Section 6 - Rules and Regulations

SPECIAL CONSIDERATION REGULATIONS

1. Application of these Regulations
The Special Consideration Regulations apply in all cases where the other Academic Regulations provide for a student to seek some entitlement on the grounds of misadventure or extenuating circumstances.

2. Student Obligations
Students are expected to complete all compulsory assessment tasks, tests and examinations at an acceptable standard and to meet all compulsory assessment deadlines to meet course requirements.

Students who suffer misadventure as described in sections 3 and 3.1 below, or are affected by extenuating circumstances as described in sections 3 and 3.2 below, which prevents them from meeting acceptable standards or deadlines, may apply for special consideration.

Students who experience circumstances which adversely affect their studies but which are not such as to be deemed misadventure or extenuating circumstances as defined in section 3 below, are nevertheless advised to inform their Subject Coordinator or Course Coordinator of those circumstances as they occur.

3. Misadventure and Extenuating Circumstances
As a general guide misadventure or extenuating circumstances are circumstances which are:

- beyond the student's control (i.e. they could not have reasonably been anticipated, avoided or guarded against);
- sufficiently grave or of a nature or duration to have caused considerable disruption to the student's capacity to study effectively or to complete subject requirements; and
- have interfered with the otherwise satisfactory fulfilment of the subject requirements.

3.1 Misadventure
Circumstances contributing to misadventure can include:

- medical reasons;
- family/personal reasons - including death or severe medical or personal problems;
- employment related reasons - such as a substantial change to routine employment arrangements or status.

The following circumstances would not be considered misadventure:

- routine demands of employment;
- difficulties adjusting to University life, to the self discipline needed to study effectively, and to the demands of academic work;
- stress or anxiety normally associated with examinations, required assessment tasks or any aspect of course work;
- routine need for financial support;
- lack of knowledge of requirements of academic work.

3.2 Extenuating Circumstances
Circumstances which can be deemed to be extenuating include:

- administrative problems - such as the late receipt of teaching materials, enrolment errors or delays;
- sporting or cultural commitments - where a student has been selected to participate in a state, national or international sporting or cultural event;
- military commitments - where a student is a member of the armed forces involved in a compulsory exercise;
- legal commitments - where a student is called for jury duty or is subpoenaed to attend a court, tribunal, etc; or
- other events that pose a major obstacle to the student proceeding satisfactorily with his or her studies.

The following would not be regarded as extenuating circumstances:

- demands of sport, clubs, and social or extra-curricular activity (other than selection for state, national or international sporting or cultural events);
- difficulties with the English language during examinations.

4. Requests for Special Consideration
Requests for special consideration may be lodged for the purposes given below. The type of application, the office with which it should be lodged and the deadline for lodging it are specified in each case.

4.1 An Extension of Time to Submit Assessment Tasks
Applications for an extension of time to submit assessment tasks are the subject of policies specified in subject outlines. Such applications may be received and approved verbally. Where a written application is required, the following applies:

Applications should be in the form of a letter to the Subject Coordinator and should be supported by appropriate documentation. The application should be lodged as soon as it becomes apparent that the submission deadline cannot be met.
2 - Rules and Regulations

4.2 Approved Withdrawal from a Subject (AW Grade) After the HECS Census Date

Applications must be in the form of a letter to the Student Administration Office. The application must be lodged as soon as possible and preferably before the last four weeks of session (counting the examination weeks). Refer to Enrolment Regulation 13.

4.3 Refund of HECS Payments Following Withdrawal from a Subject/s

Applications must be in the form of a letter to the HECS Officer in the Student Administration Office. The application must be lodged within 28 days of the notification of the granting of an AW grade. Refer to Enrolment Regulation 13.4.4.

4.4 Extended Leave of Absence

Applications for leave of absence which do not exceed the maximum leave permitted (two sessions of leave in any four consecutive calendar years) are normally automatically granted. All applications for leave must be in writing but applications for leave beyond the maximum permitted must be on the grounds of misadventure or extenuating circumstances.

Applications for extended leave should be lodged with the Student Administration Office by 5:00 pm on the HECS census date of the session in which leave is sought. Refer to Enrolment Regulation 14.

