

Special Consideration

Policy and Procedure

Table of Contents

1. PURPOSE	3
2. SCOPE	3
3. DEFINITIONS.....	3
4. POLICY	3
5. PROCEDURE.....	4
6. RELATED DOCUMENTS	7
7. RELEVANT LEGISLATION	7
8. POSITIONS RESPONSIBLE.....	7
9. APPROVAL INFORMATION.....	8

1. PURPOSE

The Special Consideration Policy and Procedure sets out:

- A range of special circumstances recognised by JMC Academy which may affect student's academic performance,
- The processes for recognising and assessing these circumstances and their impact on student's academic performance,
- The types of support JMC Academy can provide to address disadvantage that impaired student's academic performance.

2. SCOPE

The Special Consideration Policy and Procedure applies to all JMC Academy qualifications and students.

3. DEFINITIONS

All definitions are located in the *JMC Academy Glossary*.

4. POLICY

- 4.1. JMC Academy ensures that students who, due to a range of special circumstances, are unable to complete assessment requirements but would typically have been capable of doing so, are treated equitably and fairly.
- 4.2. Students may apply for special consideration if their ability to fulfil requirements of an assessment has been impacted by special circumstances.
- 4.3. A student may apply for special consideration based on one or more of the special circumstances recognised by JMC Academy when and only when these circumstances:
 - 4.3.1. Were outside the student's control and for which student had no opportunity to prepare themselves in advance, and
 - 4.3.2. Made it impracticable for the student to complete the requirements of the assessment/s, and
 - 4.3.3. Made their full impact on the student after Census Date for the unit of study in question.
- 4.4. The special circumstances may include but are not limited to:
 - An unexpected and serious illness or disability, a recurrence of a chronic or acute illness or injury such that the student is unable to be actively engaged in their studies. This does not include minor illnesses such as colds, mild sprains or other low-level injuries or sickness,
 - A permanent or temporary disability or illness for which a variation has already been made will not be accepted unless the disability has been compounded by an unexpected change, or an additional condition,
 - Significant bereavement or hardship such as the death or serious illness of a close family member,
 - Severe disruption to domestic arrangements,
 - Relationship breakdown,
 - Domestic violence,
 - Trauma – such as being a victim of crime, an accident, or a severe Act of God,

- Where JMC Academy was unable to offer a pre-requisite,
- Delay in receiving student visa (international students),
- Religious observance or obligations,
- Formal legal commitments,
- Jury duty,
- Military or/and emergency service,
- Service with a recognised emergency management service,
- Representing JMC Academy at a state, national or international significant events, and/or
- Active participation in elite sporting or cultural events.

4.5. Students may apply for:

- An assessment extension (including examination extension) exceeding five (5) days,
- Attendance adjustment,
- Reasonable examination result adjustment, where a student was affected by unforeseen and extenuating circumstances during the sitting of an exam,
- Examination resit or assessment resubmission,
- Aegrotat assessment, and/or
- Other.

4.6. Domestic students may apply for continuance of FEE-HELP assistance in the situation where access to FEE-HELP entitlements has been revoked (refer to *Academic Progress Policy and Procedure*).

4.7. Applications for Special Consideration must include appropriate supporting documentation.

4.8. Approval Authorities

4.8.1. Domestic student's Special Consideration application will be determined by the responsible Head of Department in consultation with the Campus Director who will approve or reject an application typically within three (3) to four (4) business days from the application submission date.

4.8.2. Domestic student's Special Consideration application for FEE-HELP continuance will be determined by the Director of Finance and Operations upon recommendations from Head of Department and Campus Director, who will approve or reject an application typically within 20 business days from the application submission date.

4.8.3. International student's Special Consideration application will be determined by the responsible Head of Department in consultation with the Director of International Services who will approve or reject an application typically within three (3) to four (4) business days from the application submission date.

4.9. Student may appeal any decision in relation to this policy and procedure within 20 business days in accordance with the *Students Complaints and Appeals Policy and Procedure*.

5. PROCEDURE

5.1. Students apply for special consideration by completing a relevant form and submitting it to Student Services.

5.2. A separate application is required for academic and non-academic requests for which special consideration is being sought. JMC Academy does not guarantee approval of all the requests even if the same set of circumstances has been provided and approved previously.

5.3. JMC Academy will accept the following evidence to support Application for Special Consideration:

- An original certificate or letter on letterhead, depending on the nature of the condition, from:
 - A registered treating medical practitioner,
 - A registered health practitioner, and/or
 - An approved medical specialist, and/or
- A letter from a campus counsellor who has prior knowledge of the student and their circumstances, and/or
- A letter from a person qualified to assess and support the application (e.g., clergy providing grief counselling),

Letters must describe what impact the student's condition had on their ability to complete their work/study, and the date that the illness or event took effect.

- A certificate from a funeral director, and/or
- A death certificate, and/or
- A certified call to Australian Defence Force service, and/or
- A letter describing the nature of the emergency attended from State Emergency Service or Country/Rural Fire Service staff, and/or
- A copy of an accident report, and/or
- A court summons or other legal documentation.

