



University of Newcastle College of International Education Refund Policy

Scope

This Policy applies to all prospective and enrolled students (“students”) and staff at the University of Newcastle College of International Education (“the College”) operated by Kaplan Higher Education Pty Ltd under the terms of the Preferred Pathway Provider Agreement entered into with the University of Newcastle (“the University”).

Purpose

The purpose of this policy is to provide guidelines to students and staff on eligibilities for refunds of enrolment and course fees, cancellation of enrolments and transfer requests.

Policy Statement

All applications for refunds will be assessed and processed in accordance to the requirements of this policy and with regard to:

- The Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)
- The Higher Education Standards Framework (Threshold Standards) 2015, (Standard 1)
- The Education Services for Overseas Students Act (ESOS Act)
- The National Code of Practice for Providers of Education and Training to Overseas Students 2018, (Standards 2 and 3)
- Education Services for Overseas Students (Calculation of Refund) Specification 2014
- Department of Home Affairs Visa Regulations

Definitions

Compelling and compassionate circumstances means circumstances that may negatively impact a student’s study, including but not limited to serious illness or injury, bereavement of close family members, major political upheaval or natural disaster in their home country, a traumatic experience such as a serious accident or crime.

Confirmation of Enrolment (CoE) means a document issued by education providers to verify the applicant’s enrolment in a specified course.

ESOS Act means Education Services for Overseas Students 2000.

ESOS Regulations means Education Services for Overseas Students Regulations 2019.

International student means a student on an Australian student visa.

National Code means the National Code of Practice for Providers of Education and Training to Overseas Students 2018.



Guiding Procedures

Application Process

All Students

Students must apply in writing to the College, using the “Request for Refund/Credit Adjustment Form” to request a refund, cancellation, transfer or substitution of an enrolment. All completed refund applications to be submitted either in person at the College Reception or by email to admissions.uncie@newcastle.edu.au.

The written application for a refund is only considered complete, where the “Request for Refund/Credit Adjustment Form” is signed by the student and the correct refund details have been provided (including any third party recipients) in accordance with this Policy. For students under the age of 18 years, a parent or legal guardian will also have to acknowledge and sign the “Request for Refund /Credit Adjustment Form”.

Kaplan will process all student refund requests and will provide written responses **within 10 working days** from the date of receipt.

It is Kaplan’s policy for every refund to be transferred back into the account or credit card it was paid from. Approved refunds are paid in Australian dollars only. The refund payment will be made **within four weeks** from the time a refund application was received by Kaplan (provided all banking information for payment of refund is received on application).

In the event of a refund being rejected by the bank due to insufficient data or incorrect data supplied by the student, any bank fees charged by Kaplan’s bank to Kaplan will be deducted from the amount due to the student.

Refund amounts transferred by international telegraphic transfer will attract a bank charge.

Note: Tuition fees are not transferrable to other students.

Refunds

Program Enrolment Fees

In the event a student wishes to withdraw from their program, the following refund rules apply for both overseas and domestic students.

Withdrawal timeframe	Refund	Additional Costs Refund
Withdrawal because of incorrect or incomplete information supplied by the student at the time of enrolment	90% refund of tuition fees paid	100% refund of additional costs paid excluding enrolment fee and services used.
Withdrawal at least 4 weeks prior to program start date	80% refund of tuition fees paid	100% refund of additional costs paid excluding enrolment fee and services used.
Withdrawal less than 4 weeks prior to program start date	50% refund of tuition fees paid	100% refund of additional costs paid excluding enrolment fee and services used.
Withdrawal after the published commencement date of the study period	No refund of the first/current study period, a full refund of subsequent study periods in that program.	No refund of additional costs paid excluding services not used.
The College is unable to provide the course offered before, or on the day of, the published commencement date.	100% refund of tuition fees paid	100% refund of additional costs paid excluding enrolment fee and services used.
The offer of enrolment is withdrawn for reasons other than incorrect or incomplete information supplied by the student at the time of enrolment.	100% refund of tuition fees paid	100% refund of additional costs paid excluding enrolment fee and services used.



