

## LINCOLN COLLEGE HIGHER EDUCATION

### MITIGATING CIRCUMSTANCES – GUIDELINES AND PROCEDURES

*Circumstances that may have adversely affected your performance in all types of assessment*



#### 1) When to submit an application

- a) if you believe that your performance in assessment has been adversely affected by unforeseen circumstances beyond your control
- b) when an extension to a submission date would not be sufficient (if you require an extension, you should contact your course tutor in the first instance).

**Note: The Academic Affairs Committee does NOT grant extensions or review grades -** the Board of Examiners ultimately decides on the final impact on assessment outcomes of a successful application.

#### 2) How to apply

- a) Fully complete and **sign** the Mitigating Circumstances Application Form (see your course Moodle page or contact your Course Coordinator); - incomplete forms may be returned
- b) include **all** affected module information, including correct assessment item and relevant date(s);
- c) attach **independent** supporting evidence which corroborates the circumstances that have affected your performance in assessment – it is the responsibility of the applicant to provide this evidence; **You are evidencing that your circumstances have had a negative effect on your ability to study.**
- d) supply a brief written statement (**max. 300 words**) that explains how the circumstances actually affected assessment performance during the assessment period given;
- e) submit to the HE Administration Officer (located in Student Services) either in person or via [HE@lincolncollege.ac.uk](mailto:HE@lincolncollege.ac.uk)
- f) **keep a copy** of the application form and all related evidence

#### Please note:

- i) You may withdraw your application up until 24 hours before any meeting but claims cannot be withdrawn after the committee has met;

ii) Where mitigating circumstances are approved, the College will assume you wish to resubmit, even in the event that your assessments are passed. In this instance, if you are a final level student, you must notify the College of the intention not to resubmit and instead accept any final award to which you are eligible by **July 30<sup>th</sup> 2021**, in order to retain your eligibility to attend the College's graduation ceremony.

iii) **The committee is unable to consider applications where no independent supporting evidence is attached and such applications will be returned.**

### **3) Academic Affairs Committee Meetings dates**

Applications for Mitigating Circumstances will be considered by the Academic Affairs Committee on a rolling basis and you should be notified of the outcome **within 10 working days** of submitting your application. Where applications are complex, decisions may be deferred to the next committee meeting date. In this instance you will be notified of this decision and the outcome will be communicated to you **within 5 working days** of the committee meeting.

The AAC meeting dates for the 20/21 academic year are as follows:

1<sup>st</sup> October 2020

26<sup>th</sup> November 2020

6<sup>th</sup> January 2021

25<sup>th</sup> February 2021

22<sup>nd</sup> April 2021

17<sup>th</sup> June 2021

- a) Students are encouraged to submit claims as soon as they are aware that their studies have been affected and prior to release of resit results, if possible.
- b) applications submitted following the release of formally ratified results must be received within **10 working days**.

### **4) Successful applications**

- a. successful applications are **normally** considered as a request for an original mark to be **changed to zero**, with the opportunity to be re-assessed, as if for the first time.

- b. where work has been submitted late (because of valid mitigating circumstances), the merit mark without a late penalty deduction would **normally** be applied.

**Please note** – the Board of Examiners makes the final decision on the impact of successful claims on assessment results.

#### **5) Notification of outcome**

You will be notified of the decision of the Academic Affairs Committee to your College email account. Board of Examiner decisions will be notified through the formal release of assessment results.

## **GUIDELINES FOR STUDENTS CONSIDERING A MITIGATING CIRCUMSTANCES APPLICATION**

### **1 Introduction**

The College has established a number of ground rules which recognise that no two cases of student mitigating circumstances are identical and that there will always be sets of circumstances which defy easy categorisation. The following guidelines work to provide assistance for students considering the submission of a mitigating circumstances claim.

A student cannot raise a mitigating circumstance on behalf of another.

### **2 Illness affecting attendance at examinations or preparation for or of an assessment**

Where the circumstances relate to illness, a doctor's certificate or equivalent covering the relevant period(s) is required. Other evidence can be considered but, in general, a letter from a parent, other relative or guardian should **not** be accepted as supporting evidence.

Where the circumstances are not related to illness, some form of corroboration is still required. It is difficult to be prescriptive but typically it could be from an academic tutor and/or the College Student Services.

### **3 Being the victim of a crime**

If a student's mitigating circumstances involve being the victim of a crime, the documentation should include relevant corroborating evidence from the police (including perhaps a crime number) or medical evidence from the hospital.

