

THE UNIVERSITY'S ACADEMIC REGULATIONS: 2016-17

EXTENUATING CIRCUMSTANCES REGULATIONS

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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 policy on extensions to coursework deadlines.

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 Board of Examiners. 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 form DA1 to the administration office of the student's host School. A receipt will be issued on submission of the form and this should be retained by the student as confirmation that the application was submitted. Receipt of form DA1 does not mean that the extenuating circumstances have been accepted as valid or that deferral of assessment has been approved.

Form DA1 must be submitted either electronically from a University email address or in a sealed envelope marked 'confidential' and 'extenuating circumstances'. All submissions will be considered in strict confidence and in accordance with the Data Protection Act 1998.

Form DA1 is available as an appendix to this document, on the University website or from school offices. Applications for deferral not submitted in compliance with these regulations will not be considered.

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.

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

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, see EC1 form in appendix 2. 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.

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.

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 Board of Examiners 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 Board of Examiners.

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 outwith 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 Board of Examiners' minute and taken into account as the Programme 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 Board of Examiners will consider these in the context of the student's academic profile. In accordance with Regulation A7.14, the Programme Board of Examiners cannot allow the student to retake the assessment specified by the Module Board of Examiners to improve their result.

Extenuating circumstances that were presented to the Extenuating Circumstances Panel and deemed not valid will not be raised at the Programme Board of Examiners 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 Board of Examiners 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 Boards of Examiners.

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 key sections of 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 (viii).

STRICTLY CONFIDENTIAL

Please ensure you consult the [Extenuating Circumstances Regulations](#) before completing this form in particular section EC.3 that advises seeking advice and guidance before submitting this form.

The information you supply on this form and in support of your submission of extenuating circumstances will be held securely by Edinburgh Napier University in accordance with the Data Protection Act 1998. Your information will be entered into a filing system which is accessed only by authorised University staff and will be used strictly for the purposes of processing your submission and preparing statistical and audit data on an anonymised basis. Your form and other documentation will be securely disposed of thereafter in accordance with the University's records retention schedules. By supplying such information you consent to the University using your data, including any sensitive personal data for these purposes.

PART ONE: Your Details (Please either type out or print and use ink)

Full Name and address (for correspondence):	Matriculation Number:
School:	Programme of Study:
Year/Level:	Telephone Number (s):

PART TWO: Deferrals Requested

Module Number:	Module Number:
Module Title:	Module Title:
Assessment Instrument:	Assessment Instrument:
Due Date:	Due Date:

Module Number:	Module Number:
Module Title:	Module Title:
Assessment Instrument:	Assessment Instrument:
Due Date:	Due Date:

Module Number:	Module Number:
Module Title:	Module Title:
Assessment Instrument:	Assessment Instrument:
Due Date:	Due Date:

PART THREE: Your Extenuating Circumstances

In the spaces below please give clear information regarding your circumstances. You should use additional sheets if required. If you have been a Suspended Studies student for two years and wish to extend this further, please indicate and the reasons for the extension request here.

Please detail the **nature** and timing of the Extenuating Circumstances:

Please outline the **impact** you believe the Extenuating Circumstances have had on you and your academic studies:

PART FOUR: PREVIOUS EXTENUATING CIRCUMSTANCES

Have you previously submitted a DA1 or EC1 form in respect of these or related circumstances?

Yes

No

(Please cross the one which applies)

If you answered **yes** above, please give details of dates, of applications(s) so that previous form(s) can be identified.

PART FIVE: Third Party Evidence to support your application

Please cross the box and attach the third party written evidence you have enclosed:

Letter from GP/Medical Certificate

Letter from ENSA Advice

Letter from other Medical Practitioner

Legal or Court Documentation

Letter from Counsellor

Visa Document

Programme Leader/PDT please write in support of this application

Other Evidence (Please Specify):

PART SIX: Extension Deadlines

Has an extension to an assessment submission deadline been granted? :

Yes

No

(Please cross the one which applies)

if **yes** what arrangements were made and for which modules:

IMPORTANT:

Before you submit this form, you must ensure that all sections are complete and that you have signed the box below. The form will be date stamped when it is received, and confirmation of receipt will be posted to your home address or emailed to your University email account (NOT to other personal email addresses).

SIGNED:

DATE:

Please sign and date form before submission. For Submissions via email, a valid email address recognisably registered in your name will be classed as a digital signature.

