

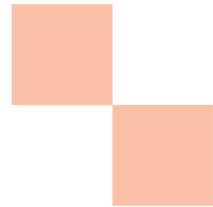


UTS
College

UNIVERSITY
OF TECHNOLOGY
SYDNEY

Special Circumstances and Evidence Guidelines

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1. Background

UTS College recognises that unexpected events, health issues, or personal circumstances can arise and may impact a student's ability to study. We understand that these situations can be challenging, and we are committed to supporting students during difficult times. This guide is intended to help students understand the Special Circumstances process and the types of supporting documentation that may be required, so they can access the support and consideration they need as easily and respectfully as possible.

- 1.1. [The National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) outlines the requirements for the College in assessing certain International Student's requests that are based on Special Circumstances.
- 1.2. The [Higher Education Support Act 2003](#) supports the College and Students with requests related to FEE-HELP
- 1.3. The College also has additional policies and procedures which require decision-making guided by Special Circumstances.
- 1.4. The Special Circumstances Guidelines have been developed to ensure consistency of decision-making in any matters that relate to Special Circumstances.

2. Purpose

- 2.1. These Guidelines explain the types of situations the College considers to be Special Circumstances and set out the evidence students and staff must provide when submitting a claim.

3. Scope and Principles

- 3.1. These Guidelines are designed to help students identify the types of evidence that are relevant to support their application, and to assist staff in making informed decisions based on Special Circumstances.
- 3.2. These Guidelines apply to, but are not limited to, students who submit a timely request or an application for one of the following:
 - Applications for a Special (or Alternative) Examination.
 - Special Consideration request including adjustments to assessment conditions, deadlines (extensions), or other outcomes due to special circumstances.
 - Appeal against the College's decision to report or exclude student from the College
 - Program Withdrawal
 - Requests made under other relevant College policies and procedures which refer to decision-making guided by Special Circumstances.
 - Program Deferral (**International Students only**);
 - Program Leave of Absence (**International Students only**);
 - Reduced Study Load (**International Students only**);
 - Transfer to another registered education provider and release request within six (6) months of the principal program (**International Students only**);
 - Refund or remission of FEE-HELP applications (**Domestic Students only**)

4. Special Circumstances

4.1. Special Circumstances refer to any extenuating, compassionate, or compelling events or situations that, in most cases, are beyond a student's control and could not reasonably have been foreseen or prevented, and have been severe enough to impact their wellbeing, their academic progression and/or their ability to comply with visa conditions.

4.2. Special Circumstances include, but are not limited to:

- Serious illness or injury, including a significant and unexpected deterioration of a pre-existing health condition;
- Bereavement, serious illness or injury of close family members including parents, children, grandparents or siblings;
- Major personal disruption due to political upheaval or natural disaster, in the case of international students this may include such situations occurring in their home country requiring emergency travel where this has impacted on the international student's studies;
- Traumatic experience where a student is a victim of, or a witness to, a serious accident or crime, and this experience has adversely impacted on the student;
- Where UTS College was unable to offer a pre-requisite subject, or the international student has failed a pre-requisite subject and therefore faces a shortage of relevant subjects for which they are eligible to enrol.
- A situation in which an international student is unable to commence the program by the commencement date, due to a delay in receiving the student visa;
- Any other misadventure or exceptional circumstances that the College considers to be compassionate or compelling in nature, in its sole discretion.

4.3. Other circumstances may include, but are not limited, to:

- Severe and unexpected disruption to living arrangements such as eviction
- domestic violence or gender-based violence incident; witness or victim
- permanent and significant family breakdown that directly affects the student, for example in terms of their wellbeing, their finances or childcare arrangements
- requirement to become the main carer for a family member due to illness
- mandatory military or/and emergency service;
- mandatory and significant religious observance or obligations
- Formal legal commitments;
- Jury duty;
- Participation in significant national or international events such as elite athlete sports competitions, professional performance or competitions, sport or professional performance-related award ceremonies

4.4. The following are **not** considered to be Special Circumstances:

- pre-existing mental or physical conditions that did not significantly deteriorate post-enrolment
- any volunteer work or designated task for religious, community, social or family related events.
- failure of a student to understand or seek clarification of the College requirements as specified in its policies, processes and rules; for example, if a student misreads the exam timetable;
- any delay or failure by the student in checking correspondence sent by the College;
- conflicts of priorities which are to be expected in the normal course of the student's study, work, family or social life; for example, working while studying and any timetabling challenges that arises because of this work;
- circumstances resulting from poor planning or events that could have been prevented; for example, failing to attend class or an exam because an alarm was not set.

