

Election of Staff to Academic Governance Committees Rule 2024

Section 1 - Preliminary

Name of this Rule

(1) This Rule is the Election of Staff to Academic Governance Committees Rule 2024.

Commencement

(2) This Rule commences on 12 March 2024 under resolution CNL190/11.

Purpose

(3) The purpose of this Rule is to set out the process for election of academic staff and general staff to Charles Sturt University (the University) academic governance committees.

Scope

(4) This Rule does not apply to:

- a. to election of academic staff and general staff to the University Council (these elections are governed by the [Charles Sturt University By-law](#))
- b. where a University committee elects an employee to another University committee (e.g. a Faculty Board electing academic staff representatives to the Academic Senate), or
- c. to elections of staff to those committees provided for in the [Charles Sturt University Enterprise Agreement](#).

Authority

(5) This rule is made under the authority granted to the council under section 32 of the [Charles Sturt University Act 1989](#).

Glossary

(6) Nil.

Notes and headings

(7) The notes in the text of this Rule do not form part of this Rule

(8) Headings do not form part of this Rule.

Section 2 - Rule

University Secretary to be Returning Officer

(9) The University Secretary or their nominee is the Returning Officer for all elections conducted under this procedure.

(10) The decision of the Returning Officer is final on a matter concerning:

- a. the eligibility of candidates
- b. the conduct and results of an election, or
- c. any matter related to the matters referred to in paragraphs (a) and (b).

(11) To enable the Returning Officer to conduct an election, the Returning Officer may make use of such assistance as that officer considers appropriate. For that purpose, the Returning Officer may appoint at least one Deputy Returning Officer to assist in the conduct of the election.

(12) For the purposes of this Rule, the Returning Officer may authorise a Deputy Returning Officer appointed under clause 5 to exercise any specified function of the Returning Officer under this Rule. A function exercised by a Deputy Returning Officer is taken to have been exercised or performed by the Returning Officer.

Rolls of electors to be kept

(13) The Returning Officer must keep

- a. a separate roll of academic staff electors of the University who are eligible to stand as candidates and vote in an election, in accordance with the terms of reference of the relevant committee.
(Note: by virtue of clauses 9(2) and 49C of the [Charles Sturt University By-law 1995](#) (as amended) and University Council resolution CNL99/77 a person eligible for inclusion on the roll of academic staff electors if they are appointed to a full-time academic staff position of, or above, the rank of associate lecturer where "full-time" includes a fractional position of 0.5 or greater.)
- b. a separate roll of general staff of the University who are eligible to stand as candidates and vote in an election, in accordance with the terms of reference of the relevant committee.
(Note: by virtue of clauses 9(3) and 49C of the [Charles Sturt University By-law 1995](#) (as amended) and University Council resolution CNL99/77 a person eligible for inclusion on the roll of general staff electors if they are appointed to a full-time general staff position where "full-time" includes a fractional position of 0.5 or greater.)

(14) A person who fulfils the qualifications to have their name and address entered on the roll of academic staff electors and the roll of general staff electors is eligible to participate in an election.

(15) The Returning Officer must remove from a roll of electors the name and address of a person on being satisfied that the person is no longer eligible to have their name and address entered on that roll.

(16) Nothing in this Rule prevents the Returning Officer transferring a person's name and address from one roll of electors to another if the person is eligible to have their name and address entered on that other roll.

Qualification for candidates

(17) The qualification for a person to be eligible as a candidate for election as an academic staff member of a committee is that the person's name is currently entered on the relevant roll of academic staff electors at the close of nominations for the election.

(18) The qualification for a person to be eligible as a candidate for election as a general staff member of a committee is that the person's name is currently entered on the relevant roll of general staff electors at the close of nominations for the election.

Qualifications for vote at election

(19) An academic staff member whose name is currently entered on the relevant roll of academic staff electors at the close of nominations for the election is qualified to vote in an election for an academic staff member of the relevant committee.

(20) A general staff member whose name is currently entered on the relevant roll of general staff electors at the close of nominations for the election is qualified to vote in an election for a general staff member of the relevant committee.

Terms of office of elected members

(21) The term of office of a person elected as an academic staff member or a general staff member of a committee shall be as determined by the committee's terms of reference.

(22) The manner of filling casual vacancies shall be as determined by the committee's terms of reference.

How election is to be conducted

(23) The Returning Office shall determine how an election is to be conducted.

(24) Should the Returning Officer determine to hold an election via an electronic voting platform, the voting platform must:

- a. provide a voter with instructions on how to submit a nomination
- b. provide a voter with instructions on how to submit a vote to indicate their choice of candidate(s)
- c. allow a voter to only vote in any election for which they are eligible to vote
- d. allow a voter the opportunity to correct any mistakes made using the electronic voting program, and
- e. not allow a person to ascertain how voters cast their vote.

(25) An election to elect the academic and general staff members of a committee is to be conducted by using a compulsory preferential system of voting.

Timing of election

(26) When conducting an election the following timetable will be followed:

- a. Publication of the Notice of Election and Call for Nominations - there are not less than 5 working days nor more than 60 working days between the publication of the notice and the close of the election
- b. Closing date for Nominations and issue of Ballot Papers - there are not less than 10 working days nor more than 20 working days between the closing of nominations and the issuing of ballot papers for the election, and
- c. Voting period - there are not less than 5 working days nor more than 10 working days between the issuing of ballot papers and the closing of the election.

Returning Officer to notify holding of election

(27) When an election is necessary to elect members of a committee the Returning Officer must publish the notice of election in such manner as the Returning Officer considers appropriate, such as by use of the University website or noticeboards. The date that the notice of election is first published by the Returning Officer is deemed to be the date that the notice of election is published as required by this Rule.

