

Policy Identifier: Guidelines on Evidence in Support of an *Ad Misericordiam* Appeal

Policy Title:	Guidelines on Evidence in Support of an <i>Ad Misericordiam</i> Appeal
Description:	This appeals policy provides information on the evidence required to submit an appeal for sympathy or on medical grounds if a student is unfit to sit an examination/assessment.
Author (Position):	Vice President (Academic Affairs) and Registrar
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Guidelines on Evidence in Support of an *Ad Misericordiam* Appeal

1. Illness During Examinations

Students who consider that illness may prevent them from attending an examination(s)/assessment(s) (written, aural or oral) (or any part thereof) should consult their medical advisor immediately. Where a medical certificate is issued, in addition to any other relevant information, it should confirm that the student is unfit to sit an examination(s)/assessment(s) (written, aural or oral) during the specified period. A medical certificate must be presented to the registrar's office within three days of the beginning of the period of absence from the examination.

2. Types of Evidence

The following outlines the type of documentary evidence which Marino Institute of Education (MIE) will accept in support of an *ad misericordiam* appeal.

Any evidence presented must be on headed paper and must be legible, stamped and dated.

2.1. Students making an *ad misericordiam* appeal on medical grounds must provide medical evidence which:

- i. Has the practitioner's **Irish Medical Council Registration Number** or the registration number of the relevant country's medical council, and/or certified translation where applicable;
- ii. Has the counsellor's current accredited registration number with a recognised counselling body in Ireland;¹
- iii. Has the stamp of the clinical/counselling practice;
- iv. Identifies the particular practitioner/counsellor treating the student;
- v. Provides dates for the duration of the illness/condition;
- vi. Attests to the impact of the illness/condition on the student and their fitness to sit examination(s)/assessment(s) (written, aural or oral)²;

¹ The PSI (Psychological Society of Ireland) for clinical/counselling or educational only; the ICP (The Irish Council for Psychotherapy) or one of its subsidiary bodies (i.e., Cognitive Behaviour, Constructivist, Couple & Family, Humanistic & Integrative and Psychoanalytic); or if currently accredited with the IACP (Irish Association of Counsellors and Psychotherapists) the counsellor must have a minimum of a Masters level qualification.

² [Fitness to Study Policy](#)

vii. Must be legible.

2.2. Only evidence from one of the following qualified and registered professionals will be accepted.

- i. Currently registered medical practitioner/health professional;
- ii. Currently accredited counsellor/psychotherapist/psychologist;³
- iii. Member of An Garda Síochána or other police force;
- iv. Institute counsellor, student support service professional, disability support staff, personal tutor or Institute chaplain.

2.3. The evidence presented must relate to the *ad misericordiam* grounds on which the appeal is being made.

3. Quality of Documentation

3.1. The documentation provided must be consistent with the application in terms of matters such as dates, circumstances etc. The [Court of First Appeal](#) and the [Court of Second Appeal](#) reserve the right to reject any application in cases where there are serious discrepancies between the documentation (evidence) and the application.

3.2. The [Court of First Appeal](#) and the [Court of Second Appeal](#) reserve the right to verify and seek further details on the documentation, and medical experts must be prepared to provide their registration and qualifications if required.

4. Students with a Disability

Students with a disability which may impact on their performance in an examination(s)/assessment(s) (written, aural or oral) are reminded to register with the Institute's [Disability Service](#) in order to have appropriate accommodations put in place in advance of the examination(s)/assessment(s) (written, aural or oral) (Contact the student support officer in the [Registrar's Office](#) for information and deadlines on requesting reasonable accommodations⁴).

³ The PSI (Psychological Society of Ireland) for clinical/counselling or educational only; the ICP (The Irish Council for Psychotherapy) or one of its subsidiary bodies (i.e. Cognitive Behaviour, Constructivist, Couple & Family, Humanistic & Integrative and Psychoanalytic); or if currently accredited with the IACP (Irish Association of Counsellors and Psychotherapists) the counsellor must have a minimum of a Masters level qualification

⁴ [Code of Practice for Students with Disabilities](#)

5. Appeals

Students should familiarise themselves with the relevant document in relation to appeals⁵.

6. Not acceptable as evidence

- 6.1. Certification from a medical practitioner that is written retrospectively, and which simply reports a student's claims, e.g., that they felt unwell or had reason to believe that they were ill;
- 6.2. Letter from the [Counselling Service](#) that is written retrospectively and provides no evidence of the student's proper engagement with the relevant support service;
- 6.3. Evidence provided by a family member or friend.

