

Loughborough University
Leicestershire, UK
LE11 3TU
+44 (0)1509 222222



University Governance

University Regulations

Regulation XVII

Mitigating Circumstances

(Version effective from 1 August 2018 until 10 March 2020)

Scope of Regulation

1. This regulation shall apply to all students on taught programmes and should be read in conjunction with the Staff and Student Guides to Mitigating Circumstances. The Academic Registrar may waive any of the requirements of this regulation in the case of individual students. Any such waiver shall be reported to the next meeting of Senate.
2. In this regulation Dean of School shall be taken to include any nominee of the Dean of School agreed with the Academic Registrar.

Submission of Individual Mitigating Circumstances Claims

3. It is the right of every student who for any reason has missed part or all of a Module Assessment or whose performance in a Module Assessment has been affected by mitigating circumstances to notify the Academic Registrar of the circumstances in writing, using the appropriate form, with supporting evidence.
4. For each Semester and for the University's Special Assessment Period, the Academic Registrar shall set a deadline for submission of all relevant mitigating circumstances claims. Where a student wishes to claim in respect of an examination which takes place after this date and before the end of the relevant assessment period, the student must ensure that the claim is submitted within two working days of that examination.
5. Mitigating circumstances claims will not normally be accepted after the Module Leader has published Module Marks for any of the modules which could be considered. However, in the case of undergraduate modules, claims relating to Module Assessments undertaken in Semester 1 will be accepted providing they are submitted by the deadline for mitigating circumstances claims set by the Academic Registrar at the end of Semester 2 of the same academic year, notwithstanding that the Module Marks will normally have been published by the Module Leader after the end of Semester 1. Under exceptional circumstances, a student's Dean of School may recommend the consideration of a claim submitted after the appropriate deadline but before the relevant Mitigating Circumstances Panel meets. Such a recommendation must be made using the appropriate form and must be approved by the Academic Registrar or nominee before the mitigating circumstances claim is considered by the relevant Mitigating Circumstances Panel.
6. It shall be the duty of the Academic Registrar to forward a timely submission received from a student to the student's Dean of School.
7. The Academic Registrar may make a written submission to a Dean of School about any matter or circumstance which may have acted to the detriment of one or more students in any or all parts of an assessment.
8. On receipt of a submission from the Academic Registrar in accordance with paragraphs 6 or 7 hereof, it shall be the duty of each Dean of School to ensure that the submission is brought to the notice of the relevant Mitigating Circumstances Panel.

Mitigating Circumstances Claims and Student Disciplinary Procedures

9. Where a student is suspended, excluded or otherwise subjected to disciplinary procedures in accordance with the provisions of Statute V and/or Ordinance XVII, claims for mitigating circumstances relating to the disciplinary process shall only be considered should the student be subsequently found not guilty of the alleged offences.

Consideration of Mitigating Circumstances Claims - Mitigating Circumstances Panel

10. Each School/Department shall normally convene a Mitigating Circumstances Panel at the end of each Semester and at the end of each Special Assessment Period. The Panel shall consist of at least three internal examiners, one of whom shall act as Chair. Where possible, the secretary to the Mitigating Circumstances Panel shall be the secretary to the associated Programme and/or Review Boards.

11. The Dean of School shall ensure that Mitigating Circumstances Panels are convened prior to the Undergraduate Programme Boards and Postgraduate Review Boards.

12. When a Mitigating Circumstances Panel determines that a claim is eligible for consideration, and it is reasonable to conclude that the student's performance would have been impaired by the circumstances described, it *must* take one of the actions in paragraphs 12.1-12.4 hereof. Where the student is a non-finalist, the Mitigating Circumstances Panel shall normally decide that the student be permitted to repeat any or all parts of the module assessment on a first or second attempt basis, in accordance with paragraphs 12.1 and 12.2 hereof, but in exceptional circumstances, the Mitigating Circumstances Panel may decide to increase the student's component marks and/or substitute an alternative component mark, in accordance with paragraphs 12.3 and 12.4 hereof:

12.1 Where the student was taking the module on a first attempt basis, permit the student to repeat any or all parts of the module assessment on a first attempt basis;

12.2 Where the student was taking the module on a second attempt basis, permit the student to repeat any or all parts of the module assessment on a second attempt basis;

12.3 Increase any of the student's component marks;

12.4 Substitute an alternative component mark derived from appropriate sources.

Decisions taken by Mitigating Circumstances Panels in accordance with this paragraph should be reported to the relevant Review or Programme Board.

13. Where a Mitigating Circumstances Panel determines that a claim is not eligible for consideration, or it is not reasonable to conclude that the student's performance would have been impaired by the circumstances described, it shall take no action in respect of the claim.

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Enquiries: registry.web@lboro.ac.uk