

Guidelines on Exceptional Circumstances supporting an ad misericordiam Appeal

The following provides tutors, appellants, Chairs and members of Courts of First Appeal and Academic Appeals with guidelines on 'exceptional circumstances' in support of an ad misericordiam appeal. **Any ad misericordiam appeal must be able to demonstrate the impact of the timing of the event or circumstances on the examination or assessment period and must be supported with relevant documentary evidence and certification which refers specifically to the time period in question. There is a reasonable expectation that disclosure of the circumstances should normally be made (e.g., to a College tutor) prior to the examination/assessment.** A list of acceptable/not acceptable documentary evidence is provided.

1. Significant accident or trauma affecting the student at the time of an examination/examinations/assessment; or significant accident or trauma during preparation for it.
2. An assault or other crime of which the student is the victim.
3. Serious illness affecting the student at the time of the examination/examinations/assessment; or an unanticipated deterioration in an ongoing illness or chronic medical condition. In the case of an ongoing illness or chronic medical condition, there is a reasonable expectation that it will have been disclosed in advance.
4. Ongoing life-threatening illness or accident involving someone close to the student where it can be demonstrated that the relationship was close. This may include parents, friends, in-laws, grandparents and grandchildren. There is a reasonable expectation that the circumstances will have been disclosed in advance.
5. Death of close family member, e.g. parent or guardian, child, sibling, spouse or partner, during the examination session or at the time of assessment. Where the bereavement has occurred prior to the examination session or assessment there is a reasonable expectation that it will have been disclosed in advance.
6. Death of someone close to the student, e.g., friends, in-laws, grandparents and grandchildren, during the examination session or at the time of assessment. Where the bereavement has occurred prior to the examination session or assessment there is a reasonable expectation that it will have been disclosed in advance. The student must be able to demonstrate that the relationship was close.
7. Significant or abrupt change in serious ongoing personal, emotional or financial circumstances of the student e.g. domestic upheaval, divorce, fire, burglary, required court appearance at or near the time of the relevant exam or assessment, loss of income.
8. Diagnosis of Special Learning Difference, but only eligible when diagnosis is obtained prior to the examinations but too late for reasonable adjustments to be made by way of special examination arrangements or in other ways (See Disability Office website).
9. Bullying, harassment, victimisation or threatening behaviour where the student is the victim or the alleged perpetrator and where the student can provide evidence that such behaviour has occurred.

TCD does not normally accept the following as grounds for an ad misericordiam Appeal

1. Typical symptoms associated with exam stress e.g. anxiety, sleeping disturbances etc.
2. Exam stress or panic attacks not supported by medical evidence
3. Minor illness such as a common cold, aches, pains, sore throats and coughs where these are not symptoms of a more serious medical condition
4. Relationship difficulties
5. Commuting and transport issues
6. Misreading the timetable for examinations or otherwise misunderstanding the requirements for assessment including submission deadlines
7. English is the second language
8. Multiple assessments in a short time i.e. assessments that are scheduled close together or on the same day, or that clash, due to incorrect registration by the student
9. Failure to plan study schedule
10. Paid Employment, Voluntary Work, Sporting and College Society commitments, election/campaigning commitments
11. Other Extra-curricular activities/events, such as weddings, holidays during the academic year, family occasions (holy communions, christenings etc.)
12. Statement of a medical condition without reasonable evidence (medical or otherwise) to support it, or a medical condition supported by 'retrospective' medical evidence, i.e. evidence which is not in existence at the same time as the illness e.g. a doctor's certificate which states that the student was seen after the illness occurred and declared that they had been ill previously
13. Medical circumstances outside the relevant assessment period
14. Long term health condition for which student is already receiving reasonable or appropriate accommodations
15. Late disclosure of circumstances on the basis that the student 'felt unable – did not feel comfortable' confiding in a staff member about their exceptional circumstances
16. Temporary self-induced conditions e.g. hangovers, ill-effects from the use of recreational or performance-enhancing drugs, whether legal (e.g. caffeine, energy drinks) or illegal.