Governance (Academic Senate) Rule 2024

Section 1 - Preliminary

Name of Rule

(1) This Rule is the Governance (Academic Senate) Rule 2024.

Commencement

(2) This Rule commences on 18 December 2024 under resolution CNL195/13.

Purpose

(3) This Rule is enacted to define the composition of the Academic Senate and confer on that body certain functions under the Charles Sturt University Act 1989.

Authority

(4) This Rule is made by the authority granted to the Council under sections 20 and 32 of the Charles Sturt University Act 1989.

> Note: Under section 20 of the Charles Sturt University Act 1989, the Council may delegate all or any of its functions to a committee or other body of the University (other than its power of delegation). Section 32 of the Act states that the Council may make rules for the good government of the University and with respect to the functions, processes and procedures of bodies of the Council.

Notes and headings

(5) The notes and headings in this Rule do not form part of this Rule.

Section 2 - Rule

Part A - Committee

Establishment of the committee

(6) There is to be an Academic Senate, which is the principal academic body of the University.

Delegated authority

(7) Authorities delegated to the Academic Senate by the Council are set out in the Delegations and Authorisations Policy - Delegation Schedule A - Governance and Legal and Delegation Schedule E - Academic.

Terms of reference

(8) The Academic Senate will exercise the following functions:

a. Exercise academic governance of the University on behalf of the Council through institutional oversight, risk management and reporting to the Council on academic standards compliance, academic risk, quality and outcomes in teaching, learning, research, as well as research training.
b. Provide advice and recommendations to the University Council and University management on academic matters, including advice on academic outcomes, policies and practices.
c. May request and consider submission of reports in relation to academic issues from, or refer academic matters to: management, faculties, other organisational units or committees for consideration and action as required.
d. Provide leadership in academic governance and quality at an institutional level.
e. Monitor institutional standards and external benchmarks for academic quality, outcomes and innovations, and as necessary initiate action to improve performance against these standards.
f. Approve and review academic policies and monitor their effectiveness.
g. Review the academic and course delegations as required and recommend amendments to the delegations to Council for approval.
h. Approve and accredit courses of study and their associated qualifications.
i. Oversee academic and research integrity, including monitoring of potential risks.
j. Ensure that students have opportunities to participate in academic governance.

(9) The Academic Senate may delegate functions specified in clause 8, except the delegations referenced in clause 7, to be undertaken by its subcommittees.

(10) The Academic Senate has such other functions as may be necessary to enable it to exercise the functions specified in clause 8.

(11) The Academic Senate has the authority to establish subcommittees of the Academic Senate. Functions particular to the subcommittees of the Academic Senate will be set out in the membership and terms of reference of each committee.

Part B - Membership

> Note:
> Section 16 of the Charles Sturt University Act 1989 (the Act) provides for there to be an Academic Senate of the University consisting of the Vice-Chancellor; members of the academic staff of the University, and of other universities, appointed by the Council; and such other persons as are determined by the Council in accordance with the By-law.
>
> Clauses 101 and 102 of the Charles Sturt University By-law 2005 (the By-law) provide that the Council may by resolution determine the qualifications required to be held by persons to become members of the Academic Senate and the persons who may be members of the Academic Senate under section 16(1)(d) of the Act.

Members

(12) Under this Rule, the Academic Senate will have the following members:

a. Ex-officio members:
    i. Chair of the Academic Senate

ii. Vice-Chancellor
iii. Provost and Deputy Vice-Chancellor (Academic)
iv. Deputy Vice-Chancellor and Vice-President (Research)
v. Pro Vice-Chancellors
vi. Executive Dean of each faculty of the University
vii. Chair, Indigenous Board of Studies

b. Nominated student members:
   i. One undergraduate student nominated by the Student Senate
   ii. One postgraduate coursework student nominated by the Student Senate
   iii. One higher degree by research student nominated by the University Research Committee

c. Elected members:
   i. Two professoriate staff members (level D-E) from each faculty
   ii. One non-faculty professoriate staff member
   iii. Three level A, B or C academic staff members of each faculty
   iv. One non-faculty level A-C staff member

d. Nominated professional/general staff member:
   i. One professional/general staff member of the University, who is in a position that directly supports students or the student experience, nominated by the Chair, Academic Senate.

(13) Elected members will be elected from and by the eligible staff of the relevant electoral rolls kept by the returning officer in accordance with the Election of Staff to Academic Governance Committees Rule 2024.

