

Retrospective allowance in examinations and assessment for students diagnosed with a disability during their programme of study

Introduction

To comply with the Special Educational Needs and Disability Act 2001 (SENDA), the University must take steps to ensure that students with disabilities are not discriminated against in a number of specified areas, including in examinations and assessment. In consequence, the University is required to make reasonable adjustment to ensure that students with disabilities are not placed at a substantial disadvantage in comparison to other students for a reason relating to their disability.

If a student is diagnosed with a disability during their programme of study, and reasonable adjustment is made following diagnosis to ensure that the student is not disadvantaged for the remainder of their course, then the University should also ensure that, where the student's disability existed prior to diagnosis, reasonable adjustment is made retrospectively to work already completed. This is to guard against the student being disadvantaged overall when the final award for their programme is determined.

The University should not be required to make retrospective adjustment for students who are diagnosed with a disability only after leaving the University (either as a result of failure or as a result of completing their programme of study), providing that the University did not know, and could not reasonably have been expected to know, that the student had a disability when they were enrolled for their course.

The way in which adjustment may be made depends on the individual circumstances of the student, and the stage which they are at in the assessment process and in their programme of study. It should be noted, however, that complying with SENDA should not result in academic standards being compromised for students with disabilities. Examinations and assessments must be rigorous to ensure that all students are genuinely tested against an academic benchmark. For instance, it is an academic requirement of most degree courses that students should be able to communicate and develop academic concepts and arguments in writing. While spelling and grammar may be inaccurate in work produced by students with dyslexia, the overall flow and content should still communicate good academic understanding and creative use of knowledge.

Diagnosis of the disability

SENDA applies to students who are disabled according to the definition of disability in the Disability Discrimination Act 1995. According to the Act, a disabled person is someone who has a physical or mental impairment which has a substantial, long-term (i.e. lasting for more than 12 months) and adverse effect on his or her ability to carry out normal day-to-day activities.

The type of adjustment that it would be reasonable for the University to make depends on the individual disability of the student in question, and some examples are given in the Appendix. The way in which retrospective adjustment may be made depends on whether the student in question has been diagnosed with a disability where detailed marking recommendations have been made, and the stage which the student is at in the assessment process and in their programme of study.

In general terms, students found to have specific learning difficulties (such as dyslexia or dyspraxia) during their programme of study will have been diagnosed by the University Study Advisers. As part of their assessment report, the Study Advisers make detailed recommendations concerning appropriate examination and assessment arrangements. The vast majority of students diagnosed with dyslexia and / or dyspraxia are recommended to receive extra time in which to complete examinations and timed assessments, and special marking arrangements, whereby no penalties are imposed for poor spelling, grammar or awkward sentence structure in examinations and in coursework, where appropriate.

Students found to have other disabilities may have been diagnosed by their GP, Psychiatrist, Mental Health Worker or Counsellor. In such cases, detailed recommendations concerning examination and assessment arrangements may not have been made. A School should therefore consider, in conjunction with the student and relevant offices within the University, what arrangements should be made to ensure that the student is not disadvantaged in examinations and assessment for a reason relating to their disability.

It should be noted that retrospective adjustment should only be made where a student's disability existed prior to diagnosis. For acquired disabilities, consideration should be given to the length of time and the extent to which the student was affected before they were diagnosed.

Consultation with the student

Once a student has been diagnosed with a disability, their School Disability Representative should meet them to discuss either the examination and assessment recommendations that have been made, or to ascertain what arrangements, if any, would be appropriate to ensure that the student is not disadvantaged in examinations and assessment. If appropriate, the student should be asked to confirm whether they would wish retrospective adjustment to be made in respect of work completed prior to diagnosis.

In some cases, a student may decide that they do not wish special examination and assessment arrangements to be put in place, nor do they wish retrospective adjustment to be made for work already completed. If so, the student should be asked to provide written confirmation of their wishes, which should be kept on file in case of future query.

Where it would be appropriate for retrospective adjustment to be made, and where the student has agreed accordingly, then relevant action should be taken according to the guidelines detailed below.