Receipt Stamp:

Date:

Submission

Your Deferral of Assessment form should be submitted to your School Office during office hours (9am – 4.45pm) as follows:

Merchiston Campus:

School of Arts and Creative Industries:	Room C81a, Merchiston
School of Computing:	Room C34, Merchiston.
School of Engineering and the Built Environment:	Room C81b, Merchiston.
Email	merchistonecs@napier.ac.uk

Sighthill Campus:

School of Nursing, Midwifery & Social Care:	Room 4.B 27, Sighthill
Email	SNMSC.ExtCirc@napier.ac.uk
School of Life, Sports & Social Sciences:	Room 2.B 27, Sighthill
Email	SLSSS.ExtCirc@napier.ac.uk

Craiglockhart Campus:

The Business School:	Room 1/53, Craiglockhart
Email	FitToSitECsTBS@napier.ac.uk

Students studying on Edinburgh Napier University programmes delivered with our international partner institutions

Please submit a scanned copy of your form to your local programme team with appropriate supporting documents

STRICTLY CONFIDENTIAL

Please ensure you consult the [Extenuating Circumstances Regulations](#) before completing this form in particular section EC.3 that advises seeking advice and guidance before submitting this form

The information you supply on this form and in support of your submission of extenuating circumstances will be held securely by Edinburgh Napier University in accordance with the Data Protection Act 1998. Your information will be entered into a filing system which is accessed only by authorised University staff and will be used strictly for the purposes of processing your submission and preparing statistical and audit data on an anonymised basis. Your form and other documentation will be securely disposed of thereafter in accordance with the University's records retention schedules. By supplying such information you consent to the University using your data, including any sensitive personal data for these purposes.

PART ONE: Your Details (Please either type out or print and use ink)

Full Name and address (for correspondence):	Matriculation Number:
School:	Programme of Study:
Year/Level:	Telephone Number (s):

PART TWO:	Important information
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Applications for Retrospective Extenuating Circumstances will only be considered if You were unable to apply for Deferral of Assessment at the time of the assessment.

Please detail the reason(s) why you were unable to apply for Deferral of Assessment at the time of the assessment:

PART THREE: Modules Affected by Extenuating Circumstances

Module Number:	Module Number:
Module Title:	Module Title:
Period Affected:	Period Affected:
Assessment Instrument(s):	Assessment Instrument(s):

Module Number:	Module Number:
Module Title:	Module Title:
Period Affected:	Period Affected:
Assessment Instrument(s):	Assessment Instrument(s):

Module Number:	Module Number:
Module Title:	Module Title:
Period Affected:	Period Affected:
Assessment Instrument(s):	Assessment Instrument(s):

PART FOUR: Your Extenuating Circumstances

In the spaces below please give clear information regarding your circumstances. You should use additional sheets if required. If you have been a Suspended Studies student for two years and wish to extend this further, please indicate and the reasons for the extension request here.

Please detail the **nature** and timing of the Extenuating Circumstances and the reasons for :

Please outline the **impact** you believe the Extenuating Circumstances have had on you and your academic studies:

PART FIVE: PREVIOUS EXTENUATING CIRCUMSTANCES

Have you previously submitted an EC1 form in respect of these or related circumstances?

Yes

No

(Please cross the one which applies)

If you answered **yes** above, please give details of dates, of applications(s) so that previous form(s) can be identified.

PART SIX: Third Party Evidence to support your application

Please cross the box and attach the third party written evidence you have enclosed:

Letter from GP/Medical Certificate

Letter from ENSA Advice

Letter from other Medical Practitioner

Legal or Court Documentation

Letter from Counsellor

Visa Document

Programme Leader/PDT please write in support of this application:

Other Evidence (Please Specify):

PART SEVEN: Extension Deadlines

Has an extension to an assessment submission deadline been granted? :

Yes

No

(Please cross the one which applies)

If **yes** what arrangements were made and for which modules:

IMPORTANT:

Before you submit this form, you must ensure that all sections are complete and that you have signed the box below. The form will be date stamped when it is received, and confirmation of receipt will be posted to your home address or emailed to your University email account (NOT to other personal email addresses).

SIGNED:

DATE:

Please sign and date form before submission. For Submissions via email, a valid email address recognisably registered in your name will be classed as a digital signature.

Receipt Stamp:

Date:

Submission

Your Extenuating Circumstances form should be submitted to your School Office during office hours (9am – 4.45pm) as follows:

Merchiston Campus:

School of Arts and Creative Industries:	Room C81a, Merchiston
School of Computing:	Room C34, Merchiston.
School of Engineering and the Built Environment:	Room C81b, Merchiston.
Email	Merchistonecs@napier.ac.uk

Sighthill Campus:

School of Nursing, Midwifery & Social Care:	Room 4.B 27, Sighthill
Email	SNMSC.ExtCirc@napier.ac.uk
School of Life, Sports & Social Sciences:	Room 2.B.27, Sighthill
Email	SLSSS.ExtCirc@napier.ac.uk

Craiglockhart Campus:

The Business School:	Room 1/53, Craiglockhart
Email	FitToSitECsTBS@napier.ac.uk

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