(14) Academic Senate should strive for a balance of membership between its elected members and ex-officio members. If necessary, Academic Senate will request Council to increase the number of members in one or more of the categories at clause 12c.

Terms of office

(15) Academic Senate members will have a two-year term, with the exception of those who are members of the Academic Senate only because they hold particular offices or positions at the University(refer to clause 104 of the By-law).

(16) The Academic Senate may by resolution stagger the filling of positions in the categories of membership described in clauses 12b and 12c(i)(ii), where it deems this beneficial to its continuity of operation.

(17) Members of the Academic Senate elected under clause 12c may be re-elected provided that they are, at the time of their election, eligible for membership in that category.

(18) Notwithstanding clause 15, the Council may by resolution vary the term of the Chair of the Academic Senate, where this is appropriate in the view of the Council.

(19) Notwithstanding clause 15, the Academic Senate may by resolution vary the term of one or more members of the Academic Senate, and of the Deputy Chair(s), Academic Senate where this is appropriate in the view of the Academic Senate.

(20) Where the Council varies the term of the Chair of the Academic Senate in accordance with clause 18, the election or recruitment process for new members, Chair or Deputy Chair(s) will commence on a date determined by the Council.

(21) Where the Academic Senate varies the term of one or more members of the Academic Senate or Deputy Chair(s)

of the Academic Senate in accordance with clause 19, the election or recruitment process for new members or Deputy Chair(s) will commence on a date determined by the Academic Senate.

Role of the Chair

(22) The Chair is responsible for:

a. effectively chairing meetings of the Academic Senate
b. managing the functions and responsibilities of the Academic Senate, including continuous improvement and quality assurance processes, in accordance with this Rule and any legislative or regulatory requirement
c. presenting reports to the Council about matters considered at meetings of the Academic Senate held since the previous meeting of the Council
d. consulting with the University Secretary or delegate on the preparation of agendas and minutes of the Academic Senate and its committees
e. ensuring that appropriate follow-up action ensues
f. referring matters through the respective chair to subcommittees of the Academic Senate or officer of the University, and
g. participating as a member of selection panels for the following positions:
    i. Executive Dean
    ii. Pro Vice-Chancellor
    iii. Deputy Vice-Chancellor
    iv. Vice-Chancellor

(23) Where the Chair cannot for any reason participate in a panel as required under clause 22g, they may nominate a member of the Academic Senate to be a member of the selection panel (with such member to have the same rights and responsibilities as the Chair).

Role of a Deputy Chair

(24) A Deputy Chair is responsible for:

a. assisting the Chair in the performance of their functions as the Chair determines,
b. acting as the Chair during approved absences of the Chair, and
c. acting as the Chair where the University Secretary forms the view that the Chair is incapacitated or unable to act.

(25) In the absence of the Chair, the longest serving Deputy Chair will assume the role of Chair. In the event the Chair and longest serving Deputy Chair are absent, then the remaining Deputy Chair will assume the role of Chair.

(26) For the purpose of the Act, a person acting as the Chair will be a member of the Council and assume the membership of any committee of which the Chair is a member for the time being in the place of the holder of the office.

(27) Each Deputy Chair, Academic Senate is expected to:

a. meet the responsibilities of the role working in close collaboration with the Chair, University Secretary and staff of the Office of Governance and Corporate Administration,
b. contribute to communicating the role of Academic Senate, its discussions and issues under consideration in conjunction with relevant organisational units and officers, and
c. represent the Academic Senate on internal and external committees as required.

Part C - Appointment and election of members

Appointment of Chair

(28) The Chair of the Academic Senate will be appointed by the Council.

Applications for position of Chair

(29) The Council will invite applications for the position of Chair from suitably experienced people, who may be internal or external to the University. The University Secretary will determine the application process to be undertaken in accordance with the requirements of this Rule, subject to any recommendations given by Council.

(30) Within the University, members of the professoriate will be eligible for appointment to the position of Chair if they:

a. are Level D (associate professor) or Level E (professor)
b. hold an appointment of at least 0.5 of a full-time equivalent position and a minimum contract of at least two years
c. meet the selection criteria identified by the Council, and
d. do not, upon appointment to the position of Chair, simultaneously occupy the position of Vice-Chancellor, Deputy Vice-Chancellor, Pro Vice-Chancellor, Executive Dean, Deputy Dean, Sub Dean, Associate Dean or Head of School, except as allowed under clause 54.

