



## **ARDEN UNIVERSITY QUALITY ASSURANCE DOCUMENT QA 41**

### **Exceptional Mitigating Circumstances Affecting Student Assessment and Leave of Absence Policy**

1. Mitigation is the process by which allowance is made for any matter or circumstance which may seriously affect a student's performance in assessment.
2. Leave of Absence allows a student to suspend their studies for a specified period of time due to serious, long-term, personal reasons (including, but not limited to, medical, personal issues, pregnancy/maternity/paternity/adoption leave).
3. If you are unsure what is most appropriate, please speak to your Student Support Co-ordinator.

### **MITIGATION POLICY**

#### **Eligibility**

4. Mitigating circumstances must have had a seriously adverse effect on the student's performance and have been unanticipated and beyond the student's control.
5. The following reasons are considered as acceptable grounds for mitigation (this list is not exhaustive):
  - A serious personal illness which is not a permanent condition.
  - The death, or serious illness, of a close family member, a friend or person for whom the student has a responsibility of care.
  - Sudden or unforeseen circumstances beyond the reasonable control of the student.
  - Significant and immediate change in working conditions e.g. redundancy, major projects, workplace training.
6. The following reasons are not considered acceptable as grounds for mitigation (this list is not exhaustive):
  - Family, financial or other general problems which lie outside of the circumstances identified in paragraph 5 above.
  - Normal workplace commitments which lie outside of the above.
  - Poor awareness of Arden University regulations or processes.
  - Being unaware of, or misunderstanding, a submission deadline or the date of an examination.
  - Misunderstanding the assessment instructions or submitting an incorrect piece of work.
  - Computer or technical failure in completing the assessment (students should ensure that they keep a back-up copy of their work).

7. A disability which emerges during a student's studies may be considered under the mitigation process at the first assessment point after it emerges. Following diagnosis and assessment of the effects of the condition, adjustments may be made to future assessments to enable the student to be assessed on the same basis as other students.
8. Mitigation is considered only in sudden or unexpected circumstances. Students are strongly encouraged to disclose recurrent problems affecting their performance in assessment so that Arden University can provide appropriate help and/or make allowance with regard to the assessment process. Such recurrent problems, if disclosed by a student, are considered on a strictly confidential basis.

### **Claims for mitigation**

9. Claims for mitigation must be submitted by the student, or in exceptional circumstances (e.g. when a student has been hospitalised) by a member of the Student Support team on behalf of the student, no later than five working days after the submission date of assessed work or the date on which an examination has been sat. Exceptionally, if the documentary evidence in support of a claim cannot be provided by the submission deadline, the claim is submitted within the deadline but without the documentary evidence. In such circumstances the evidence must be submitted within a further ten working days.
10. All evidence to support a claim for mitigation must be provided in English or, if not, accompanied by a notarised translation. Third-party supporting letters should be written in English, using letterhead paper, dated and signed.
11. A successful mitigation claim may delay submission of subsequent pieces of work and/or progression to the next module or level. Please discuss the options with your Student Support Co-ordinator to ensure you are aware of the potential consequences.
12. A claim for mitigation, once formally submitted, cannot be withdrawn.

### **Consideration of claims for mitigation**

13. Claims for mitigation are considered against two criteria:
  - The basis of the claim is an acceptable ground for mitigation; and
  - The claim is supported by documentary evidence (e.g.: a certificate/letter from a medical professional in the case of illness; a death certificate in the case of bereavement, etc.) which must accompany the claim wherever practicable.
14. Claims for mitigation are considered only if both the above criteria are satisfied.

15. Students are strongly recommended to ensure that claims for mitigation are submitted to a member of the Student Support team for an initial check on whether both criteria have been satisfied, before the claim is formally considered.
16. Claims for mitigation are considered by the Student Affairs Committee without knowledge (whether by staff or students) of any mark attained by students and, within the context of the Student Affairs Committee, in confidence.
17. The constitution and terms of reference of the Student Affairs Committee set out in Arden University's Academic Committee Structure document.

### **Consequences**

18. The outcome of a successful mitigation claim is that:

[In the case of a claim relating to the student's performance in assessment:]

- Any mark achieved for the relevant element(s) of assessment is annulled; AND
- The student is required to take either the assessment or the re-assessment in the mitigated element(s) at a time determined by Arden University (normally the next available assessment period). In certain circumstances the student may be required to retake the module as a first attempt in order to be assessed in the mitigated element.

*[NB: To ensure that the formal decision on a student's performance for the first and final attempts at a module is made using the appropriate marks for each assessment element and at the appropriate point, the various assessment elements for an individual module must remain synchronised. For this reason, assessment in a mitigated assessment element must be completed by the student, and considered by the Subject Board, before any re-assessment in another non-mitigated element(s) of the module can be undertaken]*

- The module result will not be capped unless it is a further attempt at re-assessment following a previous failure.
- Suspension of study on a module for a determined period of time.

[In cases relating to non-submission]]

- A deferral is granted and the student is required to undertake a new assessment in the mitigated element(s) at an assessment period determined by Arden University (normally the next available assessment period). In certain circumstances the student may be required to retake the module as a first attempt in order to be assessed in the mitigated element.

