

Assessment of Compassionate and Compelling Circumstances Procedure



1 Purpose

To define Compassionate and Compelling Circumstances and to establish how and when Compassionate and Compelling Circumstances will be applied.

2 Scope

This procedure applies to all Students.

3 Procedure Overview

This procedure explains what the University considers to be Compassionate and Compelling Circumstances.

4 Procedures

4.1 Compassionate and Compelling Circumstances for all Students

Compassionate and Compelling Circumstances apply in the situations outlined below for all Students.

1. Circumstances are considered to be beyond the control of a Student 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 Student is not responsible. The situation must be considered to be unusual, uncommon or abnormal. All Students may apply for the following based on their ability to demonstrate Compassionate and Compelling Circumstances:
 1. Deferred Assessment Items
 2. withdrawal without academic penalty and with fee reversal.
2. Where a Student applies for a Deferred Assessment Item in respect to a Formal Examination, they must provide evidence that they were unfit to sit the Formal Examination on the date scheduled.
3. Where a Student applies for consideration for withdrawal without academic penalty and with fee reversal, they must provide evidence that the circumstances did not make their

full impact on the Student until on or after the Census Date. This would include the person's circumstances occurring:

1. before the Census Date, but worsening after that day;
 2. before the Census Date, but the full effect or magnitude does not become apparent until after that day; or
 3. on or after the Census Date.
4. Consideration should be given as to whether at the time the person's circumstances emerged it was already not practicable for the Student to meet the requirements of the Course. This situation may arise where a Student has not met the progressive requirements relating to compulsory Assessment Items and or attendance at classes.
5. Circumstances considered to be Compassionate and Compelling for all Students may include, but are not limited to:
1. medical illness or injury of a Student or the Student's Close Relative which requires hospitalisation or exerts functional impacts on capacity for Activities of Daily Living; or
 2. mental health condition of a Student or a Student's Close Relative that results in hospitalisation or cognitive functional impairment; or
 3. bereavement of a Close Relative; or
 4. an adverse experience that has impacted on the Student which could include involvement in or witnessing of a serious accident or witnessing or being victim of a serious crime or a Natural Disaster affecting the Student's place of residence or acts of war or terrorism; or
 5. occurrences that are the result of a University, partner or agent error; or
 6. 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; or
 7. other Compassionate and Compelling Circumstances at the discretion of the Faculty Executive Dean, the Director (Student and Academic Support), the Director (USQ International), and the Manager (Fees and Remissions).

4.2 Compassionate and Compelling Circumstances for international student visa holders

Compassionate and Compelling Circumstances apply in the situations outlined below for international student visa holders.

1. International student visa holders subject to *Education Services for Overseas Students (ESOS) Act (2000)* and the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* requirements may apply for the following based on their ability to demonstrate Compassionate and Compelling circumstances:

1. a Leave of Absence from formal study for a period of up to 12 months; or
2. a reduced study load in a compulsory Semester of study; or
3. an extension of their Confirmation of Enrolment (COE) in order to complete their program on campus; or
4. a letter of release for transferring providers within the first six months of the Student's principle program.

2. Additional circumstances considered Compassionate and Compelling for international student visa holders relating to applications for Leave of Absence, reduced study load, COE extensions and letters of release may also include:

1. major political upheaval or Natural Disaster in the Student's home country which requires immediate emergency travel; or
2. inability to begin study in a program on the agreed starting date due to a delay in receiving an international student visa; or
3. inability of the University to offer a pre-requisite or other Course/s of study; or
4. situations where an International Student has failed occasional Courses throughout the program, but has not done so poorly as to require academic intervention for program progression. This is in accordance with Standard 9 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018*.

4.3 Assessment of Compassionate and Compelling Circumstances

All requests for consideration must be accompanied by certified copies of independent supporting documentation which may include any one of the following:

1. Medical documentation or a psychological report with reference to the health professional's opinion regarding the Student's ability to sit a Formal Examination or submit an Assessment Item on the scheduled date, attend classes for an extended period of time or recommends a reduced study load or break from study. Documentation must include the practitioner's name and contact details on official letterhead, the date of consultation; and the Student's details and the health professional's clinical opinion as to the approximate dates (specific where possible) of functional impact in reported condition and the functional impact of reported condition with regard to the effect on the

Student's ability to study.

