

Special Consideration Policy – Higher Education

Policy Code: STU-049**Version:** 14.0**Effective Date:** 21 March 2023

Purpose

The policy provides a broad framework, set of principles and minimum requirements for circumstances where the normal application of the College's policies requires special consideration of academic matters.

Scope

- All Campuses
- All Courses and Departments
- All students enrolled in higher education - Domestic and International

Policy Statement

Special consideration is an equity measure to ensure that the assessment of students takes into account serious short term, adverse and unforeseen circumstances that impact negatively on a student's ability to complete an assessment task or other circumstances that may impact completion of studies.

This policy applies to cases requiring special consideration due to unforeseen or exceptional circumstances which are beyond the control of the student and/or for which there was no opportunity to prepare in advance whereby a student, for reasons beyond their control, may be:

- unfairly disadvantaged or suffering from affected performance when attempting assessment items; and/or
- unfairly disadvantaged by normal application of the College's policies (including academic policies relating to assessment and attendance).

For international students studying on a student visa, this policy encompasses compassionate and compelling circumstances as set out in the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (the National Code).

In assessment of applications under this policy, the College must be satisfied that a student's circumstances are beyond their control (i.e. if a situation occurs which a reasonable person would consider is not due to the student's action or inaction, either direct or indirect, and for which the person is not responsible).

Any application for special consideration of circumstances outside of normal College policy should be made using the *Special Consideration Application* that is submitted via the Student Portal and all applications should include the relevant documentation to support the application. All applications for special consideration related to medical reasons must include the *Student Medical Certificate Form* signed by a qualified medical professional as part of the supporting documentation.

Exemptions from this Policy

This policy does **not** apply to special circumstances relating to matters of course fees such as withdrawal without financial liability; these matters are covered by the *Remission of Financial Liability due to Special Circumstances Policy – Higher Education*.

This policy does **not** apply to circumstances where a campus is closed due to natural disasters or other large-scale emergency reasons. In those cases, students will not be required to apply for special consideration for the period the campus is closed as per *the Critical Incident Policy*; however, if the student continues to be unable to meet course requirements after the campus re-opens due to ongoing impacts of such natural disasters, students will then be required to apply for special consideration from that time.

For non-academic matters where consideration is sought for extenuating circumstances please refer to the relevant Policy (e.g. *Remission of Financial Liability due to Special Circumstances Policy - Higher Education*) or provide feedback as described in the *Complaint and Appeals Policy - Domestic - HE*.

Responsibilities

The Director of Education, Heads of Department and Subject Administrators will be responsible for approval of special consideration based on the evidence provided and in consultation where necessary with the relevant academic and / or operational staff of the College.

Grounds for Special Consideration

The College recognises categories of serious adverse and unforeseeable circumstances outside a student's control as acceptable grounds for applying for special consideration.

Unforeseen or exceptional circumstances may include, but are not limited to, the following circumstances:

- acute illness or serious injury on the day of an examination or during the period immediately leading up to an examination or assessment due date
- bereavement or other serious emotional disturbance, e.g. witnessing or being the victim to a serious crime, sudden loss of accommodation or family violence
- acute illness or serious injury of a close relative
- unexpected carer responsibilities
- unexpected employment commitment or relocation
- unanticipated personal circumstances of a compelling nature
- unexpected unavoidable commitments or adverse circumstances outside of student control
- an accident, bereavement, or other compassionate and compelling circumstances
- unanticipated and significant financial circumstances of a compelling nature
- sporting commitments for recognised elite athletes
- religious observance or obligations, formal legal commitments, military service, service with a recognised emergency management service.

Discretionary activities or circumstances within the student's control, for example attendance at sporting events (with the exception of approved elite athletes with sporting commitments), holidays, family celebrations and other discretionary travel, and / or other foreseeable events will not normally constitute grounds for special considerations.

Examples of unforeseen or exceptional circumstances are provided in this policy. Approval is not limited to these examples if acceptable evidence is provided.

Supporting evidence for unforeseen or exceptional circumstances must be verifiable.

International Students studying on a student visa

'Compassionate or compelling' circumstances are generally those beyond the control of the overseas student and which have an impact upon the overseas student's course progress or wellbeing.

