

MITIGATING CIRCUMSTANCES POLICY

SUMMARY

The Mitigating Circumstances Policy at OELS provides a structured process for students to report and seek accommodations for significant, unforeseen events that impact their academic performance.

PART 1: Preliminary information

1. INTRODUCTION

OELS is committed to ensuring that all students have the support they need to succeed academically, even in the face of unexpected challenges. The Mitigating Circumstances Policy is designed to provide a clear and fair process for students who experience significant, unforeseen disruptions that adversely affect their academic performance.

Mitigating circumstances refer to situations that are sudden, unexpected, and beyond the student's control, which significantly impede their ability to participate in or perform academically. This policy outlines the types of circumstances that are typically considered valid, such as serious health issues, family emergencies, or victimization by crime, and details the process for submitting claims.

2. SCOPE

- 2.1 This policy covers all OELS students.
- 2.2 This policy should be read alongside the Attendance and Engagement Policy, the Appeals and Complaints Policy, the Fitness to Study Policy, the Assessment and Feedback Policy and the Student Privacy and Data Protection Policy.
- 2.3 Mitigating Circumstances at OELS are defined as situations that are sudden, unexpected, significantly disruptive, and beyond the student's control, which adversely affect their academic performance. These circumstances necessitate the use of the mitigating circumstances process to ensure fair treatment of students who face such challenges.
- 2.4 ***This process is utilized to address issues related to both absence from teaching sessions and assessments.*** Students can invoke mitigating circumstances to explain and justify their inability to attend classes or complete assessments as scheduled.
- 2.5 Mitigating circumstances may impact individual students, a group of students (e.g., a disruption during an exam), or the student body as a whole (e.g., an outbreak of an epidemic disease). The process provides a structured approach for students to report and document these circumstances, enabling the institution to offer appropriate accommodations and support.
- 2.6 By following the mitigating circumstances process, students ensure that their absences or missed assessments are formally recognized and considered, allowing for adjustments to be made to their academic requirements as needed. This ensures that all students are given a fair opportunity to succeed despite unforeseen challenges.

PART 2: Mitigating circumstances Process

The procedure of submitting absences will **only be done via Boostcamp**, email will not be accepted. Students are responsible for obtaining and submitting any evidence or statements

that may be required to support their mitigating circumstances claim. OELS will not seek evidence on the student's behalf. Claims submitted without sufficient evidence will not be considered. Only evidence written in English can be considered. It is a student's responsibility to obtain and submit a verified translation if the original evidence is in another language whilst still adhering to the deadlines laid out below.

1. PROCESS

- 1.1. Mitigating circumstances should only be submitted for genuinely serious situations, adversely affecting participation or academic performance.
- 1.2. All students who claim mitigating circumstances will be considered fairly, impartially and equally.
- 1.3. All students must submit their claim in writing by completing the mitigating circumstances form available online on Boostcamp: <https://boostcamp.omneseducation.com/course/view.php?id=301727>.
- 1.4. All claims must be submitted with the filled in mitigating circumstances form and proof. Supporting statements or letters must be impartial and the school must be able to check the validity of these documents.
- 1.5. All claims must be submitted within 5 working days of the absence or within 48h if it is a final exam. Late claims will not be taken into consideration. Claims without evidence will NOT be accepted.

The Mitigating Circumstances Panel gathers to determine an appropriate course of action. The Mitigating Circumstances Panel will meet once a week. The Panel will usually consist of two independent members:

- The School Director (acting as chair)
- The Campus Coordinator (acting as Secretary)

The Mitigating Circumstances Panel carefully reviews all submitted documents and considers the specific circumstances to determine the appropriate outcome for each request. This process applies to both absences from teaching sessions and missed assessments. The possible outcomes of the panel's decision are as follows:

- **Justified:** If the mitigating circumstances are accepted, the absence or missed assessment is deemed justified. This may result in accommodations such as extended deadlines, rescheduling of assessments, or other appropriate measures to support the student's academic progress.
- **Not Justified:** If the mitigating circumstances are not accepted, the absence or missed assessment is deemed not justified. In this case, the standard academic policies regarding attendance and assessments will apply, which may include receiving a zero for the missed work or being marked absent without mitigation.

