

## **MPA submission in response to Cancellation of Examinations Discussion paper for LTC5/2015 August 2015**

The objects of Monash University<sup>1</sup> include a commitment that students will be treated fairly in an environment which is supportive and fosters learning with a recognition of student diversity. Policies such as the special consideration policy<sup>2</sup> (and withdrawn incomplete grade)<sup>3</sup> recognise the need to show compassion to students in some circumstances. These policies are remedial not punitive.

The MPA is of the view that the special consideration policy is already extremely narrow.<sup>4</sup> Any further circumscription will effectively negate its purpose and operation. Taking away the opportunity to cancel an examination if a student is unwell and adduces expert evidence in support, is in the MPA's view a contravention of the *Charter of Human Rights and Responsibilities Act 2006*<sup>5</sup> and the Australian Consumer Law.<sup>6</sup>

### Special consideration policy

The special consideration policy states:

“The purpose of Special Consideration is to give a student, whose work for a particular piece of assessment has been adversely affected by exceptional circumstances beyond their control, a further opportunity to demonstrate their ability.”<sup>7</sup>

“The accepted causes are:

acute illness – e.g. hospital admission, serious injury, severe asthma, severe anxiety or depression. This does not include minor illness such as a mild cold.  
loss or bereavement – e.g. death of a close family member, family relationship breakdown.  
hardship/trauma – e.g. victim of crime, sudden loss of income or employment, severe disruption to domestic arrangements.”<sup>8</sup>

---

<sup>1</sup> Monash University Charter

<sup>2</sup> <http://www.policy.monash.edu.au/policy-bank/academic/education/assessment/special-consideration-policy.html>

<sup>3</sup> <http://policy.monash.edu.au/policy-bank/academic/education/assessment/unit-assessment-procedures.html> see sections 5 & 13

<sup>4</sup> The current policy makes no allowance for other genuine reasons which may impede a student's ability to complete assessment tasks. Additionally there are strict timeframes in which applications must be lodged, and on which the University is non-negotiable.

Section 20(2)(b) Monash University (Academic Board) Regulations and also Special Consideration Procedures <http://www.policy.monash.edu.au/policy-bank/academic/education/assessment/special-consideration-procedures.html>

<sup>5</sup> see in particular sections 13

<sup>6</sup> *Competition and Consumer Act 2010*

<sup>7</sup> see section 20 Monash University (Academic Board) Regulations

<sup>8</sup> “In addition, those students demonstrating relevant obligations to military or jury service or service to emergency services such as the Country Fire Authority, and elite athletes registered with Monash



great deal in order to study at Monash and in particular if they are international. They take imputations very seriously.

4. Unless the statistics are more specific it is not ascertainable if the number of cancellations warrant change to policy.
5. The statistics presented do not indicate when the examination cancellation was at the recommendation or behest of the examination staff/first aid personnel. The MPA has seen students who were encouraged by staff to cancel their examination because they were too ill to remain in the examination venue.
6. There appears to be an underlying presumption on the part of the university that students are taking advantage of the exam cancellation policy, which is contrary to its spirit and intention. The reports are that first aid officers form the view that students do not appear ill. It has already been acknowledged by the university that first aid officers are not doctors. These reports have no probative value, given staff are not treating practitioners and are not in a position to carry out medical examinations.
7. There is a suggestion that the students' communication with the first aid officer is only focused on cancelling the exam with no focus on discussions as to the nature of their ailment. It is difficult to disclose personal circumstances to strangers at the best of times, let alone at an examination venue. International students may not be able to clearly express the kind of illness they have.

For example, the MPA is aware of a student who fell in the shower on the morning of the examination and was in fact concussed. When asked to describe her illness to staff, she described her condition as a headache.

8. As mentioned, students are required to adduce expert medical evidence in support of their application for deferral. Medical evidence must state they were unfit to sit the exam. If the university is concerned about the veracity of medical evidence it has avenues of pursuing the practitioners independently and without the need of involving or prejudicing the student. Similarly if the university becomes aware of fraud on the part of the student it has recourse under the discipline provisions.
9. The statistics do not support the proposition that an "...abuse of the situation [is] occurring at present". There is no evidence showing how many students cancelling examinations failed to produce appropriate medical evidence in support.

The MPA is aware one of the faculties recently rejected in the vicinity of 20 special consideration applications despite the students providing medical certificates satisfying the special consideration criteria. The decisions are currently being challenged.

#### Recommendation

No amendments to any existing special consideration regulations, policies or procedures.