5.4. Where it is not possible to provide documentation, and at the discretion of JMC Academy, the student may be required to make a statutory declaration.

5.5. JMC Academy will not accept supporting documentation from a relative or a student's friend or student's family's friend.

5.6. **Special Consideration for Assessment Extensions and Modifications**

5.6.1. Application for Special Consideration for assessment extensions and modifications must be submitted as close to the date of original impairment as possible and no later than 10 business days from the original assessment submission due date.

5.6.2. Less than three (3) business days before the assessment due date, a student is able to apply for the extension only on Application for Special Consideration basis.

5.6.3. In the case when Application for Special Consideration is not received within prescribed time frames the assessment task will be deemed unsuccessful and marked 0% - Fail.

5.6.4. When it is not possible for a student to apply for special consideration within prescribed time frames due to the impact of the circumstances, and an application is received after this time, the student's case will be reassessed.

5.6.5. Where a significant impairment has been established, the Application for Special Consideration may be approved and one or more of the following outcomes may be determined:

- 5.6.5.1. A maximum of 10 days extension for assessment submission or examination,

- The period of extension or of later examination date will commence immediately from the formal notification sent to the student by JMC Academy.
 - Previous extension (not based on the Application for Special Consideration), if in place, will not affect the duration of extension based on the Application for Special Consideration.
- 5.6.5.2. A longer, non-standard period of extension may be recommended to Dean for approval,
- 5.6.5.3. For late submissions, normal penalty rates apply as set out in the *Assessment Management Policy and Procedure*,
- 5.6.5.4. Withdrawal/deferral of the unit of study with no financial and academic penalties may be recommended to the student,
- 5.6.5.5. An alternative assessment task that will:
- Provide an opportunity for the student to demonstrate competency similar to those related to the original assessment task; for example, an oral examination may take the place of a written examination,
 - Resemble the original assessment item as closely as possible and will have been appropriately validated prior to use.
- 5.6.5.6. An aegrotat assessment against any or all uncompleted units of study within the current study period, where the student is unable to complete the necessary work to fulfil requirement of the unit may be recommended to Academic Board for approval,
- 5.6.5.7. Resubmission of the assessment task or re-sit of the examination,
- 5.6.5.8. Mark adjustment of an exam result, taking into account the circumstances that affected the student's work and also student's overall performance within the qualification,
- 5.6.5.9. Attendance adjustment deemed appropriate,
- 5.6.5.10. Other reasonable assessment adjustment deemed appropriate,
- 5.6.5.11. No action.
- 5.6.6. Where a significant impairment has not been established, the Application for Special Consideration will be declined, and the student will be notified accordingly.

5.7. Special Consideration for FEE-HELP Entitlement Continuance

- 5.7.1. Application for Special Consideration for FEE-HELP continuance are submitted only at the end of the study period, and no later than five (5) business days from the issue date of the notification letter received by student.
- 5.7.2. In the case when an Application for Special Consideration is not submitted within prescribed time frames, the student becomes financially liable for their tuition fees.
- 5.7.3. Where a significant impairment has been established, the Application for Special Consideration may be approved, and the following outcome may be determined:
- 5.7.3.1. Issuance of refund or re-credit of fees for failed units in the most recent study period, and
- 5.7.3.2. Continuance of FEE-HELP assistance in subsequent study period approved.
- 5.7.4. Where a significant impairment has not been established, the Application for Special Consideration will be declined, and student will be notified accordingly.
- 5.7.5. In the case when student's Application for Special Consideration for FEE-HELP continuance is rejected, the student becomes financially liable for their tuition fees.

6. RELATED DOCUMENTS

- 6.1. JMC Academy Glossary
- 6.2. Assessment Management Policy and Procedure
- 6.3. Academic Progress Policy and Procedure
- 6.4. Aegrotat Assessment Policy and Procedure
- 6.5. Student Complaints Policy and Procedure

7. RELEVANT LEGISLATION

- 7.1. Higher Education Support Act 2003 (Cth)
- 7.2. Higher Education Standards Framework (Threshold Standards) 2021
- 7.3. Education Services for Overseas Students (ESOS) Act 2000 (Cth)
- 7.4. National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018

8. POSITIONS RESPONSIBLE

- 8.1. Academic Board
- 8.2. Dean
- 8.3. Director of International Services
- 8.4. Director of Finance and Operations
- 8.5. Heads of Department
- 8.6. Campus Directors
- 8.7. Students

9. APPROVAL INFORMATION

Approval Authority	Academic Board
Health Check approval authority	Dean
Review date	28/07/2024

Version	Approved by	Approval date	Effective date	Modifications	Status
1.0	Dean, Quality (former Director of Education)	02/08/2021	05/08/2021	Amendments as per external reviewer's recommendations. Special Consideration Policy and Special Consideration sections from Assessment Management Procedure have been merged into one document.	Superseded
1.1	Dean	12/08/2022	12/08/2022	Position updated	Current

Version control tables from previous Policies and Procedures reside in the original documents.