2. DEADLINES

All mitigating circumstances claims must be submitted within 5 working days **or within 48h if it is a final exam**. Being unaware of the mitigating circumstances process is NOT a ground for submitting a late claim.

The Panel considers all claims that have been made the previous week. The outcome of the Panel will be communicated via Boostcamp by the end of the following week. If further documents or clarifications are needed, the student will be contacted via email.

3. ACCEPTABLE CONDITIONS FOR MITIGATING CIRCUMSTANCES CLAIMS

The student must submit the completed Mitigating Circumstances Form and proof only if one of the conditions below applies:

- **Visa** (delay before arriving in London).
- **Serious Health illness:** e.g. long absence for surgery and the student had to stay in hospital.
- **Victim of crime** (students have been robbed, scammed or attacked and this has caused an absence).
- **Bereavement of someone close to the student.**
- **Bullying, harassment, victimisation, assault or threatening behaviour** (only eligible if the student is a victim or alleged victim and the situation has been discussed with the Psychological Coach & Counsellor).
- **Special circumstance approved by the OELS Director:** e.g. official athletics events (please provide evidence: email or documents).

Any student who does not present a mitigating circumstance claim within the given deadlines cannot subsequently submit mitigating circumstances after the assessment results are known.

4. CHRONIC OR ONGOING MEDICAL CONDITIONS

Chronic or ongoing medical conditions, disabilities, or learning difficulties are not typically handled through the Mitigating Circumstances process. All students must notify OELS of any chronic or ongoing medical conditions, disabilities, or learning difficulties at the time of their enrolment. The School will make appropriate arrangements to accommodate these needs. Students must contact the Special Education Needs Coordinator and refer to the Fitness to Study Policy for further guidance and support. This ensures that long-term support is in place, separate from the Mitigating Circumstances process, which is intended for sudden, unexpected events.

5. IT ISSUES AND MITIGATING CIRCUMSTANCES

IT problems will only be considered as mitigating circumstances where these are severe and impact on the whole of OELS. Where this happens, you will be notified by the OELS IT team of the issue and can use this as evidence in your claim. It is your responsibility to ensure that you have access to the correct facilities and services to submit your assessment on time. IT problems that impact individual students only are unlikely to be considered as mitigating circumstances.

6. INELIGIBILITY OF A CLAIM

Examples of rejected claims include and are not limited to the following:

- Long-term health condition or specific learning need for which students are already receiving reasonable or appropriate adjustments (students need to explain and provide

evidence if there has been a deterioration in their condition which has led to you seeking extenuating circumstances).

- Personal computer or printer problems.
- No back-up of electronic documents.
- Issues with time management.
- Traffic delays causing late arrival for an exam or class.
- Not being aware of the dates or times of submission or an exam.
- Personal or domestic events, such as moving house or attending a wedding.
- Holiday or travel arrangements.
- Routine consequences of paid employment.
- Late disclosure of circumstances.
- Sport events and competitions.
- Religious festivals and regular observance.
- Financial issues.
- Optional outings cannot be considered as a mitigating circumstance.

7. Appeals

7.1. Students who wish to appeal a decision made by the Mitigating Circumstances Panel must follow the procedure outlined in the OELS Appeals and Complaints Policy. This process ensures that all appeals are handled fairly, transparently, and consistently.

7.2. Students may appeal the decision of the Mitigating Circumstances Panel on the following grounds:

- **Procedural Irregularity:** If there were errors in the processing of the mitigating circumstances claim.
- **New Evidence:** If new, relevant information has become available that was not considered during the original decision

7.3. Appeal Submission:

Informal Resolution: before submitting a formal appeal, students are encouraged to seek an informal resolution by discussing their concerns with the Director of Teaching & Learning or the relevant support staff.

Formal Appeal: if the issue is not resolved informally, students can submit a formal appeal by following the steps outlined in the OELS Appeals and Complaints Policy. The completed form, along with any supporting documentation, must be submitted to the Quality Manager within 10 working days of the decision notification.

For detailed procedures on submitting and handling appeals, students should refer to the OELS Appeals and Complaints Policy, which provides comprehensive guidance on the appeal process, including timelines, review procedures, and possible outcomes.

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