7. Important Note

MIE takes very seriously the issue of fraudulent applications. Should a [Court of First Appeal](#) or a [Court of Second Appeal](#) ascertain that an application is supported by forged or incorrect evidence the matter may be referred to the Dean of Curriculum and Childhood or the Dean of Policy, Practice and Society as appropriate, and may result in disciplinary proceedings against the student.

⁵ [Appeals Policy \(Academic Progression\)](#), [Court of First Appeal Process](#), [Court of Second Appeal Process](#) and [Postgraduate Appeals Process](#)

8. Evidence in Support of Exceptional Circumstances in an *Ad Misericordiam* Appeal

Students must present the relevant primary evidence and may present supporting secondary evidence. At least one piece of relevant evidence must be presented.

Exceptional Circumstance	Primary Evidence	Supporting Secondary Evidence
1. Significant accident or trauma affecting the student at the time of an examination(s)/assessment(s) (written, aural or oral); or significant accident or trauma during preparation for it.	i. Certificate from a registered medical practitioner confirming the illness, accident or trauma and setting out its impact on the student and their fitness to sit examinations ⁶ or submit assessment(s) (written, aural or oral). The certificate must provide the dates and duration of the illness. ii. Letter from the Institute’s Counselling Service /Registered Counsellor, psychologist or psychotherapist, detailing the period during which the student has attended counselling, the counsellor’s assessment of the student’s condition and likely effect on their fitness to sit examinations or submit assessment(s) (written, aural or oral) ⁶ . Dates of attendance at counselling must be provided.	a. Documentation provided by personal tutor if they know the student well and can attest to the impact of the event on the student’s fitness to sit examinations or submit assessment(s) (written, aural or oral) ⁶ . b. Documentation such as prescriptions or hospital appointments that back up the primary evidence.

⁶ [Fitness to Study Policy](#)

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Exceptional Circumstance	Primary Evidence	Supporting Secondary Evidence
<p>2. An assault or other crime of which the student is the victim.</p>	<p>i. Certificate from a registered medical practitioner confirming the assault, setting out its impact on the student and their fitness to take examinations⁷ or submit assessment(s) (written, aural or oral). The certificate must provide the dates and duration of treatment.</p> <p>ii. A police report should be provided.</p> <p>iii. Letter from the Counselling Service/registered counsellor, psychologist or psychotherapist, detailing the period in which the student has attended counselling, the counsellor’s assessment of the student’s condition and likely effect on their fitness to sit examinations⁷ or submit assessment(s) (written, aural or oral). Dates of attendance at counselling must be provided.</p>	<p>a. Documentation provided by personal tutor⁸ if they know the student well and can attest to the impact on the student’s fitness to take examinations⁷ or submit assessment(s) (written, aural or oral).</p> <p>b. Documentation such as prescriptions of hospital appointments that back up the primary evidence.</p>

⁷ [Fitness to Study Policy](#)

⁸ [Tutor System Policy](#) and [Tutor System Procedure](#)

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Exceptional Circumstance	Primary Evidence	Supporting Secondary Evidence
<p>3. Serious illness affecting the student at the time of the examination(s)/assessment(s) (written, aural or oral); 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.</p>	<p>i. Certificate from a registered practitioner confirming the illness and setting out its impact on the student and their fitness to sit examinations⁹ or submit assessment(s) (written, aural or oral). The certificate must provide the dates and duration of the illness.</p> <p>ii. Certificate from a registered medical practitioner confirming the medical condition and the deterioration in this condition and attesting to its impact on the student’s fitness to sit examinations⁹ or assessments (written, aural or oral). The certificate must provide dates and duration of the illness.</p>	<p>a. Documentation provided by personal tutor if they know the student well and can attest to the impact on the student’s fitness to sit examinations⁹ or submit assessment(s) (written, aural or oral).</p> <p>b. Documentation such as prescriptions or hospital appointments that back up primary evidence.</p>
<p>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, in-laws, grandparents and grandchildren. There is a reasonable expectation that the circumstances will have been disclosed in advance.</p>	<p>i. Letter from registered medical practitioner confirming the impact of the illness or accidents on the student and their fitness to sit examinations⁹ or submit assessment(s) (written, aural or oral). Dates of the illness/accident must be provided in the letter.</p> <p>ii. Evidence of closeness e.g., statement from student support service, counsellor or medical professional.</p>	<p>a. Documentation provided by personal tutor if they know the student’s circumstances well and can attest to the impact on the student’s fitness to sit examinations⁹ or submit assessment(s) (written, aural or oral).</p>

