

## Transition Program Online Compassionate and Compelling Circumstances Policy

### 1. Purpose

The purpose of this Policy is to:

- (a) Define what compassionate and compelling circumstances are;
- (b) Set out the matters in which OpenLearning will consider a claim that compassionate and compelling circumstances exist; and
- (c) Provide guidance to students on what documentary evidence they need to provide in support of any claim for compassionate and compelling circumstances.

Please note that this Policy has been prepared and will be maintained by OpenLearning as the deliverer of the Transition Program Online. This is not a UNSW College or UNSW policy.

### 2. Scope

This policy applies to all Transition Program Online students.

### 3. Definitions

*Census date* means the last day of an Intake that a student can withdraw without losing any of the pre-paid fees.

*Commencement* means the date on which a student is due to start the Transition Program Online, as set out in their Confirmation of Enrolment or as previously agreed by the provider and student.

*Intake* means the date on which a Transition Program Online is scheduled to commence.

*Misadventure* means an unfortunate situation that happens by chance.

*Program* has the same meaning as Transition Program Online and may be used interchangeably in this Policy.

*Transition Program Online* means the program delivered by Open Learning Global Pty Ltd (trading as OpenLearning) proudly delivered under licence from UNSW and UNSW College.

#### **4. Policy Statement**

OpenLearning will determine whether compassionate or compelling circumstances exist, based on documentary evidence provided to support the claim.

**4.1. OpenLearning's obligations and rights under this policy**

OpenLearning will determine whether compassionate and compelling circumstances exist in accordance with the terms of this Policy and, where it is determined that compassionate and compelling circumstances exist, OpenLearning will take this into consideration when making decisions under its other Policies.

**4.2. Student's obligations and rights under this policy**

**4.2.1.** All Transition Program Online students are expected to comply with OpenLearning policies. In certain circumstances, students can ask for special consideration based on compelling and compassionate circumstances. Any claim by a student that compassionate and compelling circumstances exist must be genuine and made in good faith.

#### **5. The definition of compassionate and compelling circumstances**

**5.1. What are compassionate and compelling circumstances**

Compassionate and compelling circumstances are matters which are, in most cases, beyond the control of the student and which impact their capacity to progress with their planned course of study.

In the below table OpenLearning sets out what it considers to be compassionate and compelling circumstances, and the documentary evidence required to support the claim.

<b>Compassionate or Compelling Circumstances</b>	<b>Documentary Evidence Required</b>
Serious illness or injury of a student	Medical certificate from a registered medical practitioner or hospital, stating that the student was unable to fulfil

	attendance/program progress requirements.
Death or serious illness of a close family member such as a parent	A death certificate which is written in English, or appropriate alternative evidence.
Misadventure, for example: an unusual/one-off event that prevented the student from being able to attend/progress in their program.	Any reasonable evidence of the event.

## 5.2. What are NOT compassionate and compelling circumstances

Circumstances that are within the control of the student and/or will not impact upon the student's capacity to progress with their planned program will not be considered as compassionate or compelling and include, without limitation:

- 5.2.1. Failure of a student to understand or seek clarification of OpenLearning's requirements as specified in its policies, process and rules;
- 5.2.2. Any delay by the student in checking correspondence sent by OpenLearning;
- 5.2.3. Conflicts of priorities which are expected in the normal course of the student's study, work, family or social life;
- 5.2.4. Events that could have been prevented.

## 6. Making a claim for compassionate and compelling circumstances

Transition Program Online students may submit a claim for compassionate or compelling circumstances to support:

- 6.1.1. An application for a refund that departs from the standard terms set out in the Transition Program Online Refund and Fees Policy;
- 6.1.2. Any submission in relation to why they are not meeting the attendance requirements as set in the Transition Program Online Course Progress Monitoring Policy; and
- 6.1.3. Any submission in relation to seeking special consideration.

## 6.2. How to make a claim for compassionate and compelling circumstances

Students should make any claim for compassionate and compelling circumstances as part of any submission or request under the relevant Transition Program Online Policy. All such claims must be supported by the documentary evidence required in accordance with 5.1 of this Policy.

## 7. Legal and Policy Framework

This Policy operates within the context of, and subject to, Australian State and Commonwealth legislation.

### 7.1. Responsibilities

#### 7.1.1. Approver

The Academic Director, Australia is responsible for the approval of this policy.

#### 7.1.2. Responsible officer

The Academic Director, Australia is responsible for the implementation, dissemination and review of this policy.

#### 7.1.3. Contact officer

The Head of Customer Success is responsible for the day-to-day implementation of this policy and is the first point of contact for all enquiries that relate to this policy.

#### 7.1.4. Staff

OpenLearning staff are responsible for assisting in the implementation of and adherence to this policy.

### 7.2. Review

This policy is due for review five years from its date of implementation.

<b>Version</b>	1.2
<b>Approved by</b>	Dr Shazia K Jan Academic Director, Australia
<b>Approval date</b>	4 <sup>th</sup> July 2023
<b>Effective date</b>	1 <sup>st</sup> August 2023
<b>Next review</b>	18 <sup>th</sup> January 2026
<b>Accountable role</b>	Academic Director, Australia
<b>Related documents</b>	Transition Program Online Refund and Fees Policy Transition Program Online Course Progress Monitoring Policy