### **4 Circumstances of a serious personal or emotional nature**

Corroborating evidence is required for all claims of mitigating circumstances including cases involving situations of a serious personal or emotional nature. All claims for mitigating circumstances are treated confidentially.

Financial difficulties will not be accepted as mitigation *per se*. If, however, a student produces evidence of stress, loss of time etc caused by difficulties, this will be considered to be a mitigating circumstance adversely affecting performance.

## **5 Other preventable events**

The Committee will use an established range of precedents relating to 'pressures of work'. The norm is not to accept statements equivalent to students having a heavy workload from their employment. There are two types of exception to this norm – one clear cut, the other where the student is given the benefit of the doubt (subject to documentary evidence) –

- 'force majeure' ('Acts of God') - such as an employer refusing to give a part time student time off work to attend an examination;
- extreme cases of heavy work duties in the period immediately prior to an examination - such as a taxi driver being instructed to pick up a client in London early in the morning on a day of an examination.

Car breakdowns and taxis failing to turn up are accepted as valid reasons for missing examinations provided there is independent documentary evidence of the time of the breakdown/failure.

## **6 Circumstances involving College systems and facilities**

Mitigating circumstances arising from College systems' failures (for example, computer system-wide malfunctions) or a major disruption involving College facilities and services (for example, inadequate accommodation leading to exam disruption), supported by corroborating reports from relevant members of staff as evidence, will be treated as valid by the Committee.

## **7 Allegation of academic offences and simultaneous claim for mitigating circumstances**

Where mitigating circumstances and an academic offence allegation are to be considered for the same student, the circumstances will be considered in conjunction with each other in order to reach a fair outcome.

## **8 Sporting excellence**

Where a student participates in national and international sporting fixtures, representing the College, region or country, and there is no possibility of rescheduling the event this would be treated by the committee as a valid mitigating circumstance.

## **9 Military service**

Where a student, who is a member of the military, is posted to an out of area operation overseas, then this would be treated by the committee as a valid mitigating circumstance. Students so affected would be expected to interrupt their studies and fees payable would be adjusted accordingly.

## **10 Exceptional circumstances**

Some validating partners (identified on the student application form) request that applications for mitigating circumstances are made within 10 days of an assignment submission deadline. Applications after this period can only be considered if there are evidencable exceptional circumstances. In such circumstances, students may not be in a position to engage with the above processes either because of a sudden deterioration in a physical or mental health issue or because of a traumatic event/series of events which may make it extremely difficult to engage with the above processes.

Examples of Exceptional Circumstances are:

- a) domestic violence or other forms of abuse or physical assault;
- b) rapid deterioration in student mental health in the weeks leading up the assessment;
- c) serious deterioration in physical health condition;
- d) significant caring responsibilities which may impact on attendance and performance;
- e) ongoing, long term mental or physical health issues.

The standard of evidence required for the above can vary and it is expected that a student should only need to submit this evidence once. Once a student has had Exceptional Circumstances reported against their record, and a further extension is requested or further mitigating circumstances occur, the student will need to complete the required forms (as noted above), but any further evidence will not be required.

## **11 Other examples of mitigating circumstances not deemed to be valid**

The Committee will not accept as valid mitigating circumstances from a full time student taking up paid employment which clashed with an examination. Please see 5 above.

Misinformation from a friend or colleague is not a valid excuse for missing an examination – it is the student’s responsibility to present him/herself at the correct examination venue at the correct time.

Computer failure is not a valid reason for the non-submission of work and will not be treated by the Committee as a valid mitigating circumstance.

The increased use of group assessment tasks can lead to claims. The Committee will consider that when tasks are set, it is inherent that effective group activities are an integral part of the assessment process. Such claims are therefore not accepted. However, as an illustration that no two cases are the same, there are examples where an extreme case of a group “falling apart” through circumstances beyond an individual’s control may be accepted.

Booking or taking a holiday or attending a family event (such as a wedding) will not be normally accepted as a valid mitigating circumstance as the dates of assessment weeks are publicised well in advance to allow students to take account of their study commitments and examination obligations.

Where a Dart student with an approved ‘Needs Assessment’ chooses not to use the support recommended, a claim of Mitigating Circumstances on the basis of lack of support is unlikely to be upheld.

The typical symptoms associated with assessment and exam stress (eg. anxiety, sleep disturbance, nausea etc) will not alone, considered to be valid reasons for submitting a claim.