

# Assessment of Special Circumstances Procedure

## 1 Purpose

To provide guidance on how the University assesses Special Circumstances and what documentary evidence is needed to support a claim for Special Circumstances.

## 2 Scope

This procedure applies to all Students.

This procedure acknowledges First Nations peoples cultural practices.

## 3 Procedure Overview

This procedure explains how the University decides if a situation meets the criteria to be called a Special Circumstance and what supporting evidence is needed.

If a Student is assessed as having Special Circumstances, the way that other University policies and procedures are applied may change. Students who wish to apply for Special Circumstances should follow the application process set out in the relevant policy or procedure, including any applicable timeframes and deadlines.

For the purpose of applying the *National Code of Practice for Providers of Education and Training to Overseas Students 2018*, the definition of Special Circumstances is consistent with references to compassionate and compelling circumstances.

This Procedure aligns with the:

- *Higher Education Standards Framework (Threshold Standards) 2021*: Standard 1.3 Orientation and Progression

## 4 Procedures

### 4.1 Special Circumstances

The University will treat a situation as Special Circumstances when the circumstances:

- were unexpected and outside of the Student's control;

- had a significant impact on the Student's study progress or wellbeing, or their ability to meet a submission deadline; and
- could not have reasonably been anticipated, avoided or guarded against by the Student.

Students with approved Reasonable Adjustments are eligible to apply for Special Circumstances and will be assessed on a case by case basis.

#### **4.1.1 Examples of Special Circumstances for all Students**

Special Circumstances can include, but are not limited to:

1. Medical illness or injury, whether existing or new, including physical injury or serious illness and episodes of mental illness or cognitive function impairment;
2. Sad News/Sorry Business, death of a Close Relative or close friend;
3. Hardship or trauma, including unexpected events/accidents, victims of crime, sudden change in domestic arrangements (e.g. homelessness, eviction), unexpected serious financial difficulties or hospitalisation of a family member;
4. Major upheaval or Natural Disaster affecting the Student's place of residence or in the Student's home country or town that has impacted the Student's Close Relatives and which requires the Student to undertake immediate emergency travel;
5. Employment related reasons such as an employer unexpectedly increasing a Student's working hours or an employer-directed transfer of a Student to a new location or redeployment to a different position;
6. An unexpected sporting commitment at the state, national or international representative level;
7. Active Defence Force member, compulsory Defence Reservist or other emergency services mobilisation;
8. Legal commitments such as court appearances or jury selection; and
9. Constraints outside of a Student's control arising from involvement with the justice system.

#### **4.1.2 Examples of Special Circumstances only for International Student visa holders**

Additional Special Circumstances for International Student visa holders can include, **but are not**

**limited to:**

1. inability to begin study in a program on the agreed starting date due to a delay in receiving an International Student visa; and
2. circumstances where the Student's Electronic Confirmation of Enrolment (ECOE) may need to be extended because the Student has failed occasional Courses throughout a program but where these failures have not affected the Student's Academic Progress status. This is in accordance with the *National Code of Practice for Providers of Education and Training to Overseas Students 2018*.

## **4.2 Circumstances that would not be considered Special Circumstances**

The University will not treat a situation as Special Circumstances when the circumstances are:

1. considered to be within the control of a Student; or
2. are to be expected in the normal course of the Student's study, work, family or social life.

### **4.2.1 Examples that would not be considered Special Circumstances for all Students**

1. Instances where the Student's personal travel or holiday plans, including International Students returning home, have made them unable to attend classes or meet required submission timelines, unless other Special Circumstances apply;
2. Failure to understand or ask for clarification of key dates or procedures where a Student could reasonably be expected to have understood or asked for clarification;
3. For Courses with a professional or work placement component, inability to obtain release from the Student's regular paid employment to undertake or complete the placement, unless other Special Circumstances apply;
4. Misreading or failing to ask for clarification of the timing of the Formal Exam as shown on the Student's Formal Exam Schedule;
5. The Course is not what was expected;
6. Minor illnesses (as determined by a registered medical practitioner) or homesickness;
7. An increase in hours or duties of paid or unpaid employment which is at the request of the individual Student;

8. Social and leisure events and activities including sporting commitments not at state, national or international representative level; and
9. A Student not following their planned or expected pattern of Enrolment and/or studying Courses which do not contribute to their program.