4.5 An Extension of Time to Complete a Subject (Grade Pending GP)

Applications must be lodged in writing with the Student Administration Office (Examinations Office in Bathurst) by the Friday before the commencement of examinations for the session. Late applications may be accepted if the misadventure or extenuating circumstances prevented the student from lodging the application on time. Refer to Assessment Regulation 7.

4.6 Permission to Sit for a Supplementary Examination

4.6.1 Due to Inability to Sit for the Final Examination

Applications must be lodged in writing with the Student Administration Office (Examinations Office in Bathurst) by the Friday before the commencement of examinations for the session. Late applications may be accepted if the misadventure or extenuating circumstances prevented the student from lodging the application on time. Refer to Assessment Regulation 7.

4.6.2 Due to Misadventure at an Examination

Applications may be made on an Incident Report form available from the examination supervisor. The completed Incident Report form must be lodged with the examination supervisor.

Alternatively, application may be made in writing and must be lodged in person, by facsimile or by email with the Student Administration Office (Examinations Office in Bathurst) within three working days of the examination.

Refer to Examination Regulations 8 and 9.

4.7 Exemption from Attendance at a Compulsory Residential School

Applications must be made in writing to the Open Learning Institute and be lodged prior to the commencement of the residential school. Refer to Assessment Regulation 15.

4.8 To Avoid Failing a Subject for Not Attending a Compulsory Residential School

Students who do not attend a compulsory residential school and who were not granted an exemption from attendance will be asked by the Open Learning Institute to show cause why they should not be failed in the subject. Refer to Assessment Regulation 15.3.

5. Supporting Documentary Evidence

5.1 Medical Certificates and Reports

5.1.1 Medical Certificates

A medical certificate will normally be submitted by a student who has suffered an acute (i.e. brief) illness when seeking special consideration. A medical certificate is a signed statement from a qualified and registered health practitioner which explains the debilitating nature of the condition from which the student is or was suffering and the period during which the condition has or will affect the student, so that the University can decide on the basis of that information and any other information provided by the student, whether to grant the special consideration sought. The certificate should also specify the precise nature of the medical condition, unless to do so would result in a breach of patient confidentiality.

5.1.2 Medical Reports

A medical report will normally be submitted by a student when seeking to explain poor academic performance over an extended period of time as in the case of an exclusion appeal. A medical report is a signed statement from a qualified and registered health practitioner which explains the debilitating nature of the chronic (i.e. ongoing)
medical condition from which the student is or was suffering and the likely duration of the condition, so that the University can decide on the basis of that information and any other information provided by the student, whether to grant the special consideration sought. The report should also specify the precise nature of the medical condition, unless to do so would result in a breach of patient confidentiality.

5.1.3 Conditions Relating to the Use of Medical Reports and Certificates
Medical certificates and medical reports will only be accepted when given by qualified and registered health practitioners.

Medical certificates and medical reports must be legible; documents, signed by the practitioner and, preferably be on letterhead stationery; they must indicate the date(s) on which attention was sought; and meet the other requirements specified in 5.1.1 and 5.1.2 above.

A student shall submit a medical certificate or medical report when seeking special consideration in relation to an illness, disability or medical condition.

When assessing a request for special consideration, the University will take into account all matters relevant to the request. A medical certificate or medical report, in itself, does not guarantee that special consideration will be granted.

5.1.4 Registered Health Practitioners
Medical reports and certificates will be accepted from the following categories of registered health practitioners:
• registered medical practitioners; registered dentists.

5.2 Family/Personal
For family/personal reasons - a statement from a registered health care practitioner, a recognised mental health professional, or a person who knows the student, who is not related to the student and who is independent of the University stating:
• the date the student's personal circumstances began or changed; and how these circumstances affected the student's ability to study.

5.3 Employment
For employment related reasons - a statement from the student's employer stating:
• the date employment arrangements or status changed; and the nature of the changes.

5.4 Sporting/Cultural/Military/Legal
For sporting, cultural, military or legal commitments - a statement from the relevant authority advising:
• details of the event; and the period during which the student's study will be interrupted.