4.5. Students whose circumstances are outside the ones listed above can seek assistance from their Student Success Adviser and present supporting documentation from appropriate professional bodies or other professional services. Student Success Advisers can assess the provided documentation and advise whether these can be accepted as evidence of Special Circumstances.

5. Supporting documentation required

5.1. The table below outlines the types of circumstances the College deems to be Special Circumstances and details the evidence required to substantiate a claim made under this category.

5.2. Further information on acceptable evidence is outlined in points 5.1 – 5.6

Special Circumstances	Documentary Evidence Guide
Serious illness or injury	<ul style="list-style-type: none"> • An original medical certificate/letter/report from an AHPRA registered health practitioner on letterhead, including the signature or provider’s stamp and provider’s number, clearly stating the medical issue(s) impacting the student’s studies, the level of impact (i.e. to the student’s ability to attend class, sit an examination or submit an assessment etc.) and the timeframe for which the student experienced – or will experience - medical issue(s) impacting their studies. • A medical certificate just stating "illness" or "medical condition" or "medical reason" may not always be sufficient, depending on the level of impact/disruption the issue has caused. • For more information on medical certificates refer to point 5.3 below
Mental Health	<ul style="list-style-type: none"> • An original certificate/letter/report from a psychologist or psychiatrist on letterhead, including the signature or provider’s stamp, provider’s number, clearly stating the diagnosis of mental health issue(s) impacting the student’s studies, the level of impact (i.e. to the student’s ability to attend class, sit an examination or submit an assessment etc.) and the timeframe for which the student experienced – or will experience - mental health issue(s) impacting their studies. • A medical document stating just “illness” or “medical/mental condition” or “medical reason” will not be sufficient and will automatically be rejected. • A medical report only relaying the student’s own words, without a professional diagnosis, is not sufficient.
Serious illness of a close family member	<ul style="list-style-type: none"> • Evidence of the illness from a doctor or hospital; and • Evidence of the relationship to student (e.g. birth certificate, passport, family record, etc).



Traumatic experience where a student is a victim or a witness	<ul style="list-style-type: none"> • A police report or incident report • A hospital letter or psychological report from an AHPRA registered health practitioner stating the student's inability to attend classes and the timeframe for which the adverse experience will impact their studies. • A letter which includes a recommendation from a Student Success Adviser at UTS College or UTS Counselling Service stating the student's inability to attend classes, with an Enrolment Plan recommendation and the timeframe for which the adverse experience will impact their studies.
Loss or bereavement	<ul style="list-style-type: none"> • A death certificate or death notice; and • Evidence of the relationship to the student (e.g. birth certificate, passport, family record, etc)
Personal and Welfare	<ul style="list-style-type: none"> • A formal statement from a doctor, qualified counsellor, social worker, or official representative of the community (e.g., a Minister of Religion); • A certificate from a funeral director; • A death certificate; • A letter/report describing the nature of the emergency attended by the State Emergency Service or Country/Rural Fire Service; • A copy of an accident report; • A court summons, police report or similar.
Major political upheaval or natural disaster in Australia or in the home country of the student	<ul style="list-style-type: none"> • Media reports of political unrest or natural disaster; • Evidence of Student's residency in the affected area; • Personal statement outlining how the issue impacts Student's ability to study; • A copy of a flight ticket.
Visa Delay/Refusal	<ul style="list-style-type: none"> • Proof of visa submission issued by the Department of Home Affairs (DHA) and written confirmation of a pending visa outcome verifiable via PRISMS that the Confirmation of Enrolment (CoE) is pending a visa outcome; • A Visa refusal letter issued by Department of Home Affairs (DHA).
Failure to meet academic and/or English entry requirements	<ul style="list-style-type: none"> • An acceptable English test result (e.g. IELTS or similar); • High school results (or similar)
Military service (Leave of Absence applications only)	<ul style="list-style-type: none"> • Certified correspondence from a military organization
Academic	<ul style="list-style-type: none"> • A formal letter of academic advice from the student's Program Manager or a Student Success Adviser at UTS College.
Legal obligations	<ul style="list-style-type: none"> • Copy of the summons to attend court for jury service • Certified copy of a court order or official court-issued documentation requiring participation in legal proceedings