Categories for making retrospective adjustment

The way in which retrospective adjustment may be made depends on whether the student in question has been diagnosed with a disability where detailed marking recommendations have been made, and the stage which the student is at in the assessment process and in their programme of study. In general terms, there are three categories into which a student may fall, which will affect the procedure to be followed in making retrospective adjustment:

(i) Where a student has been diagnosed with a disability where detailed marking recommendations have been made, and marks have yet to be approved by the Examiners.

Action: Review existing marks

(ii) Where a student has been diagnosed with a disability where detailed marking recommendations do not apply, and marks have yet to be approved by the Examiners.

Action: Consideration by the Special Cases Sub-Committee of the Examiners

(iii) Where a student has been diagnosed with a disability where marks for a Part or Parts have already been approved.

Action: Consideration by the Special Cases Sub-Committee of the Examiners

It could well be that a student falls into either categories (i) or (ii) plus category (iii), in which case it may be necessary for more than one procedure to be followed.

Procedures for making retrospective adjustment

It should be noted that any retrospective amendment to a student's result(s) might need to be approved by the relevant External Examiners.

(i) Where a student has been diagnosed with a disability where detailed marking recommendations have been made, and marks have yet to be approved by the Examiners.

In this case, the student's School Disability Representative should inform relevant Module Convenors so that action can be taken in respect of modules studied by the student during the current academic year.

Module Convenors should review marks awarded for work already completed, and should ensure that, where appropriate, any penalty imposed previously for poor spelling, grammar or awkward sentence structure is removed. One approach to facilitate such a review of marks would be for marking sheets to be used, making explicit the marking criteria and the student's performance against those criteria. If one of those criteria was 'good spelling, grammar, use of English' etc, then it may be possible to identify how many marks a student lost in this respect, and for the mark to be adjusted accordingly.

Consideration may also need to be given by the Module Convenor as to the effect a lack of extra time may have had on a student's performance in timed assessments and class tests.

Module Convenors should then return marks in the usual way, and should confirm to the Special Cases Sub-Committee of the Examiners that the student's marks have been reviewed and adjusted accordingly. The fact that adjustment has been made should be recorded on file. It should be noted that, where marks have been adjusted by Module Convenors, the Special Cases Sub-Committee should not make adjustment for a second time at its meeting.

(ii) Where a student has been diagnosed with a disability where detailed marking recommendations do not apply, and marks have yet to be approved by the Examiners

Where a student has been diagnosed with a disability where detailed marking recommendations do not apply (but where special examination and assessment arrangements would be appropriate), and marks have yet to be approved by the Examiners, then the student should be asked to complete an Extenuating Circumstances Form. The student should indicate on the form when their disability first started to affect them, including details of pieces of work/modules completed before reasonable adjustment to accommodate their disability was made.

The Special Cases Sub-Committee of the Examiners should then consider the student's circumstances, and make recommendations as appropriate. Such recommendations could include: raising the student's overall result where academically justified and where evidence exists to confirm that this would be appropriate; waiving penalties for late submission of coursework; deeming the student not to have sat (which may apply to more than one set of examinations/assessments) so that they can be assessed again but with adjustments in place to accommodate their disability; recommending that the student's circumstances be taken into account at a subsequent meeting of the Special Cases Sub-Committee, when the final award for their programme of study is considered.

(iii) Where a student has been diagnosed with a disability where marks for a Part or Parts have already been approved

Where a student has been diagnosed with a disability where marks for a Part or Parts were approved in previous years, then the student should be asked to complete an Extenuating Circumstances Form.

Where a student has been diagnosed with a disability where detailed marking recommendations have been made, then the Extenuating Circumstances Form will only apply to marks already approved by the Examiners, and not to modules being undertaken during the current academic year.

Where a student has been diagnosed with a disability where detailed marking recommendations do not apply, then the Extenuating Circumstances Form will cover both modules being undertaken by the student during the current academic year, and marks approved in previous years.

The Special Cases Sub-Committee of the Examiners should consider the student's circumstances, and make recommendations as appropriate. In respect of marks that have already been approved, it is envisaged that the Special Cases Sub-Committee will normally recommend that overall consideration be given to the student's circumstances at a subsequent meeting of the Sub-Committee (when the final award for their programme of study is considered), where marks achieved before and after appropriate arrangements were put in place can be compared.