2. Death certificates and evidence of relationship. This may include a letter from a highly regarded, independent member of the community that supports the relationship claims.
3. A letter from the Student's current employer verifying a change in employment conditions and impact on the Student's study, or a statement indicating that the Student cannot be released from work on a required date.
4. For International Students, evidence sourced from the relevant Australian Government Department Responsible for Foreign Affairs of civil war/significant political unrest or Natural Disaster, along with evidence of Student's residency in the specific area affected region.
5. For Domestic Students, State and/or Australian Government official advice of a Natural Disaster affecting the Student's place of residence, along with evidence of Student's residency. Medical documentation or a psychological report advising potential functional impacts may also be required.
6. Police reports outlining involvement in a serious crime or accident.
7. Correspondence from the relevant Australian Government Department Responsible for Immigration regarding a delay in student visa processing.
8. International student visa holders applying for considerations based on academic intervention must provide evidence of an academic intervention strategy plan and a program study plan.
9. Inability to provide supporting documentation will result in requests for consideration being denied. All documentation must be provided at the time of request.
10. Student's previous requests for consideration, academic standing and study history may be considered when assessing applications relating to Compassionate and Compelling circumstances.
11. A University Learning Support Plan prepared by a Disability Advisor that sets out recommendations for reasonable adjustments in accordance with the Students with a Disability Policy and Procedure.

4.4 Circumstances not considered Compassionate and Compelling

The following circumstances will not be considered as Compassionate and Compelling:

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

2. Circumstances that do not meet the requirements of the consideration for which the Student is applying. Details of specific requirements can be found within the relevant policy or procedure.
3. Failure to understand or seek clarification of the Census Dates or withdrawal procedures.
4. Failure to understand or seek clarification of the HECS-Help or Fee-Help scheme.
5. For circumstances, not previously covered in this procedure, a Student not cognisant of their:
 1. Enrolment in a Course(s) of study; or
 2. responsibility to drop a Course by the required drop date outlined within the Important Student Dates calendar.
6. Failure to understand or seek clarification of the examination timetable.
7. Inability to pay tuition fees upfront or repay a HECS-Help or Fee-Help debt. International student visa holders must not rely on the proceeds of paid employment in Australia to support their studies or living costs. Students who experience financial strain that results negatively on their studies should contact Student Services for support in the first instance.
8. For international student visa holders wishing to apply for a letter of release in order to transfer providers within the first six months of their principle course, minor illnesses (as determined by a registered medical practitioner) or homesickness.
9. An increase in hours or duties of paid or unpaid employment which is at the request of the individual Student. These are not regarded as circumstances beyond a Student's control.
10. A Student not adhering to their planned pattern of Enrolment and/or studying non-contributory Courses.

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

Subordinate Schedules	
Accountable Officer	Pro Vice-Chancellor (Student Services)
Responsible Officer	Director (Student and Academic Support)
Policy Type	University Procedure
Approved Date	26/7/2019
Effective Date	26/7/2019
Review Date	1/4/2017
Relevant Legislation	<p>Education Services for Overseas Students (ESOS) Act (2000)</p> <p>Higher Education Support Act (2003)</p> <p>National Code of Practice for Providers of Education and Training to Overseas Students 2018</p>
Related Policies	<p>Admissions Policy</p> <p>Assessment Policy</p> <p>Enrolment Policy</p>
Related Procedures	<p>Admissions Procedure</p> <p>Assessment Procedure</p> <p>Enrolment Procedure</p> <p>Formal Examinations Procedure</p>
Related forms, publications and websites	
Definitions	<p>Terms defined in the Definitions Dictionary</p> <p>Assessment Item</p> <p>An individual Assessment task as outlined in the Assessment schedule for a Course. Assessment Items may consist of Assignments or Formal Examinations and may be Formal, Informal, Formative or Summative in nature.</p> <p>Census Date</p>

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.

[Compassionate and Compelling Circumstances](#)

Circumstances that are generally beyond a Student's control. These circumstances have an impact on a Student's wellbeing and/or on their ability to progress in their Courses or program.

[Course](#)

The basic unit of study and assessment for which a Student may be awarded a grade, and may accumulate credit units towards completion of a Program.

[Deferred Assessment](#)

An Assessment Item (Assignment or Formal Examination) offered by the Examiner of a Course to Students on the basis that they could not attend a scheduled Formal Examination or submit a scheduled Assignment due to Compassionate and Compelling Circumstances. In the situation where the Examiner requires students to submit an Assignment 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.

[Government Department responsible for Foreign Affairs](#)

Department of Foreign Affairs and Trade.

[Government Department responsible for Immigration](#)

Department of Immigration and Border Protection.

[Leave of Absence](#)

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

[Semester](#)

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

[Student](#)

A person who: has been Admitted or Enrolled in an Academic Program at the University, but has not yet graduated from the program; or has been Enrolled in a Course at the University but has not yet completed the Course.

Definitions that relate to this procedure only

Activities of Daily Living

Activities necessary for normal self-care. These activities encompass psychological, cognitive and physical spheres.

Natural Disaster

An event of force of nature that is caused by environmental factors that has catastrophic consequences.

Keywords

Record No

13/1150PL