These could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes
- bereavement of close family members such as parents, siblings, or grandparents (where possible a death certificate should be provided)
- sudden withdrawal of financial support from a third party sponsoring the student's studies in Australia
- major political upheaval or natural disaster in the home country requiring the overseas student to travel home and this has impacted on the overseas student's studies; or
- a traumatic experience, which could include:
 - involvement in, or witnessing of a serious accident; or
 - witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be supported by police or psychologists' reports).

These are only some examples of what may be considered compassionate or compelling. The special circumstances for each application will be assessed and determined on the detail and evidence provided.

Applications for Assessment of Special Consideration

Eligibility

To be eligible for special consideration, the student must provide evidence of circumstances that:

- prevent them from meeting a deadline for assessment work;
- prevent them from submitting an assessment activity by the due date;
- prevent them from attending a required practical learning activity, clinical class, or other activity; and/or
- significantly impair their performance in an assessment task or an examination (request for resit).

Ineligibility

The following circumstances are not appropriate or eligible for special consideration:

- foreseeable events or circumstances that can be anticipated or planned for;
- circumstances that are considered within a student's control;
- discretionary activities such as travel plans or social events;
- a student's decision to take an enrolment overload; and/or
- a student's inability to manage and adapt their study load and plan for assessments and final examination periods.

Application

Applications for special consideration are only considered for events that:

- are of short-term impact;

- are outside the control of the student;
- can be substantiated by official verifiable documentation; and
- have had a significant impact on the student's ability to complete an assessment task, impacts an examination (request for resit) or meet an attendance requirement.

Applications will only be considered during the teaching period in which the subject is being studied and no applications will be accepted after result release. Students seeking consideration after the end of the teaching period must submit an application for review of subject grade.

Supporting documentation

To apply for special consideration, students must complete the *Special Consideration Application* via the Student Portal and supply supporting documentation as evidence.

- See: Student Portal > Special Consideration and Appeals > Special Consideration
- All relevant supporting documentation must be provided at the time of the special consideration application.

It should be noted that applications for special consideration will not be granted where the decision-maker is not satisfied that the student took reasonable measures to avoid the circumstance that contributed to the student requiring special consideration (e.g. missing the assessment due date or examination date) or when reasons for the request fall outside of what is considered justification for special consideration under this policy.

The following will be considered in all applications:

- The nature of the special consideration;
- The relevance, nature and authenticity of the evidence provided;
- The requirements and any constraints of the particular assessment task; and
- The student's performance in other assessment tasks in the subject and whether other requirements for successful completion of the unit have been met.

Applications for special consideration will be assessed by the relevant decision-maker according to the quality of the supporting documentation provided by the student. Assessment of special consideration will occur in a timely manner that takes the nature of the request into account (see [Timeframes](#) section).

Possible outcomes

In response to an application for special consideration relating to academic matters, the decision maker may take one or more of the following options:

- deny the application;
- grant the requests made in the application in full;
- approve an extension of time in which to complete an assessment item;
- approve a deferral or resit of an examination;
- approve an exemption from a mandatory subject to meet an attendance-based outcome;
- with approval of the Director of Education, provide another assessment task. This may be either an alternative assessment task or a replacement assessment task. An alternative assessment task provides an opportunity for the student to demonstrate learning outcomes similar to those related to the original assessment item; for example, an oral examination may take the place of a written examination. A replacement assessment task is one that resembles as closely as possible the original assessment item and carries the same percentage of total weighting for the subject and meets the subject learning outcomes;

- recommend to the Director of Student Services and Retention (or delegate) that the student be granted withdrawal without failure.

All applicants will be notified as to the outcome of their application via email.

