

Refund Policy

Scope

This policy applies to all prospective and enrolled students (“students”) and staff of Kaplan Business School Pty Ltd, (“KBS”).

Purpose

The purpose of this policy is to provide guidelines to our 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

Guiding Procedures

Application Process

All Students

To request a refund, students must apply in writing to KBS, using the “*Application for Refund/Credit Adjustment Form*” which can be found on the KBS website. Requests for refunds made verbally to KBS staff will not be accepted. All refund applications submitted prior to the course commencement date are to be emailed to kbs.admissions@kbs.edu.au. Refund requests submitted on the day or after the course commencement date must be submitted by email to the relevant Student Experience Team:

Adelaide Student Experience: adelaide@kbs.edu.au
Brisbane Student Experience: brisbane@kbs.edu.au
Melbourne Student Experience: melbourne@kbs.edu.au
Perth Student Experience: perth@kbs.edu.au
Sydney Student Experience: sydney@kbs.edu.au

The written application for a refund is only considered complete, where the “*Application 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 “*Application for Refund /Credit Adjustment Form*”.

KBS will process all Student refund requests and will provide written responses **within ten (10) working days** from the date of receipt.

A student can submit the written request by filling in the “*Application for Refund/Credit Adjustment Form*”, and as per the ESOS Act have the refund payment to be made back to the student’s bank account or if a person (other than the student) is specified in the “Conditional Letter of Offer” (“the Agreement”) the refund payment will be paid into the specified person’s bank account. However, it is Kaplan’s policy for every refund to be transferred back into the account it was paid from.

Note: Tuition fees are not transferrable to other students.

Domestic Students

Students who are accessing a FEE-HELP loan from the Commonwealth Government and wish to withdraw, must do so in writing prior to the published census date for the course. Failure to do so may result in incurring a debt to the Commonwealth Government. Students should note that the census date for each program at KBS is 3 weeks from the published course start date which is listed on the KBS website (<https://www.kbs.edu.au/future-students/important-dates/>).

Further information on FEE-HELP is available at <http://studyassist.gov.au/sites/StudyAssist/>.

Course enrolment fees will not be refunded if a student withdraws from the subject after the census date for the trimester, except under the following circumstances:

- where the student’s application for enrolment is declined by KBS;
- by reasons beyond the student’s control, including acts of government authorities, civil strikes and riots, the student is prevented from studying a module or subject;
- KBS cancels a course in which the student has enrolled or where the commencement of the course is postponed for more than two (2) weeks.

Refunds

Course Fees

In the event a student wishes to withdraw from their course prior to commencement of the course, the following refund rules apply for both overseas and domestic students who do not have access to FEE-HELP.

Withdrawal timeframe	Refund
Withdrawal at least 4 weeks prior to course start date	80% refund of the first trimester tuition fee
Withdrawal at least 7 days prior to course start date	50% refund of the first trimester tuition fee
Withdrawal less than 7 days prior to course start date	No refund of the first trimester tuition fee

Where the student’s enrolment is withdrawn or cancelled by the School because the student provided incorrect or incomplete information to the School at the time of enrolment, KBS will refund 90% of the first trimester’s tuition fee.

Where KBS receives withdrawal or cancellation from a student on the day of or after the published course start date (except for the reason of a visa refusal) the student is liable to pay the full tuition fee of the first trimester of the course and any expenses, costs or disbursements incurred in recovering the tuition fee.

Where a student has paid less than the specified first trimester's tuition fee upon enrolment, and the student cancels their enrolment, the refund will be calculated as a proportion of the full first trimester's tuition fee (e.g. the full fee for trimester one is \$10,000 and the student has paid \$5,000, the student will forfeit the relevant percentage of \$10,000 and the remainder will be refunded as set out above).

Visa Refusal

Where a student visa application is refused by the Department of Home Affairs before the published course 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
Visa is refused prior to agreed course commencement date*	Full refund of tuition fees, less Enrolment fees.
Visa is refused after the agreed course commencement date*	Refund of all unused tuition fees** from date of written notification received by KBS less the Enrolment fees.
<p><i>*Note: The student must provide satisfactory evidence (such as the visa refusal letter from DoHA) for the refund application to be processed.</i></p> <p><i>**Note: The ESOS Act defines "tuition fees" as being directly related to the provision of a course 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 course that the provider offers. KBS 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 course 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.</i></p>	

Subject Transfers

Students who have enrolled in a subject can transfer to another subject prior to the commencement of the program without penalty.

Provider Default

In the unlikely event that KBS is unable to deliver a course that the students have paid for and KBS does not meet its obligations to either offer the students an alternative course that the students accept or to pay a refund of all unspent pre-paid tuition fees (this is called a provider's "default obligation"), following arrangements are in place:

For **Students on an Overseas Student Visa** the Tuition Protection Service (TPS) will assist the students to find an alternative course or to get a refund if a suitable alternative is not found.

More information regarding Tuition Protection Service (TPS) is available at: www.tps.gov.au

For **Domestic Students** KBS has established external tuition safeguards to mitigate disadvantage to students who are unable to progress in a course of study due to unexpected changes to the School's operations, including if the School is unable to provide a course of study or ceases to operate as a provider.

For more information, please contact the KBS Student Experience Team at the relevant KBS Campus.

New Students (course not yet commenced)

If KBS is unable to offer the course for which a prospective student has applied, a full refund will be provided for all tuition fees paid for that course **within ten (10) working days** of the days on which the course ceased being provided.

Continuing Students (course commenced)

If KBS is unable to continue offering a course for which a student is enrolled, a full refund of tuition fees paid for subjects **NOT studied** will be refunded.