In a very small number of cases, a student may have failed to qualify for their intended degree programme, because they were disadvantaged prior to diagnosis for a reason relating to their disability. It would seem reasonable, if appropriate under the circumstances, to allow the student to transfer back to their original programme, although it should be noted that this might entail the student having to suspend their registration until the start of the next academic year.

Right of Appeal

Students will have the same right of appeal against decisions taken retrospectively as they would for other results.

Period of retention of examination and coursework scripts

Examination and coursework scripts are normally retained for the duration of the student's degree programme. Relevant information is therefore normally available if retrospective adjustment is to be made at the final meeting of the Special Cases Sub-Committee of the Examiners.

Policy Approved by UBTL, 26 February 2004.

Appendix

The type of retrospective adjustment that may be made depends on the student's particular disability, and each case should be considered on an individual basis. However, there are some types of disability where recommendations concerning examination and assessment arrangements are broadly similar.

(a) Students with dyslexia

An individual with dyslexia will have a combination of symptoms, which could include problems such as poor reading, writing or spelling, which are due to the interaction of specific underlying deficits such as weak short-term memory, spatial difficulties and organisational difficulties.

Many students are first diagnosed with dyslexia whilst at the University. Had they been identified earlier, then, where appropriate, their work might not have been penalised for poor spelling, grammar or awkward sentence structure, and they might have been granted extra time in which to complete examinations and timed assessments.

When reviewing marks for work completed during the current academic year, Module Convenors should seek to ensure that, where a student has been penalised for poor spelling, grammar or awkward sentence structure, this penalty is removed. Consideration should also be given to the effect a lack of having extra time may have had on the student's performance in timed assessments, such as class tests.

Where the Special Cases Sub-Committee of the Examiners recommends retrospective adjustment, marks achieved before and after special arrangements were put in place should be compared, so that appropriate action can be taken.

(b) Students with dyspraxia

The developmental motor co-ordination disorder of dyspraxia is occasionally identified in students who do not have dyslexia. A student with dyspraxia may present work which looks 'sloppy'. Despite efforts to address his / her difficulties, the student may have very slow and untidy handwriting, have poor short-term working memory, be very disorganised, and have extreme difficulty working to deadlines.

Once identified, students with dyspraxia can be given appropriate support to learn ways of organising their studies so that they can submit work on time, however, it may be reasonable for the Special Cases Sub-Committee of the Examiners to recommend that penalties imposed for late submission of coursework be waived retrospectively.

(c) Students with Asperger Syndrome

Individuals with Asperger Syndrome may be diagnosed for the first time during their programme of study. Very poor time management and limited social imagination can lead to coursework being completed but not submitted. A student with good understanding of and ability in a subject may be unable to start an assignment without individual support. Even preparation and revision for examinations may need one-to-one support. Individuals with Asperger Syndrome frequently also have dyspraxia.

Appropriate examination and assessment arrangements will vary according to the individual's difficulties. However, time management is such a critical difficulty that it may be reasonable for the Special Cases Sub-Committee to recommend that penalties imposed for late submission of coursework be waived retrospectively.

It is difficult to assess what effect not having had support to help prepare and revise may have had on an individual with Asperger Syndrome's performance in examinations. It may be reasonable for the Special Cases Sub-Committee of the Examiners to consider whether it would be appropriate to deem the candidate not to have sat, so that they have the opportunity to sit their examinations again but with suitable support mechanisms in place. Alternatively, it may be reasonable for account to be taken at the final meeting of the Special Cases Sub-Committee of the Examiners, where marks achieved before and after appropriate arrangements were put in place can be compared.

(d) Students with mental health disorders

Students with mental health disorders may have a number of difficulties in relation to examinations and assessment, and recommendations as to appropriate provision will vary. Consideration should be given as to what would be a reasonable adjustment to make under the circumstances. As for any student, thought should be given to the number of occasions on which it would be appropriate to deem the student not to have sat, to ensure that their best interests are safeguarded.

(e) Students with other disabilities

Other disabilities which may affect academic work may also be diagnosed during a student's programme of study. For instance, the slow onset of diabetes or the diagnosis of a degenerative condition such as multiple sclerosis may affect a student's performance in coursework and examinations. Consideration should be given as to what would be a reasonable adjustment to make under the circumstances.