Timeframes

Assessment Extensions

- Applications for special consideration should be submitted as soon as practicable after the circumstance is known and no later than 3 days after the circumstance occurs and/or the due date of the assessment. Late applications will only be accepted in exceptional circumstances, for example student was too ill to submit an application.
- A second special consideration request for the same assessment item will require the student to submit another *Special Consideration Application* and provide additional medical documentation on the *Student Medical Certificate Form* or other appropriate documentation.
- The maximum duration for extensions will be two weeks; in exceptional situations longer extensions may be approved by the Director of Education.
- No more than two extensions (maximum total extension time 4 weeks) for a single assessment item will be approved, in exceptional situations a single additional extension may be approved by the Director of Education.
- A single resit of a deferred, re-sit or supplementary examination will be permitted and only where the student demonstrates extenuating circumstances have
- All special consideration applications must attach supporting documentation on the *Student Medical Certificate Form* that is signed and dated by a qualified medical professional clearly outlining how the condition has an impact on learning and the adjustments required.
- In the circumstances that an Access and Equity Student is requesting further extensions outside of the agreed Reasonable Adjustment Plan, **this policy will apply** and the students will be required to submit a *Special Consideration Application* with the supporting *Student Medical Certificate Form*.

Where a student requests multiple extensions for the same assessment item the decision maker may deny the application and recommend the following:

- a final grade on the basis of the student's performance across the subject;
- an academic consultation with an Academic Supervisor to review academic performance;
- an academic consultation with a Head of Department to review the Inherent Course Requirements;
- a course progression consultation with a Student Success Adviser to review study load;
- referral to student wellbeing and support services for managing stress and study load; or
- a consultation with the Student Wellbeing Coordinator to apply for the Access and Equity Program.

Applications for special consideration relating to assessment will be decided within 10 working days from the submission of the application for special consideration.

Documentation Required – All Applications

A student **must** provide copies of independent documentation as part of any application for special consideration; while documentation need not be certificated student must retain original copies and provide them if requested.

The documentation **must** meet the following criteria:

- Supporting documentation must be provided for every application and must be official;
- The documents must address the eligibility criteria regarding the adverse effect on the student, and the concurrent timing and impact of the adverse circumstances;
- Documentation must not include photographic evidence under any circumstances, and graphic or distressing details should be redacted from supporting documentation wherever possible for the wellbeing of staff and students;
- Supporting documentation in a language other than English must be accompanied by a full English translation by a [NAATI – accredited translator](#).

The supporting documentation **must** clearly indicate the following:

- the level of impact of the circumstances leading to the application;
- what the circumstances were and the impact assessment, minor, moderate, severe; and
- for all special consideration applications on medical grounds the supporting documentation must be on the *Student Medical Certificate Form* that clearly outlines the nature of the condition, the date, the adjustments required within a recommended timeframe.

NOTE: supporting documentation will not be accepted from a relative or friend of the student, or friend of the student's family or a current staff member of the College. Undated and/or unsigned letters or medical certificates will not be accepted.

Documentation that is incomplete or does not support a special consideration case will result in the application being denied.

Types of appropriate supporting documentation

Medical reasons

For example:

- A student has a medical condition that has increased in severity suddenly, meaning they were unable to attend an assessment, meet attendance requirements or a required practical session.
- An international student on a student visa has become unable to attend on a full-time basis as required by the conditions of their visa due to extenuating medical circumstances or a serious medical condition.
- A student is involved in an accident resulting in injury meaning they were unable to attend an assessment, meet attendance requirements or required practical / clinic session/s.

Students applying for special consideration on medical grounds must submit a *Student Medical Certificate Form* completed by a qualified medical professional. It should be noted that medical practitioners are subject to strict guidelines regarding supply of medical certificates, and these should be reviewed by students prior to seeking medical assistance under this policy (Guidelines for Medical Practitioners on Certificates Certifying Illness). Refer to the *Reasonable Adjustment Policy* for guidelines on a qualified medical professional.

Supporting documentation should be provided by students to support their disability, mental health or medical condition and must be dated and signed by a qualified medical professional.

Documentation provided should be specific and:

- Clearly state the date of the consultation and the duration of impact.

- Indicate whether the diagnosis is based on an examination by the practitioner or a self-report by the applicant.
- Be no more than 2 weeks old and outline the date on which the qualified medical professional examined the student.
- Outline the impact on the student and in the practitioner's opinion how this condition has affected the student's ability to undertake the assessment item or subject.
- Specify the time frame for which the student is expected to be affected, the nature of the condition and the limitations on the student's performance.
- Include a clear statement of the severity of the condition.
- Attach supporting documentation on the *Student Medical Certificate Form* that clearly outlines the nature of the condition, the date, the reasonable adjustments required and the timeframes. In all cases the certificate must contain the medical practitioner's stamp, or the medical practitioner's contact details and AHPRA Registration Number or Provider number.