Withdrawal and Early Release

A student is not entitled to a refund of any tuition fees paid for that trimester once the trimester has commenced.

A student is entitled to a refund of tuition fees paid for any future trimesters.

Payment of Refund

Refund payments will only be calculated and processed based on KBS's tuition fees. It is important to recognise that the following fees and charges are not tuition fees and are therefore, **non-refundable**:

- Enrolment fees
- Course transfer fee
- Late payment fee
- Recognition of Prior Learning fee
- Ancillary charges, including credit card surcharges
- Graduation fees
- Overdue library fines
- Assessment re-mark fees (where applicable)
- Replacement transcript
- Replacement student ID card
- International postage
- Accommodation placement
- Airport pickup
- Photocopying credits
- Credit charge surcharges

For an up-to-date list of fees and charges, please see [International Student Fees](#) and [Domestic Student Fees](#) webpages on the KBS website.

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 four (4) weeks** from the time a refund claim was received by KBS (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.

Non-Tuition Fee Refunds

No refunds will be offered in the following circumstances:

- A student who has been issued a CoE for a course(s) with Kaplan, 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.
- KBS receives a withdrawal or cancellation from a student less than seven (7) days before the published course commencement date (except where the student cannot start their course due to visa refusal).
- A student who has had a course cancelled by KBS 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 trimester.
 - 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 with KBS.
 - The cancellation was due to a student providing false or misleading information at the point of application and this has been substantiated (eg. falsified documentation such as passport, qualifications issued by other education providers, etc).
 - The student's enrolment is cancelled by KBS, including cancellation caused by a breach of student visa conditions or any illegal or unlawful conduct by the student;
 - The terms and conditions of "the Agreement" between the student and KBS are breached (e.g. non-payment of tuition fees).
 - The student's visa is cancelled by the Department of Home Affairs.

In addition, students should note that refunds will not be available for:

- Deposits paid to the School for other courses packaged with the student's current offer of enrolment from the School (e.g. a deposit paid for a Bachelor of Business packaged with a Diploma of Business);
- Administrative fees such as an Enrolment Fee, Deferral, or Suspension Fee;
- Accommodation placement fees – if the accommodation has already been booked and confirmed;
- Airport pick-up fees – if the service has been used; or
- Overseas Student Health Cover (OSHC) fees.

Domestic Students

Students who access FEE-HELP and formally withdraw from the program or a unit of study after the census date, are liable to pay the full tuition fee and any expenses, costs or disbursements incurred in recovering the tuition fees.

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

All students, please note:

Tuition fee transfers after the program has commenced are solely at the discretion of KBS 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 KBS 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

KBS 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 KBS 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 course to meet an entry requirement for the course;
- 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 accompanied by independent supporting documentation.

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

Protection of Student Fees

In the unlikely event that KBS 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 KBS is unable to provide a refund or place a student in an alternative course, KBS has established fee protection measures to ensure tuition safeguards to assist domestic students (for more information, please contact KBS Student Experience Team at relevant Campus), and 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.

Enquiries

Any enquiries about this policy, should be raised with the Student Experience Officers located at each campus:

- Adelaide Student Experience: adelaide@kbs.edu.au
- Brisbane Student Experience: brisbane@kbs.edu.au
- Melbourne Student Experience: melbourne@kbs.edu.au
- Perth Student Experience: perth@kbs.edu.au
- Sydney Student Experience: sydney@kbs.edu.au.

Information about FEE-HELP Review procedures is also located on the KBS website.

Complaints and Appeals

Students who are dissatisfied with the application of this policy by KBS may refer to the School's *Grievances, Complaints and Appeals Handling Policy* for information regarding their options. This Refund Policy and the right to make complaints and seek appeals of decisions and actions under various processes (please see our *Grievances, Complaints and Appeals Handling Policy* for details on complaints and appeals), does not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies.

Relevant Legislation

The Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)

<https://www.legislation.gov.au/Details/C2017C00271>

The Higher Education Standards Framework (Threshold Standards) 2015

<https://www.legislation.gov.au/Details/F2015L01639>

The Education Services for Overseas Students Act (ESOS Act)

<https://www.legislation.gov.au/Details/C2018C00210>

The National Code of Practice for Providers of Education and Training to Overseas Students 2018

<https://www.legislation.gov.au/Details/F2017L01182>

Education Services for Overseas Students Regulations 2019

<https://www.legislation.gov.au/Details/F2019L00571>

Education Services for Overseas Students (Calculation of Refund) Specification 2014

<https://www.legislation.gov.au/Details/F2014L00907>

Department of Home Affairs (DoHA) Student Visa Regulations

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/student-500>

Related Policies and Documents

This policy should be read in conjunction with the following:

- “Offer of Admission” – (the “Agreement”)
- Terms and Conditions of Enrolment
- International/Domestic Student Entry Requirements and Fees
- Grievances, Complaints and Appeals Handling Policy
- FEE-HELP Review Procedures
- Statement of Tuition Assurance and Tuition Protection Service Policy

Version Control and Accountable Officers

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

Policy Category	Corporate and Finance			
Responsible Officer	Group Financial Controller			
Implementation Officer	KBS General Manager, National Operations			
Review Date	May 2022			
Approved by				
Finance and Commercial Director				
Version	Authored by	Brief Description of the changes	Date Approved:	Effective Date:
1.0	Quality, Regulation & Standards Team	New policy to replace “Domestic Student Refund Policy” and “International Student Refund Policy”.	14.08.2019	14.08.2019
1.1	Quality, Regulation and Standards Team	Policy update on tuition safeguards for domestic students in “Provider default” and “Protection of Student Fees” sections of the policy to replace ITECA Tuition Assurance. Also updated titles of related policies and documents.	20.02.2020	20.02.2020