*[NB: To ensure that the formal decision on a student's performance for the first and final attempts at a module is made using the appropriate marks for each assessment element and at the appropriate point, the various assessment elements for an individual module must remain synchronised. For this reason, assessment in a mitigated assessment element must be completed*

*by the student, and considered by the Subject Board, before any re-assessment in another non-mitigated element(s) of the module can be undertaken]*

- Blended learning students requesting a deferral with attendance will have the opportunity to re-engage with the module either via classroom sessions or online and take a new assessment at a time determined by Arden University (normally at the next scheduled delivery of the module).
- The module result will not be capped unless it is a further attempt at re-assessment following a previous failure.

### **Late Mitigation**

A student may submit a late mitigation claim (defined as a claim which is submitted after the standard deadline specified in paragraph 9 above). In such cases, in addition to the detail of the mitigation claim and the supporting evidence, a student is also required to explain why the claim was not submitted within the standard deadline, supported by appropriate documentary evidence. Where no reason or evidence is supplied to explain why the claim was submitted late, the claim cannot be accepted.

19. Late mitigation claims are considered by the Student Affairs Committee.
20. The Student Affairs Committee first determines if the student has provided a valid reason for why the claim was not submitted at the appropriate juncture. Poor awareness of Arden University's regulations and/or procedures, or a student choosing not to submit a mitigation claim by the standard deadline in order to wait for the publication of results, are not acceptable or valid reasons for the submission of a late claim. This is not an exhaustive list.
21. If the Student Affairs Committee believes that no valid reason (supported by documentary evidence) has been provided to explain the late submission of a claim, it is rejected.
22. If the Student Affairs Committee is satisfied that a valid reason for the late submission of the claim has been provided (and supported by documentary evidence), the Committee considers the detail of the mitigation claim itself.
23. The consequences of the approval of a late mitigation claim are the same as for a claim submitted and considered in accordance with the standard deadline, as detailed in Regulation 6.107 above.
24. Extensions to submission deadlines will not usually be offered when the mitigation claim has been submitted late.
25. A late claim for mitigation, once formally submitted, cannot be withdrawn.



26. A student may not submit an academic appeal which presents mitigating circumstances to explain that his/her performance in an assessment was adversely affected by illness or other factors unless evidence is provided that a corresponding mitigation claim has been duly submitted to the Student Affairs Committee but was not considered in accordance with the above procedures.

### **LEAVE OF ABSENCE POLICY (for mitigating circumstances affecting more than one assessment period)**

#### **Eligibility**

27. Leave of absence is available to students who have serious, long-term, personal reasons that will have a seriously adverse effect on the student's performance, affecting more than one assessment period.

28. The following reasons are considered as acceptable grounds for leave of absence (this list is not exhaustive):

- A serious long-term illness or a recurrence or worsening of an existing condition.
- The death, or serious illness, of a close family member, a friend or person for whom the student has a responsibility of care.
- Pregnancy, maternity or paternity leave, adoption leave, or other similar situations.
- Long term care responsibilities for a close family member, a friend or person for whom the student has a responsibility of care.
- Substantial and long-term changes in work responsibilities.

29. The following reasons are not considered acceptable as grounds for mitigation (this list is not exhaustive):

- Family, work, financial or other general problems which lie outside of the circumstances identified in paragraph 3 above.
- Poor awareness of Arden University regulations or processes.

#### **Claims for Leave of Absence**

30. Claims for Leave of Absence must be submitted by the student, or in exceptional circumstances (e.g. when a student has been hospitalised) by a member of the Student Support team on behalf of the student.

31. Wherever possible requests for Leave of Absence should be submitted when the student becomes aware it will be necessary.

32. In exceptional circumstances a claim for Leave of Absence can be backdated, the student must explain why the claim was submitted late. A Leave of absence that is entirely retrospective will not be considered or approved.



33. All evidence to support a claim for Leave of Absence must be provided in English or, if not, accompanied by a notarised translation. Third-party supporting letters should be written in English, using letterhead paper, dated and signed.
34. A successful application for Leave of Absence may have implications for student finance, visas, and other issues outside of Arden University's control. Please discuss the options with your Student Support Co-ordinator to ensure you are aware of the potential consequences.
35. Arden University may not be able to advise on all of the potential implications, particularly with respect to student finance and visas. Students are advised to contact the relevant bodies prior to applying for Leave of Absence to ensure they are aware of the implications.

#### **Consideration of claims for Leave of Absence**

36. Claims for Leave of Absence are considered against two criteria:
  - The basis of the claim is an acceptable ground; and
  - The claim is supported by documentary evidence (e.g.: a certificate/letter from a medical professional in the case of illness; a death certificate in the case of bereavement, etc.) which must accompany the claim wherever practicable.
37. Claims for Leave of Absence are considered only if both the above criteria are satisfied.
38. Students are strongly recommended to ensure that claims for Leave of Absence are submitted to a member of the Student Support team for an initial check on whether both criteria have been satisfied, before the claim is formally considered.
39. The constitution and terms of reference of the Student Affairs Committee set out in Arden University's Academic Committee Structure document.

#### **Consequences**

40. The outcome of a successful leave of absence claim is that:
  - Students can request a request a Leave of Absence up to a maximum of 12 months.
  - Students will be counselled individually on the precise length of time according to their circumstances.
41. Please be aware that leave of absence does NOT extend the maximum registration period on your programme.



### **Return from Leave of Absence**

42. Students due to return from a Leave of Absence will be contacted by their Student Support Co-ordinator to confirm the details of their return.
  
43. Students that wish to return to their programme of study earlier than the agreed date should contact their Student Support Co-ordinator in the first instance. Where students request an early return from a leave of absence due to medical reasons, they will normally be required to provide a medical note confirming that they are fit to resume their programme of study.