#### 4.2.2 Examples that would not be considered Special Circumstances only for International Student visa holders

1. Applications for a letter of release in order to transfer providers within the first six months of their principal program;
2. Instances where the Student is not able to complete their program within the timeframe provided in their ECOE because of failure, without prior academic approval, to enrol in the number of Courses required by their study visa;
3. Inability to pay tuition fees or living costs based on changes to their employment status while working in Australia. Students on an International Student visa must not rely on the proceeds of paid employment to support their studies or living costs.

### 4.3 Supporting Documents

Documentation supporting requests for Special Circumstances must:

1. identify the circumstances;
2. include dates and/or length of circumstances, for example, the start and end date of an illness or injury; and
3. explain the impact of the circumstances on the Student's study progress or wellbeing, or their ability to meet a submission deadline.

Requests may be delayed or denied if supporting documentation is not provided at the time of application. The University reserves the right to request additional supporting documentation from the Student.

Supporting documentation can include, **but is not limited to**, the following examples.

Special Circumstance	Examples of Documentation
Medical illness or injury; psychological illness; cognitive function impairment	Medical documentation or psychological report from a registered health practitioner

Sad News/Sorry Business; death of Close Relative or close friend	Death certificates or death/funeral notices or funeral service pamphlet plus evidence of the relationship with the deceased person (if requested by the staff member processing the request); or a Student Declaration
Adverse experience, including witnessing or being the victim of a serious crime, domestic violence or sexual assault	Student Declaration and appropriate supporting documents (for example, eviction notice, police report)
Natural Disaster; political upheaval; acts or war or terrorism; global pandemic	Government department advisories and Public Health Directions; or known facts, media reports or other information relating to political upheaval, Natural Disasters, pandemics or other circumstances
Employment-related reasons	Signed letter on official letterhead from a current employer or, if self-employed, a signed letter from the business accountant
Sporting commitment reasons	Signed letter on official letterhead from the relevant sporting body
Active Defence Force, Defence Reservist or other emergency services commitments	Signed letter on official letterhead from the Defence Reserve or recognised emergency services organisation
Legal commitments	Jury notice or court appearance order
Involvement with the justice system	Letter or email from the relevant case manager or officer
Delay in receiving an International Student visa	Correspondence from the relevant Australian Government department responsible for immigration regarding a delay in student visa processing

## 4.4 Applications for Special Circumstances

Special Circumstances may apply to a range of situations such as Assessment Items, Show Cause submissions or for International Students studying in Australia under an Australian Student visa, taking Leave of Absence for a period of up to 12 months. Students should refer to the relevant policy or procedure for details on how to request that Special Circumstances are taken into consideration for their particular situation and any applicable timeframes.

## 5 References

Nil.

## 6 Schedules

This procedure must be read in conjunction with its subordinate schedules as provided in the table below.

## 7 Procedure Information

<b>Accountable Officer</b>	Associate Provost
<b>Responsible Officer</b>	Deputy Academic Registrar and Director (Student Administration)
<b>Policy Type</b>	University Procedure
<b>Policy Suite</b>	<a href="#">Assessment Policy</a>
<b>Subordinate Schedules</b>	
<b>Approved Date</b>	10/8/2023
<b>Effective Date</b>	10/8/2023
<b>Review Date</b>	5/3/2026
<b>Relevant Legislation</b>	<a href="#">Education Services for Overseas Students (ESOS) Act (2000)</a> <a href="#">Higher Education Support Act (2003)</a> <a href="#">National Code of Practice for Providers of Education and Training to Overseas Students 2018</a>
<b>Policy Exceptions</b>	<a href="#">Policy Exceptions Register</a>
<b>Related Policies</b>	<a href="#">Admissions Policy</a> <a href="#">Enrolment Policy</a>
<b>Related Procedures</b>	<a href="#">Admissions Procedure</a> <a href="#">Assessment Procedure</a> <a href="#">Enrolment Procedure</a> <a href="#">Grades Procedure</a> <a href="#">Higher Degree by Research Student Admissions and Enrolments Procedure</a>
<b>Related forms, publications and websites</b>	<a href="#">Statutory Declaration</a>
<b>Definitions</b>	<b>Terms defined in the Definitions Dictionary</b>

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's [Policy and Procedure Library](#).