A statement that the **student was not fit for duty or was suffering from a medical condition will not be accepted** unless the required information listed above is included.

Family / personal reasons (compassionate grounds)

There may be unforeseen personal / family reasons that occur or worsen that are beyond the student's control and they are unable to continue the current study schedule or complete their studies.

For example:

- A member of the student's immediate family suffers from a severe medical condition and, after the last date to withdraw without academic penalty, they are required to provide full time care. As a result, they are unable to continue their studies.
- Due to unforeseen personal / family reasons that occur or worsen at the time an assessment item is due and / or at the time of an exam and that are beyond the student's control, they are unable to submit an assessment item.
- A member of the student's immediate family or the student's partner dies and they must attend the funeral service or are required to attend to funeral and / or legal arrangements within one week of the death and are unable to attend exams, classes with a participation requirement or practical classes.
- A member of the student's immediate family or the student's partner becomes suddenly and seriously ill to the extent that they must become a carer to them and / or remain in quarantine at the time that an exam is taking place (e.g. your child contracts measles).
- Student involvement in an accident that does not involve injury (if injured, a medical certificate would be required under medical grounds as above).

Students applying for special consideration on compassionate grounds provide certified copies of appropriate documentary evidence which may include:

- Bereavement notice
- Letter from practitioner on letterhead
- Accident report
- *Statutory Declaration Form*.

A statement that the **student has been impacted by a change in personal circumstances will not be accepted** unless the required information to support a special consideration case is included.

- When a student is unable to provide any official or verifiable documentary evidence and provides a *Statutory Declaration*, that Declaration must outline:
 - The grounds on which special consideration is requested;
 - What supporting documentation has been sought;
 - When it was sought; and
 - Why it cannot be provided.
- If the student fails to provide the additional documentation to support the special consideration request within 7 days the application will be closed and denied, late documentation will not be accepted.
- Documentation that is incomplete or does not support a special consideration case will result in the application being denied.

Natural Disasters

At times, there may be localised natural disasters that occur which mean students are unable to meet certain course requirements.

For example:

- Localised flooding occurs near a campus which means the student is unable to attend a class or clinic with attendance requirements, or attend a scheduled examination.
- A local bushfire emergency occurs which means students are evacuated from their homes and may not be able to access a campus for a period of time.

Students applying for special consideration on grounds of natural disaster must submit certified copies of appropriate documentary evidence which may include:

- Photographs of the natural disaster impact,
- *Statutory Declaration Form*

A statement that the **student has been impacted by a change in personal circumstances will not be accepted** unless the required information to support a special consideration case is included.

- When a student is unable to provide any official or verifiable documentary evidence and provides a *Statutory Declaration*, that Declaration must outline:
 - The grounds on which special consideration is requested;
 - What supporting documentation has been sought;
 - When it was sought; and
 - Why it cannot be provided.
- Documentation that is incomplete or does not support a special consideration case will result in the application being reviewed and assessed in line with official documentation and impact of a natural disaster occurrence.

Students should discuss documentary evidence requirements with a Student Services or Success Adviser prior to submitting the application form and accompanying evidence if support and advice is required.

Note that the circumstances under which an application for special consideration can be made are not limited to those listed above; other circumstances may apply and it is the student's right to submit a special consideration

application for any reason (with supporting documentation to substantiate all claims). Applications for special consideration may be made at any time throughout the student's enrolment with the College.

Circumstances for Denial of Special Consideration

Special consideration applications may not be approved for many reasons; however, applications submitted under the following reasons **will not** be approved under any circumstance:

- a student 'changing their mind' about studying at the College and wishing to withdraw without academic penalty;
- a student not managing their studies and assessment and examination load;
- a normal change in work arrangements such as a change of shift or planned holiday;
- a lack of knowledge of the College's Policies and Procedures;
- any holiday arrangements or social / leisure / personal commitments made by the student within a calendared study period (including overseas travel and school holidays);
- faulty technology;
- misreading timetables or forgetfulness;
- incorrect submission of a special consideration application when other policies and procedures are applied, such as consideration of a remissions of financial liability request.