- 5.3. Supporting documentation for Special Circumstances must be from an independent, verifiable source or authority, and clearly indicate:
- What the Special Circumstances were;
 - The dates the Special Circumstances occurred;
 - How long the Special Circumstances lasted;
 - The level of impact of the Special Circumstances

All supporting documentation must be in English or, if it is written in another language, must be provided in its original form and be accompanied by a certified translation.

- 5.4. A medical certificate should include the treating health practitioner's professional opinion on how the student's illness or a traumatic event has affected the student's ability to study. It should not simply restate the student's own description of their illness or its impact. UTS College will accept medical certificates that only repeat a student's claim; however, such certificates may be given less weight when considered alongside other supporting evidence. The College recognises that medical information, including diagnoses, treatment details, and care plans, is sensitive. Where necessary, the College may request additional information specifically about how the student's medical condition has impacted their studies. In these circumstances, the student may be asked to obtain further professional opinion from their health practitioner.
- 5.5. A personal statement from a student, their friend or family member outlining their circumstances is not sufficient evidence to demonstrate Special Circumstances. A formal [statutory declaration](#) from a student can be considered as supporting evidence, when provided with other documentation to support their claim.
- 5.6. For international students a lack of funds is not accepted by the Department of Home Affairs (DHA) as Special Circumstances to defer, take leave of absence, be granted release or reduce their study load. It is a condition of a student visa that students have access to funds to cover their tuition fees and living costs for the duration of their study in Australia. International students should not rely on income from paid employment while in Australia to cover their fees and living expenses during this period. Students experiencing an unexpected and unforeseeable change in circumstances should meet with their Student Success Adviser to discuss their situation.
- 5.7. All supporting documentation must be in English or translated into English by a certified NAATI translator on official letterhead (if relevant), signed, and dated.
- 5.8. The College may verify the documentation presented by contacting the healthcare professional or practice. Any student found to have submitted a fraudulent document will have a case of non-academic misconduct opened.

6. Definitions

For the purposes of these guidelines, the following definitions apply in accordance with the Education Services for Overseas Students Act 2000 framework and associated standards:

Close Family Member	<p>For the purposes of assessing special (compassionate or compelling) circumstances under the Education Services for Overseas Students Act 2000 framework, a close family member is defined as:</p> <ul style="list-style-type: none"> • A parent (including step-parent) • A sibling (including step-sibling) • A spouse or de facto partner • A child <p>The following may also be considered where relevant:</p> <ul style="list-style-type: none"> • A grandparent or grandchild • A legal guardian or person with formal caring responsibility for the student <p>All claims relating to a close family member must be supported by appropriate, verifiable evidence (e.g. medical certificates, death notices, legal documents, statutory declarations, evidence of guardianship) demonstrating both the nature of the relationship, and the impact on the student's ability to meet course requirements.</p> <p>Discretionary Consideration</p> <p>The College recognises that family structures vary across cultures and individual circumstances. As such, relationships outside the above definition (e.g. aunts, uncles, cousins or extended family members) may be considered on a case-by-case basis where:</p> <ul style="list-style-type: none"> • there is evidence of a close and significant relationship and; • the individual has had a primary caregiving role or substantial impact on the student's wellbeing
Serious Illness or Injury	A medical condition or injury that significantly impairs a student's ability to participate in classes, assessments, or required study activities, as certified by a registered health practitioner.
Misadventure	An unexpected event outside the student's control (e.g. accident, technical failure, or acute personal disruption) that adversely affects assessment performance.
Bereavement	The death of a close family member or other significant individual that has a demonstrable emotional or practical impact on the student.