, the College will notify the student and the parents/guardians in writing. In this unlikely event, the College will endeavor to arrange for the student to be offered a place in an alternative course, which the student may accept in writing. Alternatively, the College may pay the student's parents/guardians (or such other person who paid the student's tuition fees) a refund of the amount of any unspent tuition fees received by the College in respect of the student (such amount to be calculated in accordance with the College's legal obligations).

The **Tuition Protection Service (TPS)** assists international students whose education providers are unable to fully deliver their course of study. The TPS ensures that international students are able to either:

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

In the unlikely event that the College is unable to deliver the course you have paid for and does not meet its obligations to either offer the student an alternative course that he or she accepts or pay a refund of the unspent prepaid tuition fees, the TPS will assist the student in finding an alternative course or to get a refund if a suitable alternative course is not found.

4. PRINCIPAL'S DISCRETION

The Principal reserves the right to vary these refund conditions in favour of the parent at any time where compassionate and compelling circumstances are proven to exist. It is the responsibility of the parent or their agency representative to present in writing to the Principal any such evidence of compelling and compassionate circumstances for consideration.

5. ACCESS TO GRIEVANCE RESOLUTION PROCESS

In the event that the parent or student wishes to appeal a refund decision by Kingswood College, they have the right to lodge an internal appeal in writing in accordance with the *International Student*

Complaints and Appeals (Grievance) Policy and Procedures listed on the International section of the College website.

6. RIGHT TO PURSUE LEGAL REMEDIES

This *International Student Refund Policy and Procedures* does not remove the right, under Australia's Consumer Protection laws, to pursue other legal remedies.

7. ADMINISTRATIVE PROCEDURE FOR CLAIM REFUND

- (a) Notification either by the College to the parent or by the parent to the College that the student enrolment is being either cancelled or withdrawn, resulting in an agreed date of cancellation of the CoE and CAAW as required on PRISMS.
- (b) Kingswood College issues the *Request for Refund form* to the parent for completion and as directed.
- (c) **NB:** *Kingswood College shall ONLY act on the explicit written direction of the parent in issuing refunds.*
- (d) Upon receipt of the completed *Request for Refund form*, the College will consider the refund request and, if approved, undertakes to transfer the refundable sum into the parent nominated bank account within 4 weeks.
 - Refunds will be paid to the parent/guardian (applicant/s) as specified in the written Enrolment Agreement,
 - Refunds will be reimbursed in Australian dollars and the payment sent to the applicant's home country unless otherwise requested in writing.
- (e) Parents may request a final summary of account as supporting documentation. This request may be directed to the Business Office by email (accounts@kingswoodcollege.vic.edu.au) at any stage prior to the final transfer of the refund.

8. RELATED POLICIES AND DOCUMENTS

- Application for Enrolment;
- International Student Fee Schedule (for current year fees);
- International Students Enrolment Agreement (Written Agreement)
- International Student Handbook
- Year 9 International Student Application Process for Semester 2, Year 9
- International Student Refund Policy and Procedures
- International Student Request for a Refund form;
- International Student Application and Enrolment Policy and Procedures
- International Student Deferral, Suspension or Cancellation of Enrolment Policy and Procedures
- International Student Transfer Assessment Policy and Procedures
- Student Accommodation and Welfare Arrangements Policy and Process
- International Student Complaints and Appeals Policy and Procedures

POLICY NUMBER: INTPOL – 047
VERSION: 2.3
APPROVED BY EXECUTIVE: November 2019

Kingswood College Ltd
CRICOS Provider No: 00150G



- International Student Monitoring Academic Progress and Attendance Policy and Procedures
- Behaviour Management Policy
- Parent Code of Conduct

9. REFERENCES

- ESOS Act Section 47B & D - under a written agreement about student default