



COMPASSIONATE AND COMPELLING CIRCUMSTANCES GUIDELINE

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Responsible Division & Unit:	Academic Quality and Standards Unit, Deputy Vice-Chancellor (Education)		
Supporting documents, procedures & forms:	Academic Misconduct (Coursework) Procedures Admissions Procedures Code of Practice – Student Professional Experience Course Progress Policy Coursework Rules Disability Policy – Students Examination Rules and Procedure Fees Policy Research Misconduct Policy Student Academic Consideration Policy Teaching and Assessment: Subject Delivery Policy Withdrawal from Subjects Guidelines		
Relevant Legislation & External Documents:	Higher Education Standards Framework Education Services for Overseas Students Act 2000 National Code of Practice for Providers of Education and Training to Overseas Students 2018		
Audience:	Public		

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1 Introduction

1. Circumstances that are compassionate or compelling in nature, and that are beyond the control of a student, may impact on a student's studies.
2. The University of Wollongong is required to fairly and consistently determine whether "compassionate or compelling" circumstances exist in the course of making a number of policy-based decisions that may have an impact on a student's studies.

2 Scope/Purpose

1. This guideline is designed to assist Heads of Students and other holders of delegated authority who make assessments as to whether a student's circumstances may be deemed to be compassionate or compelling.
2. This guideline provides guidance on :
 - a. circumstances that are considered to be "compassionate or compelling" for all students,
 - b. circumstances that are considered to be "compassionate or compelling" for international students only,
 - c. circumstances that are not considered to be compassionate or compelling, and
 - d. the evidence required to enable an assessment of whether circumstances are compassionate or compelling.
3. This guideline will be applied to all students enrolled in a course of study offered by the University, regardless of delivery location.
4. This guideline will not apply to students enrolled at the University of Wollongong Dubai.

3 Definitions

1. The definition of Compassionate or Compelling Circumstances is contained in the Coursework Rules

Word/Term	Definition
Domestic Student	A student who is a citizen of the country in which the course is being delivered, or is on a visa other than an international student visa
International Student	A student who is not a citizen of the country in which the course is being delivered, and who is on a student visa for the duration of their studies
Registered Medical Practitioner	A medically qualified person registered with the Australian Health Practitioner Registration Agency (AHPRA) as a medical practitioner or psychologist to practice in Australia.



4 Compassionate or Compelling Circumstances

Compassionate or Compelling Circumstances for All Students

1. Circumstances considered to be “compassionate or compelling” for all students may include, but are not limited to:
 - 1.1. medical illness or injury to a student or a student’s immediate family member that requires hospitalisation and/or impairs a student’s ability to engage with their studies. This includes physical injury or serious illness, and episodes of mental illness or cognitive function impairment;
 - 1.2. the bereavement of an immediate family member, close friend, partner or classmate;
 - 1.3. an adverse experience that has impacted on the student’s physical or mental wellbeing, including but not limited to witnessing a serious accident, or being the victim of a serious crime;
 - 1.4. instances where the student is unable, through no fault of their own, to participate in the learning experience, and for which no additional learning opportunity can be provided to make-up for the loss of learning.
 - 1.5. instances where the student is unexpectedly required to care for a close family member

Compassionate or Compelling Circumstances for International Students Only

2. In addition to the circumstances outlined above, circumstances considered to be “compassionate or compelling” that may be applied only to international students include, but are not limited to:
 - 2.1. major political upheaval or natural disaster in a student’s home country that has impacted on the students family, and that requires immediate emergency travel or consular support;
 - 2.2. inability to begin a course of study on the agreed start date due to a delay in the student receiving an international student visa;
 - 2.3. circumstances where the students Electronic Confirmation Of Enrolment (ECOE) may need to be extended due to the student’s failure to pass one or more subjects, but whether or not these failures have resulted in the student requiring an intervention strategy, as outlined in the Course Progress Policy;
 - 2.4. changes to family circumstances in the student’s home country that have negatively impacted on a student’s ability to pay tuition fees or reasonable personal living expenses.