Visa Refusal

Where a student visa application is refused by the Department of Home Affairs before the published program commencement, all unspent tuition fees will be refunded, less the Enrolment Fee as outlined in the “Offer of Admission” (the “Agreement”).

The following fees/refunds are available to students in relation to their visa being refused:

Visa Refusal	Refund	Additional Costs Refund
Visa is refused prior to agreed program commencement date*	Full refund of tuition fees, less Enrolment fees.	100% refund of additional costs paid excluding enrolment fee and services used.
Visa is refused after the agreed program commencement date*	Refund of all unused tuition fees** from date of written notification received by the College less the Enrolment fees.	100% refund of additional costs paid excluding enrolment fee and services used.
Approval of an Australian Student visa is delayed beyond the student’s control.	100% refund of tuition fees paid.	100% refund of additional costs paid excluding enrolment fee and services used.

***Note:** When applying for refunds based on visa refusal, the letter of refusal from the Department of Home Affairs must be attached to the Refund Application.

****Note:** The ESOS Act defines “tuition fees” as being directly related to the provision of a program that the provider is providing or offering to provide to the student. Tuition fees include lectures, tutorials, training, learning materials, excursions, fieldwork or practical experience that form part of a program that the provider offers. The College will calculate the refund based on all unused tuition fees on a weekly basis. For example, a student pays tuition fees for a course with a duration of 12 weeks prior to their student visa being approved, the student attends the program 3 weeks and then receives notification that their student visa application has not been successful, a refund will be given to the student for the remaining 9 weeks, excluding the enrolment fee.

Welfare Arrangements, Accommodation Fees for Students under the Age of 18 Years

Following rules apply for refunds on welfare arrangements, accommodation, airport pick-up fees.

Fee Type	Payment Terms	Refund Terms
Welfare Administration Fee	Payable when securing accommodation.	Non-refundable
Accommodation Placement Fee	Payable when securing accommodation	Non-refundable
Accommodation Fee* (Homestay full board – includes laundry and all meals except lunch on week-days)	Initial four weeks payment paid to the Homestay. Minimum stay is six months or date the student turns 18 years.	Initial four weeks deposit is non-refundable.
Welfare Monitoring Fee	Payable when securing accommodation (payable until student’s 18 th birthday and for a minimum of 4 weeks).	Non-refundable
Airport Pick-up Fee (Compulsory)	Payable when securing accommodation	Non-refundable

***Note:** Extra charge for special dietary requirements may apply.

All refund applications made by students under the age of 18 years, must be signed by their parents or legal guardians.

Withdrawal and Early Release

If a student decides to withdraw from their program at the College, their refund is allocated as per the ‘Refunds – Program Enrolment Fees section’.

Regarding release, a student may request release from the College and University programs prior to completing 6 months of their principal program (being the University program). The first six months are calculated as six calendar months from the date an overseas student commences their principal program.

Any request for release will be assessed by the College with subsequent approval required by the University. Based on the University’s decision, the College will either release or not release the student.

If the student has progressed from their programs with the College and they are within the first six months of the principal program with the University, they must apply for release with the University.



A student who has had a release application approved prior to commencing with the principal provider (the University) will have any refund application assessed based on their withdrawal and as per the 'Refunds – Program Enrolment Fees' section of this policy.

Payment of Refund

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

- Enrolment fees
- Program Transfer Fees (if applicable)
- Late payment administrative charges
- Ancillary charges, including credit card surcharges
- Reprints of transcripts
- Postage, printing or Student ID Card replacement charges
- Accommodation placement
- Airport pickup
- Credit card surcharges

Approved refunds are paid in Australian dollars ONLY into to the same account or credit card from which the original payment was made at the time of enrolment, **within 20 working days** from the time a refund claim was received by the College (provided all banking information for payment of refund is received on application).

In the event of a refund being rejected by the bank due to insufficient data or incorrect data supplied by the Student, any bank fees charged by Kaplan's bank to Kaplan will be deducted from the amount due to the Student.

Refund amounts transferred by international telegraphic transfer will attract a bank charge.