In circumstances where a special consideration is denied full academic penalties, or a determined grade will be applied.

Appealing a special consideration decision

Where a student is unsatisfied with the outcome of a special consideration application, they may appeal via the *Appeal of Academic Decision* process as outlined in the *Complaints and Appeal Policy – Domestic – HE*. Appeals must be made within 10 working days of the outcome of their subject grade review application.

Student Support

A range of support services are available to students that may have been impacted by a circumstance outside of their control, this are inclusive of but not limited to:

- The Access and Equity Program. Students who have a disability, long-term physical or mental health condition, or ongoing difficult circumstances should seek advice from a Student Services or Success Adviser, or book a consultation with a Student Wellbeing Coordinator about the Access and Equity Program that is available at the College.
 - A Student Adviser or Wellbeing Coordinator can provide advice on the Access and Equity program application and the reasonable adjustments that may be considered to provide adjustments in learning activities and assessments to accommodate a student's needs based on presenting circumstances (as per the *Disability Policy* and the *Reasonable Adjustment Policy*).
 - Such students are not prevented from applying for special consideration; however, this program is designed to support students that may be facing long term ongoing challenges with physical or mental health

- The College provides access to TalkCampus, a global mental health support network. The support is a free-peer support program for students who are struggling or are worried about their mental health and is supported by mental health professionals.

Students should refer to the *Student Support Services Policy – HE* for further information on support services to assist when experiencing special circumstances.

Definitions

College – In the higher education sector, the Australian College of Natural Medicine Pty Ltd (ACNM) trades as Endeavour College of Natural Health and Endeavour Wellness Clinic. For the purpose of this policy, any reference to 'College' or 'the College' should be considered a reference to each or any of these respective trading names / entities.

Course / Award - A recognised certification of achievement of competence which may be granted to a student after completion of all the requirements of a Higher Education course.

Student – is an individual person who is formally enrolled to study at the College. The individual person is that who appears on the College's documents such as enrolment, admission, and payment documents, and who is assigned an individual student ID.

Related Procedures

Complaints and Appeals Procedure – International

Grievance Procedure

Further Information

Related Policies

Assessment Policy - Higher Education

Complaints and Appeals Policy - Domestic - Higher Education

Complaints and Appeals Policy - International

Critical Incident Policy

Disability Policy

Examination Policy - Higher Education

Fees Policy – Higher Education

Fees Policy - International

Reasonable Adjustment Policy

Remission of Financial Liability due to Special Circumstances Policy – Higher Education

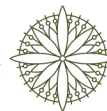
Student Support Services Policy – HE

Related Documents

Access and Equity Program

Student Medical Certificate Form

Inherent Course Requirements – Acupuncture



Inherent Course Requirements – Acupuncture Therapies and Chinese Medicine

Inherent Course Requirements – Chinese Remedial Massage

Inherent Course Requirements – Myotherapy

Inherent Course Requirements – Naturopathy

Inherent Course Requirements - Nutritional and Dietetic Medicine

Special Consideration Application (eform)

Statutory Declaration Form

Guidelines

AMA Guidelines for Medical Practitioners on Certificates Certifying Illness (2011)

Benchmarking

Bond University

Charles Sturt University

La Trobe University

Torrens University

Supporting Research and Analysis

Not applicable

Related Legislation

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

Review and Approval

Policy Author

Director of Student Services and Retention

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Contact

Director of Education

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Approval Body

Academic Council

Meeting Date: 10 February 2023

Policy Status

Revised – full revision to match current process

Responsibilities for Implementation

- Academic staff
- Director of Education
- Director of Student Services and Retention
- Heads of Department
- Student Wellbeing Coordinator

Key Stakeholders

- All Students
- Educational Technologies team
- National Quality, Governance & Compliance Manager
- National Student Services Coordinator
- National Student Success Coordinator
- Office of Student Records
- Student Services Team