

**THE UNIVERSITY'S ACADEMIC REGULATIONS: 2019-20**

**EXTENUATING CIRCUMSTANCES REGULATIONS**

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**Appendix I: Flowchart for Retrospective Extenuating Circumstances process**

## **EC1 Extenuating Circumstances**

These regulations apply to all matriculated students of Edinburgh Napier University who believe that their ability to complete an assessment of any type has been adversely affected by extenuating circumstances that have had a detrimental effect on their academic studies or progression.

All schools will appoint an Extenuating Circumstances Officer, who will be an experienced member of academic or administrative staff, who will administer the Extenuating Circumstances procedure.

These regulations should be read in conjunction with the University's [University's Coursework Extension policy](#).

### **EC1.1 Definition of Extenuating Circumstances**

The University considers extenuating circumstances, for the purpose of these regulations, to be exceptional adverse circumstances or events which were unforeseeable or unpreventable, for which the student subject to the circumstances could not take reasonable care to avoid, and which occurred at a significant period within the academic year or trimester.

### **EC1.2 Fit to Sit**

The principle of Fit to Sit is that a student who attends, submits or participates in any form of assessment, is declaring him or herself to be in a position to do so and cannot subsequently claim that their performance was adversely affected by extenuating circumstances.

The following actions are available where students' work is compromised by extenuating circumstances:

- Extension – the student requests an extension to the submission date for coursework,
- Deferral of Assessment – student is unable to complete assessment at the scheduled time and requests deferral of assessment to the next diet,
- Retrospective Extenuating Circumstances – where deferral has not been possible the student applies retrospectively for extenuating circumstances to be considered.

### **EC1.3 Deferral of Assessment**

Students who feel that they are unable to attend, submit or participate in any form of assessment, or that their preparation for assessment has been compromised as a result of extenuating circumstances, are permitted to defer that assessment to the next assessment diet, subject to approval of an application for Deferral of Assessment. Approved deferrals are reported to the student's Programme Assessment Board. Deferral of assessment may have an impact on progression or award decisions.

#### **EC1.4 Examples of Extenuating Circumstances**

The following are examples of extenuating circumstances that may adversely affect preparation, attendance or performance in an assessment or examination that may be considered as grounds for deferral of assessment. **This is an illustrative but not exhaustive list:**

- i) serious illness or injury
- ii) the death or chronic illness of a family member, dependant and/or friend
- iii) domestic, financial and/or personal crises
- iv) unplanned absence arising from circumstances such as jury service, territorial army deployment, pregnancy, maternity, paternity or adoption leave, or caring responsibilities
- v) circumstances arising as a consequence, or subsequent to, suspension or temporary exclusion from the University, which were not intended as a penalty
- vi) significant adverse weather or travel disruption
- vii) major disruption whilst under examination or assessment conditions.

#### **EC1.5 Examples of circumstances unlikely to merit consideration**

Examples of circumstances or events that **would not normally** be considered as valid reasons for deferring assessment include the following:

- i) planned events, such as holidays, house moves, or planned activities such as extracurricular commitments that could reasonably have been expected
- ii) assessments scheduled close together or on the same day
- iii) misreading timetables, misunderstanding the requirements for assessment, and/or inadequate planning or time management
- iv) technical failure, loss, breakage, or theft of an individual computer, printer or storage device preventing submission of work on time
- v) minor disruption whilst under examination or assessment conditions
- vi) last-minute or careless travel arrangements
- vii) circumstances caused by the withdrawal of information technology services, learning resources or facilities due to debt or non-payment of fees due to the University.

## **EC1.6 Application for Deferral of Assessment**

Applications for Deferral of Assessment can be made at any time up to the assessment point for which deferral is requested, whether this be a coursework submission date, a formal examination, a practical assessment or any other form of assessment.

Applications for deferral should be submitted on the [DA1 form online](#) (also available from the [MyNapier Fit to Sit page](#)) A confirmation email will be issued on submission of the form and this should be retained by the student as evidence that the application was submitted. Please note that the application process will only use the university email address supplied to the student. Receipt of form DA1 does not mean that the extenuating circumstances have been accepted as valid or that deferral of assessment has been approved.

## **EC2 Submission of Applications for Deferral**

Students are expected to support their applications for deferral with medical or other evidence in support of their submission, identifying the impact of particular difficulties on the completion of coursework or assessments or attendance at an examination or class test. Documentary evidence can be uploaded to the online DA1 form.

Applications must normally be submitted prior to the assessment point for which deferral is being requested. Applications for deferral and submission of supporting evidence may be accepted up to five working days after the assessment point (including any permitted extension).

