

Special Consideration Policy – Higher Education

Policy Code: STU-049

Version: 12.0

Effective Date: 17 June 2020

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.

Definition of “College” – *In the higher education sector, the Australian College of Natural Medicine Pty Ltd (ACNM) trades as Endeavour College of Natural Health. 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.*

Scope

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

Policy Statement

The College recognises that there may be times when a decision made by the College upon application of the relevant policy may require reassessment due to unforeseen circumstances.

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;
- 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 eForm* 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 however relate to course fees where an upfront-paying student (i.e. self-funding or international students) may need an adjusted payment agreement to pay over a longer period of time.

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; 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.

Responsibilities

For decisions relating to academic matters, the Heads of Department/ Associate Heads of Department (or delegate) 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.

For decisions relating to non-academic matters, the Director, Student Services and Retention or National Quality, Governance and Compliance Manager (or delegate) (dependent on situation) will be responsible for approval of special consideration based on the evidence provided and in consultation where necessary with the relevant staff of the College.

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

- illness of the student or a close relative;
- unanticipated personal circumstances of a compelling nature;
- an accident, bereavement or other compassionate and compelling circumstances;
- unanticipated and significant financial circumstances of a compelling nature; and
- sporting commitments for recognised elite athletes.

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 an extension.

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.

All applications will be processed by a Student Adviser, noted on the student's file with a date stamp and sent to the Head of Department / Associate Head of Department / Director Student Services and Retention / National Quality, Governance & Compliance Manager (or delegate/s) for consideration and a final decision.

Applications for Assessment of Special Consideration

To apply for special consideration, students must follow prescribed procedures outlined on the [Special Consideration Application eForm](#) and must supply supporting documentation as evidence. Applications are to be submitted via eform in the student portal.

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
- 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 Heads of Department/Associate Head of Department (or delegate) may take one or more of the following options:

- deny the application; or
- grant the requests made in the application in full; or
- approve a deferred exam date or extension of time in which to complete an assessment item; or
- recommend a final grade on the basis of the student's performance across the subject; or
- 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.

- provide an alternative solution. The alternative solution will be negotiated with the student and relevant staff (e.g. Director of Education/Head of Department) with the goal of a student-focused outcome which does not overly disadvantage either party.
- recommend to the Director, Student Services and Retention that the student be granted withdrawal without failure on compassionate grounds.

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

- deny the application; or
- grant the requests made in the application in full; or
- provide an alternative solution. The alternative solution will be negotiated with the student and relevant staff (e.g. Director, Student Services and Retention for anything with a system impact) with the goal of a student-focused outcome which does not overly disadvantage either party.

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

Timeframes

Assessment Extensions

- applications for an extension request 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
- a second extension request will require the student to submit another *Special Consideration Application (SCA)* and provide additional medical documentation on the *Student Medical Certificate Form*
- all *Special Consideration Application* requests for further extensions must be submitted no later than 24-48 hours after the due date
- all further SCA applications must attach supporting documentation on the *Student Medical Certificate Form* that is signed and dated by a Qualified Medical Professional clearly outlining the nature of the condition, the date of the consultation, how the condition has an impact on your 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 via the eform with the supporting *Student Medical Certificate Form* in the student portal
- all SCA requests for further extensions will need to be approved by the Head of Department/Associate Head of Department and the student may be approved a further extension up to a maximum of 5 days
- no additional extension requests will be approved, unless in extreme circumstances with supporting documentation from a Qualified Medical Professional
- an academic committee including the Director of Education and Head of Department/ Associate Head of Department will be convened to consider any additional extension requests on a case by case basis
- failure to provide updated supporting medical documentation for a further/additional extension request in the timelines stipulated will result in the Head of the Department/ Associate Head of Department determining a final mark/grade

Based on the presenting circumstances the Head of the Department/Associate Head of the Department (or delegate) may deny the application and recommend the following:

- a final grade on the basis of the student's performance across the subject; or
- an academic consultation with a Senior Lecturer to review academic performance; or

- an academic consultation with a Head of Department/Associate Head of Department to review the *Inherent Course Requirements*; or
- a course progression consultation to review study load; or
- a consultation with the Student Assistance Program on managing stress and study load; or
- the student contacts the Student Services Access and Equity Advisor(s) to apply for the Access and Equity Program.