### [Academic Progress](#)

Describes the status of a Student's progress towards successful completion of their coursework for each Study Period and towards completion of their program within the maximum given timeframe. Students who are successfully progressing through their studies would not be assigned to any of the Academic Progress stages outlined in the Student Academic Progress Procedure.

### [Assessment Item](#)

An individual Assessment task as outlined in the Assessment schedule for a Course. Assessment Items may be formal, informal, Formative or Summative in nature.

### [Census Date](#)

The date on which the Student's enrolment related requirements must be finalised in line with the University's important dates. A Higher Education Provider must, for each unit of study it provides or proposes to provide during a year, determine for that year, a particular date to be the Census Date for the unit. Students are responsible for meeting the University's Census Date deadline and must check that all enrolment and payment details are correct on or before the Census Date.

### [Close Relative](#)

Close relatives for this purpose are spouse/partner, parent, mother-in-law, father-in-law, sister, brother, sister-in-law, brother-in-law, daughter, son, stepdaughter, stepson, stepfather, stepmother, stepsister, stepbrother, half-sister, half-brother, grandparent, granddaughter, grandson, son-in-law, daughter-in-law, any other person approved by the Vice-Chancellor or delegated officer.

### [Course](#)

A discrete element of a program, normally undertaken over a single Study Period, in which the Student enrolls, and on completion of which the Student is awarded a grade.

### [Deferred Assessment](#)

An Assessment Item offered by the Course Coordinator to Students where Special Circumstances have either significantly impacted their preparation and performance or prevented the Student from attempting or submitting an Assessment Item. In the situation where the Course Coordinator requires Students to submit an Assessment

Item prior to the last date for submitting Final Grades for the Course, an extension should be granted rather than a deferral.

### [Enrolment](#)

The process of admitting Students to one or more Courses for the current Academic Year.

### [Formal Examination](#)

A Summative Assessment Item in the form of an Examination held during the Formal Examination Period.

### [International Student](#)

A Student who is not an Australian citizen, a New Zealand citizen, an Australian Permanent Resident or the holder of an Australian permanent humanitarian visa.

### [Leave of Absence](#)

An approval granted to a Student to cease formal study as an enrolled Student for a specified period of time.

### [Reasonable Adjustment](#)

Measures or actions to assist Students with a Disability or Students who are carers to participate in learning, teaching and Assessment on an equivalent basis to other Students that are determined as reasonable in accordance with the Disability Standards for Education 2005.

### [Semester](#)

A period of time during which instruction is provided, learning is undertaken and Assessment is carried out. There are three Semester periods during an Academic Year, known consecutively as Semester 1, Semester 2 and Semester 3.

### [Special Circumstances](#)

Matters which are, in most cases, beyond the control of the Student and which will impact their capacity to progress with their planned program of study or meet a submission deadline. In some legislation, Special Circumstances are referred to as “compassionate and compelling circumstances”.

### [Student](#)



	A person who is enrolled in a UniSQ Upskill Course or who is admitted to an Award Program or Non-Award Program offered by the University and is: currently enrolled in one or more Courses or study units; or not currently enrolled but is on an approved Leave of Absence or whose admission has not been cancelled.
	<b>Definitions that relate to this procedure only</b>
	<b>Natural Disaster</b>  An event of force of nature that is caused by environmental factors that has catastrophic consequences.
<b>Keywords</b>	Compassionate and compelling, unexpected event, Natural Disaster, emergency, medical illness, injury, assessment, pandemic, upheaval
<b>Record No</b>	13/1150PL