### **EC2.1 Retrospective Applications for Extenuating Circumstances**

In exceptional circumstances, where it has not been possible to submit an application for deferral prior to or within five working days of the assessment point, students may submit an application for Retrospective Extenuating Circumstances on the [EC1 online form](#) (also available from the [MyNapier Fit to Sit page](#)) The form should be submitted no later than five working days after the last scheduled examination date. In such cases the student will be expected to detail how their extenuating circumstances prevented them from meeting the original application deadline. Failure to explain/evidence this may result in the application being rejected.

These will be considered by an Extenuating Circumstances Panel in line with Regulations EC4 and EC5.

### **EC2.2 Supporting evidence**

All submissions for deferral of assessment must be accompanied by suitable, relevant third party evidence which must name, or be directly relevant to, the person submitting the deferral form. Letters of support must be the original, signed and submitted on headed paper. Documentary evidence can be uploaded to the relevant online form. Applicants are reminded that they must not only explain/evidence the extenuating circumstance impacting them but also why/how the extenuating circumstances prevented them from requesting an extension or a deferral of the assessment at the requisite times.

The following are illustrative examples of suitable supporting evidence:

- i) General Practitioner's letter containing details of extenuating circumstances and the period covered
- ii) Other medical practitioner letter, e.g. from a hospital, private surgery, or clinic
- iii) Court Order covering the relevant period
- iv) notice of summons to attend court, with relevant dates
- v) a Sheriff Court Notice
- vi) a legal notice or other verifiable letter from a solicitor
- vii) a notice of Jury Duty
- viii) a notice of deployment from armed forces or other government agency
- ix) a police report, incident log, or formal caution notice where accompanied by a formal report
- x) a death certificate
- xi) a notification of death from a recognised and verifiable media source (for example a newspaper) may be acceptable in lieu of other documentary evidence
- xii) a counsellor's letter, or University counsellor's letter or Independent Student Advisory Services Advisor's letter detailing any relevant non health and non-medical issues
- xiii) visa documents or documents relating to revocation, tribunal or other visa issues.

### **EC3 Advice and guidance**

Students are strongly encouraged to seek advice and guidance on these regulations, and on the preparation of their submission. The University has a wide range of sources of support and advisors and students are encouraged to seek advice, in the first instance, from one or more of the following:

- i) the School Extenuating Circumstances Officer
- ii) the Edinburgh Napier Students' Association Advice (ENSA Advice) located within Edinburgh Napier Students Association
- iii) Student Wellbeing Support Services
- iv) relevant Programme Leaders
- v) relevant Module Leaders
- vi) Personal Development Tutors
- vii) other Advisory Staff
- viii) NHS Occupational Health Service (for nursing and midwifery students only).

In addition to the above, students may also seek advice from the Citizens Advice Bureau, or other external advisory service.

### **EC4 Procedure and decision making process**

Applications for deferral will be considered by the Extenuating Circumstances Officer in the first instance. Where the application is uncontentious and well

supported by appropriate evidence the Extenuating Circumstances Officer is empowered to make an immediate decision approving the application for deferral.

In cases where there is doubt about the validity of the claim or the supporting evidence, the Extenuating Circumstances Officer will consult with members of a School Extenuating Circumstances Panel.

#### **EC4.1 Constitution of an Extenuating Circumstances Panel**

An Extenuating Circumstances Panel will comprise a minimum of four staff, including the Dean of School or their nominee, the Extenuating Circumstances Officer and a member of staff from another school. The general membership constituting an Extenuating Circumstances Panel will be as prescribed in Regulation EC4.2.

#### **EC4.2 School Extenuating Circumstances Panel**

Membership of the Extenuating Circumstances Panel can be drawn from the following:

- i) Extenuating Circumstances Officer
- ii) The Dean of School or their nominee
- iii) Head of Subject
- iv) Members of School academic staff
- v) A member of academic staff from another School
- vi) a Clerk to the Panel who will keep a confidential record of membership, proceedings and all decisions.

#### **EC4.3 Schedule of meetings**

In addition to considering applications for deferral as required, the Extenuating Circumstance Panel will meet no later than two days prior to the Programme Assessment Board to consider applications for retrospective extenuating circumstances.

#### **EC5 Procedure and decision making process of an Extenuating Circumstances Panel**

In considering applications for deferral or retrospective extenuating circumstances, the Extenuating Circumstances Panel will take the following actions in respect of each submission, and will report to the relevant Programme Assessment Board.