Applications for special consideration relating to assessment will be decided within 5 working days from the submission of the application for special consideration.

Other matters

Application for special consideration relating to any other matter will be provided to students in writing no later than 10 working days from the submission of the application for special consideration.

Documentation Required – All Applications

A student **must** provide certified copies of independent documentation as part of any application for special consideration (note that original documents will **not** be accepted). The documentation (including the *Special Consideration Application eForm*) **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
- 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.
- a list of persons who can officially certify documents is located within the *Statutory Declaration Form*.

Supporting documentation required for special consideration applications **may** include:

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 *Special Consideration Application Form* accompanied by a *Student Medical Certificate Form* from 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:

- 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.
- the documentation should 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.
- a clear statement of the severity of the condition, including diagnosis present symptoms and whether the condition is mild, moderate or severe in nature.
- 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.

A mere 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.

Please note that in all cases the certificate must contain the medical practitioner's stamp, or the medical practitioner's contact details and provider number.

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 must submit a *Special Consideration Application eForm* accompanied by certified copies of appropriate documentary evidence which may include:

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

Financial reasons

For example:

- ⌚ A significant and unexpected change to financial circumstances or those of a relevant third party who financially supports the student that occurred after census date. This would have to be sufficiently large that it is unreasonable to expect the student to be unable to pay for their studies upfront (where relevant).

Students applying for special consideration to pay in instalments will need to fill in the *Special Consideration Application eForm* and provide certified copies of appropriate documentary evidence of the change in circumstances which may include:

- Formal notice from government third party (e.g. government sponsor) that funding is being withdrawn / withheld / suspended
- Where a third party family member is financially supporting the student, evidence of that family member's incapacity to continue to support (e.g. medical evidence, bereavement notice)
- *Statutory Declaration Form*

Students granted this special consideration will be subject to the terms of a payment agreement and must pay fees according to that agreement. Unpaid fees will lead to further non-financial penalties as outlined in the relevant *Fees Policy*.

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 a *Special Consideration Application eForm* accompanied by certified copies of appropriate documentary evidence which may include:

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

Students should discuss documentary evidence requirements with a member of the Student Services team prior to submitting the application form and accompanying evidence.

Please 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 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

Appealing a decision

If the student is dissatisfied with the outcome of the special consideration application, they may follow the processes outlined in the College's *Grievance Policy – Domestic Students – Higher Education*.

International students studying on a student visa must consult the *Complaints and Appeals Policy – International* for information about what to do if they wish to appeal a decision.

Definitions

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 - International*
- Disability Policy*
- Examination Policy - Higher Education*
- Fees Policy – Higher Education*
- Fees Policy - International*
- Grievance Policy - Domestic Students - Higher Education*
- Reasonable Adjustment Policy*
- Remission of Financial Liability due to Special Circumstances Policy – Higher Education*

Related Documents

- Access and Equity Program*
- Student Medical Certificate Form*
- Inherent Course Requirements – Acupuncture*
- Inherent Course Requirements Complementary Medicine*
- Inherent Course Requirements – Myotherapy*
- Inherent Course Requirements – Naturopathy*
- Inherent Course Requirements - Nutritional and Dietetic Medicine*
- Special Consideration Application Form*
- Statutory Declaration Form*
- National Code of Practice for Providers of Education and Training to Overseas Students 2018*

Guidelines

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

Benchmarking

- Australasian College of Natural Therapies
- Flinders University
- Griffith University
- Swinburne University of Technology

Supporting Research and Analysis

Not applicable



Related Legislation

Not applicable

Review and Approval

Policy Author

Director of Student Services and Retention

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Director of Student Services and Retention

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Approval Body

College Council

Meeting Date: 8 February 2019

Policy Status

Revised

Responsibilities for Implementation

- Director, Student Services and Retention
- Director of Education
- Heads of Department / Associate Heads of Department
- National Quality, Governance & Compliance Manager
- Student Services team

Key Stakeholders

- Director of Education
- Academic staff
- Student Services Team
- All Students