Circumstances Not Considered to be Compassionate or Compelling

3. Circumstances that will not be considered “compassionate or compelling” may include, but are not limited to:
 - 3.1. circumstances, whether personal, professional or relating to the students studies, within the student’s control, or which can reasonably be expected to occur in the normal course of the student’s study, work, family or social life;



- 3.2. instances where the student's personal travel have made them unable to attend classes or submit assessment tasks as required by the subject outline;
- 3.3. a failure by the student to understand, or seek clarification on their obligations in relation to University policy, legislation, or obligations reasonably expected of a student of the University;
- 3.4. increase in work obligations that have an impact on the student's ability to attend classes for which they are already enrolled;
- 3.5. for courses with a professional or work placement component, inability to obtain release from the student's regular paid employment to undertake or complete the placement.
- 3.6. for international students, instances where the students failure to enrol in the number of subjects required by the terms of their study visa without prior academic approval has resulted in their inability to complete their course within the time provided in the ECOE;
- 3.7. for international students, inability to pay tuition fees or living costs based on changes to their employment status while working in Australia. Students on an international student visa must not rely on the proceeds of paid employment to support their studies or living costs.

Assessment of Compassionate or Compelling Circumstances

4. Any requests made by students, in respect of their rights under a policy or policies of the University, for which they are citing the existence of "compassionate or compelling" circumstances, may only be considered if that request is supported by the following documentation:
 - 4.1. medical documentation or a psychological report from a registered medical practitioner that references the student's inability to engage with their studies, and the timeframe for which the student experienced medical issues impacting their studies;
 - 4.2. death certificates, death notices or funeral pamphlets, and evidence of the relationship between the student and family member in question (where requested by the staff member processing the student request). Evidence of the relationship may take the form of statements from independent, non-family members who were aware of the relationship. Where a student is unable to submit a death certificate, other evidence such as a notice of death from a newspaper or other such evidence may be acceptable;
 - 4.3. police reports outlining the nature of the incident involving the student, or to which the student was a witness;
 - 4.4. evidence of the reason why the student was unable to attend classes or assessments considered integral to the assurance of learning for a subject For students using this clause as the basis for an application for Academic Consideration, where students are not making a submission based on the requirements outlined in sections 4.1 to 4.3 (above), for non-medical circumstances at least one of the following must be submitted:
 - a. letter from an employer on an official company letterhead, where the circumstances are employment related
 - b. jury notice letter from a relevant authority, where the circumstances are related to jury duty;



- c. letter from the armed forces on official letterhead, where the circumstances are related to reasonable adjustments for a Reserve member who is rendering defence service
 - d. UOW subject outline or exam timetable, where assessable tasks are scheduled at the same time
 - e. selection confirmation on the letterhead of the state, national or international sporting body, where the circumstances relate to sporting commitments
 - f. letter from a minister of religion (or the like) on an official letterhead, where the circumstances relate to religious obligations
 - g. letter from an official cultural authority on an official letterhead, where the circumstances relate to cultural obligations
- 4.5. correspondence from the relevant Australian Government Department relating to the delay in processing the student visa;
 - 4.6. other information that supports the assertion that compassionate or compelling circumstances exist, as deemed appropriate by the member of staff assessing the claim;
 - 4.7. in instances where students are unexpectedly required to care for a close family member, statutory declarations from student.
5. In certain circumstances, a student may not be required or able to submit evidence. However, the existence of “compassionate or compelling” circumstances may be inferred through the following:
 - 5.1. known facts, media reports or other information relating to political upheaval, natural disasters or other circumstances, and the potential impact on the student based on their personal information (as submitted to the University through the application process) or statutory declarations made by the student in support of their claim;
 - 5.2. known issues with specific cohorts of students that are outside of the cohort’s control, may not be documented, but that the University is morally obliged to address.

5 Roles & Responsibilities

1. Roles and Responsibilities in relation to the application of this Guideline are contained in the relevant policy documents that this guideline supports.



Version Control and Change History

Version Control	Date Effective	Approved By	Amendment
1	23 November 2018	Deputy Vice-Chancellor Academic	New Guideline
2	26 March 2019	Chief Administrative Officer	Updates to align with Student Academic Consideration Policy
3	1 January 2020 (Approved 9 June 2020)	Deputy Vice-Chancellor (Education)	Administrative amendments to reflect the rescission of General Course Rules replaced by Coursework Rules.