The Panel will make a formal decision on each submission and will be entitled to take into account any other relevant information as they see fit, except the progression and award decisions of individual students.

Three categories of decision can be made by the Extenuating Circumstances Panel:

- i) The Extenuating Circumstances Panel considers that extenuating circumstances materially have or will affect the student's performance and the Panel records such submissions as **Valid and approves the deferral of assessment**.

- ii) The Extenuating Circumstances Panel considers that extenuating circumstances did not materially affect the student's performance, or they fall out-with the definition of extenuating circumstances. The Panel records such submissions as **Not Valid and rejects the deferral of assessment.**
- iii) There was insufficient information provided on which the Extenuating Circumstances Panel could make a decision and therefore the **decision has been deferred, pending receipt of further evidence.**

There is no right of appeal against the decision of the Extenuating Circumstances Panel but students whose application for deferral was rejected may subsequently apply using the Retrospective Extenuating Circumstances process detailed in regulation EC2.1, if new information or evidence has become available.

The extenuating circumstances decision taken will be recorded in the Programme Assessment Board's minute and taken into account as the Programme Assessment Board makes academic decisions in relation to a student's academic progression.

In the case where a student has passed a module for which Retrospective Extenuating Circumstances were approved, the Programme Assessment Board will consider these in the context of the student's academic profile. In accordance with Regulation A7.13, once passed a candidate cannot demand to retake an assessment or repeat a module in order to improve their result, irrespective of extenuating circumstances.

Extenuating circumstances that were presented to the Extenuating Circumstances Panel and deemed not valid will not be raised at the Programme Assessment Board, and any assessment not submitted or examination or test not attended, will be treated as failed for the purposes of progression or award decisions.

Following the meeting of the Programme Assessment Board, the student's module record will be updated to indicate if extenuating circumstances were valid and deferral was granted. Information on whether extenuating circumstances have been considered in previous sessions will be flagged on the documentation available to subsequent Programme Assessment Boards.

Students' results will outline the consideration of extenuating circumstances by the Extenuating Circumstances Panel and consideration of progression and academic study decisions by the Programme Board of Examiners on their final results.

## **EC6 Confidentiality**

In **exceptional** circumstances a student may choose to report their circumstances and third party evidence either directly to the convenor of the Extenuating Circumstances Panel or to a nominated member of staff not connected with their programme of study; usually a student counsellor in Student & Academic Services or an advisor in ENSA Advice.

On receipt of such a request, the staff member or counsellor should advise the student of the benefits of disclosing information related to their circumstances, to allow their particular circumstances to be disclosed to the full panel and encourage the student to complete the details requested on forms DA1 or EC1. Students

should be made aware that whilst strict confidentiality will be adhered to, the more detail disclosed to the Extenuating Circumstances Panel, the greater the Panel's ability to take full account of the reasons for their application.

Should a student still not wish to complete forms DA1 or EC1 which outline their circumstances, then the counsellor or staff member should make the necessary arrangements for the student to report their circumstances in person and confidentially to the Convenor of the Extenuating Circumstances Panel or their depute.

The Convenor of the Extenuating Circumstances Panel must be satisfied that, in their judgement, the circumstances reported have been properly evidenced to justify their recommendation to the Extenuating Circumstances Panel. The Convenor is responsible for making their recommendation to the Panel for approval and homologation.

### **EC7 Requests to extend a period of Suspended Studies**

The Extenuating Circumstances panel will also be responsible for considering applications for exceptional extension to a period of suspension in accordance with Regulation A8.4 (xiii).

### **EC8 Sources of further information**

[MyNapier: myNapier/studentAdministration/Fit to Sit – Extenuating Circumstances](#)

#### Craiglockhart

The Business School: Email: [FitToSitECsTBS@napier.ac.uk](mailto:FitToSitECsTBS@napier.ac.uk)

#### Merchiston

School of Arts and Creative Industries: Email: [Merchistonecs@napier.ac.uk](mailto:Merchistonecs@napier.ac.uk)

School of Computing: Email: [Merchistonecs@napier.ac.uk](mailto:Merchistonecs@napier.ac.uk)

School of Engineering and the Built Environment: Email: [Merchistonecs@napier.ac.uk](mailto:Merchistonecs@napier.ac.uk)

#### Sighthill

School of Health & Social Care: Email: [SHSC.ExtCirc@napier.ac.uk](mailto:SHSC.ExtCirc@napier.ac.uk)

School of Applied Sciences: Email: [SAS.ExtCirc@napier.ac.uk](mailto:SAS.ExtCirc@napier.ac.uk)