⁹ [Fitness to Study Policy](#)

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Exceptional Circumstance	Primary Evidence	Supporting Secondary Evidence
<p>5. Death family member (parent/guardian, child, sibling, spouse), during examinations or at the time of assessments (written, aural or oral). Where bereavement has occurred prior to examinations or assessments there is an expectation it will be disclosed in advance.</p>	<p>i. Evidence attesting the death of the person e.g., RIP notice. ii. Letter from student Counselling Service setting out the impact on the student following the bereavement and on their fitness to sit examinations¹⁰ or submit assessment(s) (written, aural or oral). The letter should confirm the student’s engagement with the service over the relevant time period. Dates of attendance at counselling must be provided.</p>	<p>a. Documentation provided by the personal tutor if they know the student well and can attest to the impact of the student’s fitness to sit examinations¹⁰ or submit assessment(s) (written, aural or oral).</p>
<p>6. Close death, (friends, in-laws, grandparents or grandchildren), during or at the time of the examinations or assessments (written, aural or oral). Where the bereavement has occurred prior to the examination or assessment (written, aural or oral), there is an expectation it will have been disclosed in advance. The student must show the relationship was close.</p>	<p>i. Evidence attesting the death of the person e.g., RIP notice. ii. Evidence of closeness e.g., statement from personal tutor, student support service, counsellor or medical professional. iii. Letter from student Counselling Service setting out the impact on the student following the bereavement and on their fitness to sit examinations¹⁰ or submit assessment(s) (written, aural or oral). The letter should confirm the student’s engagement with the service over the relevant time period. Dates of counselling attendance must be provided.</p>	<p>a. Documentation provided by personal tutor¹¹ if they know the student well and can attest to the impact on the student’s fitness to sit examinations¹⁰ or submit assessment(s) (written, aural or oral).</p>

¹⁰ [Fitness to Study Policy](#)

¹¹ [Tutor System Policy](#) and [Tutor System Procedure](#)

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7. Significant or abrupt change in 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 examination or assessment (written, aural or oral), loss of income.	i. Documentation provided by personal tutor ¹² or student support service and/or relevant documentation (e.g., court summons) ii. Police report where applicable iii. Evidence of change in financial circumstances where applicable.	a. Documentation provided by personal tutor ¹² if they know the student well and can attest to the impact on the student’s fitness to sit examinations ¹³ or submit assessment(s) (written, aural or oral).
8. Diagnosis of a Special Learning Difficulty, (only eligible when diagnosis was obtained prior to the examination(s)/assessment(s) (written, aural or oral)), but too late for reasonable adjustments by way of special examination arrangements or in other ways (see disability service website).	i. Letter from disability service , student support service , GP, consultant of counsellor.	a. Documentation provided by personal tutor if they know the student well and can attest to the impact on the student’s fitness to sit examinations ¹³ or submit assessment(s) (written, aural or oral).

¹² [Tutor System Policy](#) and [Tutor System Procedure](#)

¹³ [Fitness to Study Policy](#)

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Exceptional Circumstance	Primary Evidence	Supporting Secondary Evidence
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 ¹⁴ .	i. Report from personal tutor ¹⁵ or student support service . ii. Copies of emails or screenshots from social medial platforms or other communications. iii. Police reports where applicable.	a. Documentation provided by personal tutor if they know the student well and can attest to the impact on the student’s fitness to sit examinations ¹⁶ or submit assessment(s) (written, aural or oral).

This document supports the document on appeals and rechecks in Marino Institute of Education. This draft was adapted from a similar document created by Trinity College Dublin on 7 March 2018 and will be reviewed as appropriate.

¹⁴ [Dignity and Respect Policy](#)

¹⁵ [Tutor System Policy](#) and [Tutor System Procedure](#)

¹⁶ [Fitness to Study Policy](#)

9. Related Documents

- 9.1. [Academic Assessment and Academic Progression](#)
- 9.2. [Dignity and Respect Policy](#)
- 9.3. [Fitness to Study Policy](#)
- 9.4. [Bereavement Support Procedure on the Death of a Student](#)
- 9.5. [Illness Policy](#)
- 9.6. [Tutor System Policy](#)
- 9.7. [Tutor System Procedure](#)
- 9.8. [Appeals Policy \(Academic Progression\)](#)
- 9.9. [Court of First Appeal Process](#)
- 9.10. [Court of Second Appeal Process](#)
- 9.11. [Postgraduate Appeals Process](#)
- 9.12. [Code of Practice for Students with Disabilities](#)