

## POLICY DOCUMENT

# SPECIAL CONSIDERATION POLICY AND PROCEDURE

## 1 Purpose and Scope

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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.

**Scope:**

- All Courses and Departments
- All students - Domestic and International

## 2 Policy Statement

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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.

## 2.1 Exemptions from this Policy

This policy does **not** apply to requests for deferred final examinations. In cases where a student is applying for a deferred final examination due to exceptional circumstances, please refer to the *Examinations Policy and Procedure* and submit a *Request for a Deferred Final Examination Form*, available at the ACPE website.

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 and Procedure*.

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.

## 2.2 Responsibilities

For decisions relating to academic matters, the Head 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 Student Services and Learning Support Manager (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 should be submitted to the Student Services staff, who will date the form, add a note to the *Special Consideration Register* and sent it to the Student Services and Learning Support Manager (or delegate) or to the corresponding Head of Department (or delegate).

## 2.3 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 as stipulated. Applications should be submitted to Student Services (by hand for attending students, or to [studentservices@acpe.edu.au](mailto:studentservices@acpe.edu.au) for online students).

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 or when reasons for the request fall outside of what is considered justification for special consideration under this policy. Students who are not making satisfactory progress or engaging with the Learning Management System/attending classes may be denied special consideration, particularly if the student has been placed on conditional enrolment due to unsatisfactory academic progress.

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 into account (see *Timeframes* section).

### 2.3.1 Possible outcomes

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

- deny the application.
- grant the requests made in the application in full.
- approve a deferred mid-semester exam/test/quiz date or extension of time in which to complete an assessment item. A mid-semester examination or assessment may only be deferred once in a study period. In exceptional circumstances with adequate evidentiary documentation, the Head of College may approve an additional deferral.
- recommend a final grade on the basis of the student's performance across the subject. Such changes can only be approved by the Dean and Operations Director.
- 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. Dean and Operations Director with the goal of a student-focused outcome which does not overly disadvantage either party.)
- recommend to the Student Services and Learning Support Manager that the student be granted withdrawal from their course 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. Student Services and Learning Support Manager 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.

### **2.3.2 Timeframes**

- Applications for special consideration should be submitted as soon as practicable after the circumstance is known to the student. It should be lodged within 2 working days of the missed assessment task.
- 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. This will require approval by the Dean and Operations Director.
- Applications for special consideration relating to assessment will be decided within 5 working days.
- Application for special consideration relating to any other matter should be made within 10 working days of the matter occurring and an outcome will be provided to students in writing no later than 5 working days from the submission of the application for special consideration.

### 2.3.3 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 *Australia Statutory Declaration Document*.

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

#### a. Medical reasons

For example:

- A student has a medical condition that has increased in severity **immediately prior to or on the day of the assessment or exam**, 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 the completed *Professional Authority Form* **and** 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.

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

#### **b. 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:

- 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.

### c. 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 with attendance requirements, or attend a scheduled examination.
- A local bushfire emergency occurs; meaning 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 Student Services 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.

## 2.4 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 normal change in work arrangements such as a change of shift;
- 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.
- Unsatisfactory academic progress and/or engagement/attendance during the study period in question.

## 2.5 Appealing a Decision

If the student (domestic or international) is dissatisfied with the outcome of the special consideration application, they may follow the processes outlined in the ACPE *Grievances, Complaints and Appeals Policy and Procedure*.

## 3 Definitions

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- **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.

## 4 Related Documents

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- Special Consideration Application Form
  - Grievances, Complaints and Appeals Policy and Procedure
  - Assessment Policy and Procedure
  - Examinations Policy and Procedure
  - Remission of Financial Liability due to Special Considerations Policy and Procedure
- Legislation:**
- Higher Education Standards Framework 2015
  - Tertiary Education Quality and Standards Agency Act 2011
  - National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018



## 5 Policy Administration

<b>Policy Name &amp; Code:</b>			Special Consideration Policy and Procedure (POL-04)
<b>Policy Owner:</b>			Dean and Operations Director
<b>Approval Authority:</b>			Academic Board (ACPE)
<b>Next Review:</b>			September 2023
<b>Approval Date</b>	<b>Effective Date</b>	<b>Version</b>	<b>Summary of changes</b>
02 Mar 17	03 Mar 17	1	Document revised and harmonised in line with the SGA brands. Approval Date: 02 March 2017.
02 Nov 17	03 Nov 17	2	Document revised. Changes approved by the Academic Board (ACPE) on 02 November 2017.
26 Jun 18	27 Jun 18	3	<ul style="list-style-type: none"> <li>• Revision includes rebranding to apply to only ACPE, from former SGA harmonised Special Consideration - UG Policy of 2016.</li> <li>• Document format changed in line with the new document template for ACPE policies, procedures and ToRs.</li> <li>• References to other SGA colleges have been removed.</li> <li>• References to Director of Education have been replaced with Dean &amp; Operations Director.</li> <li>• References to Executive Director replaced with Dean and Operations Director.</li> <li>• Changes made to policy format include: <ul style="list-style-type: none"> <li>- Old logo with references to Study Group removed.</li> <li>- Document code, version and dates moved to 'Document Administration' section.</li> <li>- Paragraphs numbered.</li> <li>- Previous 'Further Information Section' with references to related policies moved to new 'Related Documents' section. This section includes a list of related policies, procedures, and other documents.</li> <li>- Policy Administration table reformatted.</li> <li>- Numbering system updated.</li> <li>- Footer updated to include document title, document code, and document version only.</li> </ul> </li> </ul>
04 Oct 18	05 Oct 18	4	Content of Policy and titles updated to ensure accuracy. Timeframes provided on this policy have been adjusted for accuracy.

\* Unless otherwise indicated, this policy will still apply beyond the review date.