Refund Refusal

No refunds will be offered in the following circumstances:

- A student who has been issued a Confirmation of Enrolment (CoE) for a program(s) with the College, 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.
- A student who has had a program cancelled by the College 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/trimester/semester.
 - 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 program with the College.
 - The cancellation was due to a student providing false or misleading information at the point of application and this has been substantiated (e.g. falsified documentation such as passport, qualifications issued by other education providers, etc.).
 - The cancellation was due to misbehaviour under serious disciplinary action.
 - The terms and conditions of "the Agreement" between the student and the College are breached (e.g. non-payment of tuition fees).
 - The student's visa is cancelled by the Department of Home Affairs.

Tuition fee refunds after the census date are given solely at the discretion of the College and only if there are compelling, compassionate or exceptional circumstances, which can be verified.



Tuition fee transfers after the program has commenced are solely at the discretion of the College and are only made if the student is more suitably placed in another program for academic reasons.

Overseas Student Health Cover (OSHC)

Overseas students who have organised their OSHC premium through the College will be entitled to a full refund of their OSHC premium 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.

Compassionate and Compelling Circumstances

The College 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 the College for a full or partial refund.

To be considered, the situation must:

- be outside of the student's 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 program to meet an entry requirement for the program;
- inability to pay tuition fees alone (overseas students) as it is a visa condition to have sufficient funds for study and living purposes.

Requests for refunds on compassionate and compelling circumstances grounds should be sent to admissions.uncie@newcastle.edu.au accompanied by independent supporting documentation in English (or translated by a NAATI accredited translator if the documents are in another language).

Students will be informed of the outcome **within ten (10) working days**.

Protection of Student Fees

In the unlikely event that the College is unable to deliver a course in full, students will be offered a refund of all unspent tuition fees. This refund will be paid **within ten (10) working days** of the day on which the course ceased being provided.

Alternatively, students may be offered enrolment in an alternative course at no extra cost. Students have the right to choose whether they would prefer a refund of unspent tuition fees or to accept a place in another course. If they choose placement in another course, students will need to sign documentation to indicate their acceptance of the placement.

In the unlikely event that the College is unable to provide a refund or place a student in an alternative course, the Tuition Protection Service (TPS) will assist overseas students in finding an alternative course or to get a refund if a suitable alternative is not found. Further information concerning TPS can be found at www.tps.gov.au

New Students (program not yet commenced)

If the College is unable to offer the program for which a prospective student has applied, a full refund will be provided for all tuition fees paid for that program.

Continuing Students (program commenced)

If the College is unable to continue offering a program for which a student is enrolled, a full refund of tuition fees paid for courses **NOT** studied will be refunded.



Complaints and Appeals

Students who are dissatisfied with the application of this Policy, or who wish to appeal a decision made by the College, may refer to the College's Grievances, Complaints and Appeals Handling Policy (available on the College's website) for information regarding their options.

Relevant Legislation

As a registered education provider, Kaplan operates under strict laws and regulations. Policies and procedures are in place to ensure compliance with such laws. Below, please find the most relevant legislation which apply to this policy:

- Education Services for Overseas Students Act 2000 (ESOS Act 2000)
- Education Services for Overseas Students Regulations 2019
- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- The Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)
- The Higher Education Standards Framework (Threshold Standards) 2015, Standard 1
- Education Services for Overseas Students (Calculation of Refund) Specification 2014
- Department of Home Affairs Visa Regulations

Related Policies

This Policy should be read in conjunction with the following Kaplan policies available on the College website:

- Terms and Conditions of Enrolment
- Fees and Charges
- Grievances, Complaints and Appeals Policy
- Tuition Assurance Statement

Version Control and Accountable Officers

It is the joint responsibility of the Implementation Officer and Responsible Officers to ensure compliance with this Policy.

Policy Category	Corporate and Finance			
Responsible Officer	Executive Director			
Implementation Officers	College Director			
Review Date	December 2023			
Approved by:	Finance and Commercial Director			
Version	Authored by	Brief Description of the changes	Date Approved	Effective Date
1.0	Quality, Regulations and Standards Team	New Policy	11/01/2021	13/01/2021