
Special Consideration Policy – Higher Education

Policy Code: STU-049 **Version:** 6.0 **Effective Date:** 3 April 2017

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, ACPE Limited trades as The Australian College of Physical Education (ACPE); Australian College of Natural Medicine Pty Ltd trades as Endeavour College of Natural Health (Endeavour) and Wellnation; Study Group Australia Pty Limited trades as Martin College and Martin Higher Education (Martin HE). 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 entities or trading names.*

Scope:

- All Campuses
- All Courses and Departments
- All students – Higher Education, Domestic and International

Policy Statement:

The College recognises that there may be other 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 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 Registration Authorities and Providers of Education and Training to Overseas Students 2007* ([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 Form](#) and include the relevant documentation to support the application.

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](#) (with the exception of Cancellation fees, which **are** covered by this policy).

This policy does **not** apply to those students with an existing and ongoing medical condition who are registered for the Access and Equity Program. Students who are registered for this program with a Reasonable Adjustment Plan in place do not need to apply for special consideration.

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 Head of Department / Program Leader (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 & Retention (or delegate) 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.

All applications will be processed by Student Services staff, noted on the student's file with a date stamp and sent to the relevant Manager – Student Services for allocation to the correct decision-maker.

Applications for Assessment of Special Consideration

To apply for special consideration, students must follow prescribed procedures outlined on the [Special Consideration Application Form](#) and must supply supporting documentary evidence. Applications should be submitted to Student Services on the student's home campus.

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.

Applications for special consideration will be assessed by the relevant decision-maker outlined above, 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 in to account (see [Timeframes](#) section).

Possible outcomes

In response to an application for special consideration relating to academic matters, the Head of Department / Program Leader may take one or more of the following options:

- deny the application
- grant the requests made in the application in full
- approve a deferred exam date or extension of time in which to complete an assessment item
- recommend a final grade on the basis of the student's performance across the subject
- 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.
- provide an alternative solution. The alternative solution will be negotiated with the student and relevant staff (e.g. Director of Education) with the goal of a student-

focused outcome which does not overly disadvantage either party.

- recommend to the Director, Student Services & 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
- grant the requests made in the application in full
- provide an alternative solution. The alternative solution will be negotiated with the student and relevant staff (e.g. Director, Student Services & 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

Applications for special consideration should be submitted as soon as practicable after the circumstance is known to the student, and no later than 14 days after the circumstance occurs.

Applications for special consideration received after this time will not be approved unless in extreme circumstances where the applicant was not physically able to submit the application within the above timeframes.

Applications for special consideration relating to assessment will be decided within 5 working days.

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 Form](#)) **must** clearly indicate the following:

- the level of impact of the circumstances leading to the application
- what the circumstances were
- when they occurred; and

- how long they lasted.

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 certified copy of a medical certificate from a registered medical or dental practitioner. 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](#)).

The certificate must state the following:

- the date on which the practitioner examined the student
- the severity and duration of the complaint, and
- the practitioner's opinion of the effect of the complaint on the student's ability to undertake the assessment item or subject.

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 Form](#) accompanied by certified copies of appropriate documentary evidence which may include:

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

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 Form](#) accompanied by certified copies of appropriate documentary evidence which may include:

- Photographs of the natural disaster impact
- Statutory Declaration.

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.

Related Procedures:

- [Grievance Procedure – Higher Education](#)
- [Complaints and Appeals Procedure – International](#)

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.

Further Information:

Related Policies:

- [Assessment Policy – Higher Education](#)
- [Complaints and Appeals Policy – International](#)
- [Examination Policy – Higher Education](#)
- [Grievance Policy – Domestic Students - Higher Education](#)
- [Remission of Financial Liability due to Special Circumstances Policy – Higher Education](#)

Benchmarking:

- Griffith University
- Swinburne University of Technology

Supporting Research and Analysis: Not applicable

Related Documents:

- [Special Consideration Application Form](#)
- [Statutory Declaration Form](#)
- [National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007](#)

Related Legislation: N/A

Guidelines: [Guidelines for Medical Practitioners on Certificates Certifying Illness](#)

Policy Author:	Director, Student Services & Retention
Policy Owner:	Director, Student Services & Retention
Contact:	Director, Student Services & Retention
Approval Body	<p>Academic Board (ACPE) Meeting Date: 02-Mar-17</p> <p>College Council (Endeavour) Meeting Date: 17-Feb-17</p> <p>Academic Board (East) (Martin HE) Meeting Date: 14-Feb-17</p>
Policy Status:	Harmonised
Responsibilities for Implementation:	<p>Director, Student Services & Retention</p> <p>Directors of Education</p> <p>Heads of Department</p> <p>Program Leaders</p>
Key Stakeholders:	<p>Academic staff</p> <p>Student Services Team</p> <p>All Students</p>