Information to be given in notice of election

(28) A notice of election must:

- a. state that an election is necessary
- b. specify the number of vacancies to be filled
- c. invite nominations of candidates who are eligible for election
- d. specify the form in which nominations must be made
- e. prescribe a date and time for nominations to close
- f. prescribe a polling day for the election, and
- g. contain such other information relating to the election as the Returning Officer thinks fit.

How candidates for election may be nominated

(29) A person may self-nominate as a candidate for election.

(30) A nomination form must be completed and must be lodged with the Returning Officer before the time fixed for nominations to close.

(31) A candidate may provide a written statement of not more than 150 words. The statement may specify:

- a. the candidate's full name
- b. the candidate's qualifications and experience, and
- c. any positions or offices that the candidate has held at any time in public bodies, clubs or other organisations with dates of tenure.

(32) The Returning Officer has the right to edit the statement and will distribute the statement with each ballot paper.

(33) The Returning Officer must reject a completed nomination form that does not comply with this clause or if the candidate is not eligible for election. If the Returning Officer rejects a nomination form then they will advise the candidate of this. If the date and time for nominations to be received has not closed, the Returning Officer will invite the candidate to resubmit a new nomination form, provided that candidate is eligible for election.

(34) A candidate may also provide a photograph of themselves to accompany their statement, a photograph that includes any University badging will be rejected by the Returning Officer.

Procedure after close of nominations

(35) If the number of candidates nominated for an election is not more than the number of vacancies to be filled, the Returning Officer must declare the candidate or candidates to be elected.

(36) If the number of candidates nominated for an election is more than the number of vacancies to be filled, the Returning Officer must conduct a ballot to fill the vacancies.

(37) If there are no valid nominations for election to a position on a committee, the position is to be filled by an eligible person in a manner to be determined by the committee.

Requirements for ballot papers

(38) All ballot papers must specify the names of the candidates.

(39) The Returning Officer will determine randomly the order of candidates on the ballot paper.

Election not invalidated because of certain errors

(40) An election is not invalid if at the time when nominations for the election close or on polling day, the name of a person who is entitled to have their name entered on a roll is omitted from that roll.

(41) An election is not invalid if a person whose name is on a roll did not receive a ballot paper or did not see a notice of election.

(42) An election is not invalid if:

- a. a ballot paper has not been issued to a person whose name is eligible to be entered on the relevant roll but the name has not been so entered, or
- b. such a person's vote has not been accepted at the election.

(43) An election is not invalid if the Returning Officer was unable to comply with the Timing of elections as referred to in clause 26.

Candidate may appoint a scrutineer

(44) Each candidate for election is entitled to nominate one scrutineer to be present at any counting of votes. If a candidate chooses to nominate a scrutineer they must do so two working days before the close of voting.

(45) A person is qualified to be appointed as a scrutineer only if the person is a member of the academic staff or general staff of the University.

(46) A candidate for election is not eligible to be appointed as a scrutineer at the election.

(47) It is the responsibility of each scrutineer to attend at the scheduled time and date of counting of votes. The Returning Officer may proceed with counting of votes and compilation of results at the scheduled time and date regardless of whether a person appointed as scrutineer is in attendance.

(48) Scrutineers are entitled to raise objections to the conduct of the count and the compilation of results, including raising questions, but must otherwise follow the directions of the Returning Officer at all times. Failure to do so may result in their exclusion from the counting room.

Officers not to disclose how electors voted

(49) This clause applies to the following persons concerned with the conduct of an election:

- a. the Returning Officer
- b. any Deputy Returning Officer, and
- c. any scrutineer appointed in connection with the election.

(50) A person to whom this clause applies must not disclose, or assist another person to disclose, any information as to how any particular elector has voted at an election.

Procedure after close of poll

(51) As soon as practicable after the closing of polling at an election, the Returning Officer and those appointed by the Returning Officer to assist with the conduct of the election must, in the presence of such of the scrutineers as choose to be present, examine the ballot papers cast at the election.

(52) The Returning Officer must reject any informal ballot paper and count the formal ballot papers.

If a candidate dies or is ineligible for election

(53) If, before the declaration of the poll for an election, a candidate at the election dies, or becomes no longer eligible for election, the election is to proceed as if:

- a. the candidate had not been nominated for election
- b. that candidate's name had not been included on the ballot papers printed for the election, and
- c. any vote for that candidate had not been cast.

Determination of election result

(54) Counting of votes will be conducted in accordance with the optional preferential system for the distribution of preferences. A candidate is successful if they receive an absolute majority of votes. In this clause, "absolute majority of votes" means a number greater than one half of the total number of formal non-exhausted ballot papers counted.

(55) If, at the stage when only two continuing candidates remain, those candidates have an equal number of votes, the Returning Officer must determine by lot which of them must be elected. The determination by lot is to be conducted as follows:

- a. the name of each candidate concerned is to be written on separate and similar slips of paper
- b. the slips must then be folded so as to prevent identification
- c. those slips are then to be mixed and one slip is to be drawn at random, and
- d. the candidate whose name is drawn is to be elected.

(56) The candidate so elected is taken to have received an additional vote.

Transitional

(57) Nothing in this Rule affects the terms of office of those persons who, immediately before the commencement of this Rule were members of an academic governance committee.

Section 3 - Schedules and Associated Information

(58) Nil.

Section 4 - Document Context

Compliance drivers	N/A
Review requirements	As per the Policy Framework Policy .
Document class	Governance

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