(31) Candidates who are external to the University will be eligible for the position of Chair if they:

a. have qualifications or experience equivalent to level D (associate professor) or E (professor) academics, and
b. meet the selection criteria identified by the Council.

Shortlisting and recommendation of candidates

(32) The Nomination and People Committee will approve a selection panel that will include at least one member of Council (on the recommendation of the Chancellor) and one elected member of the Academic Senate (on the recommendation of the Academic Senate Standing Committee and the Vice-Chancellor).

(33) The selection panel will review the applications submitted under clause 29 and create a shortlist of eligible candidates.

(34) The University Secretary will use their discretion to provide Academic Senate with any updates regarding the eligible candidates.

(35) The selection panel will recommend to Council their preferred candidate(s).

Appointment by Council

(36) Council will appoint the Chair, Academic Senate, taking into consideration the recommendations from the selection panel.

(37) Notwithstanding clauses 29-36, the Council may by resolution directly appoint a suitably experienced person to the position of Chair, Academic Senate.

(38) Unless otherwise determined by a resolution of the Council or the Council Executive Committee, a person may not serve more than two consecutive terms as Chair, Academic Senate.

(39) Academic Senate may, through a vote of no confidence by the majority of its members, recommend to Council to end the appointment of the Chair.

(40) University Council may by resolution end the appointment of the Chair.

(41) Prior to the end of the first term of the Chair, the Council may decide to do one or more of the following:

a. Undertake an internal or external application process as outlined above in Clauses 29-37
b. Seek feedback from members of the Academic Senate on the performance of the Chair, or
c. Offer the Chair direct reappointment for a second term.

Election of the Deputy Chairs

(42) The Deputy Chairs will be elected by Academic Senate.

(43) Nominations for each position of Deputy Chair, Academic Senate will be invited from the elected members of Academic Senate. The returning officer will determine the nomination process to be undertaken in accordance with the requirements of the Election of Staff to Academic Governance Committees Rule 2024, subject to any recommendations given by Council.

(44) The elected members of Academic Senate are eligible to be nominated and elected as Deputy Chair provided they do not simultaneously occupy the position of Vice-Chancellor, Deputy Vice-Chancellor, Pro Vice-Chancellor or Executive Dean, except as allowed under clause 54.

(45) All members of Academic Senate are eligible to vote in Deputy Chair elections.

(46) In the event that there are no eligible nominations received, the Council may by resolution directly appoint a suitably experienced person to the position of Deputy Chair, based on the recommendation of the Chair of Academic Senate.

(47) Unless otherwise determined by a resolution of the Academic Senate, a person may not serve more than two consecutive terms as Deputy Chair of the Senate.

(48) A person who has held the role of Chair of the Academic Senate may not nominate for the role of Deputy Chair of the Academic Senate.

(49) Academic Senate may, through a vote of no confidence by the majority of its members, recommend to Council to end the appointment of a Deputy Chair.

(50) University Council may by resolution end the appointment of a Deputy Chair.

Casual vacancies

> Note: The By-law prescribes, at clause 103(1) and (2) that casual vacancies in elected positions are to be filled by the Council. By virtue of this Rule, Council has determined the manner for the filling of casual vacancies in various membership categories as indicated further below.

(51) Where the person appointed as the Chair of the Academic Senate is a current member of the Academic Senate, the position held by that person before the appointment will be deemed to have become vacant and will be filled in accordance with the procedures for filling a casual vacancy under this Rule.

(52) Where the person elected as the Deputy Chair of the Academic Senate, the elected position held by that person will remain and not be considered a casual vacancy.

(53) A casual vacancy will arise in the office of a member of the Academic Senate where the member:

a. becomes incapacitated
b. resigns the office by writing to:
    i. in the case of a member, the Chair, or
    ii. in the case of the Chair, the University Secretary
c. ceases to be employed by the University
d. is absent from three consecutive meetings of the Academic Senate of which reasonable notice has been given and is not excused by the Academic Senate for their absence
e. in the case of the Chair, ceases to meet the conditions for appointment or is removed from office by the Council upon receipt of a vote of no confidence by a majority of the Academic Senate
f. in the case of the Deputy Chair, ceases to meet the conditions for election or is removed from office by the Council upon receipt of a vote of no confidence by a majority of the Academic Senate
g. in the case of an appointed member, ceases to be qualified for appointment
h. in the case of an elected member, ceases to be qualified for election
i. takes leave of absence for three months or greater, or
j. is removed from office by the Council.

(54) Notwithstanding clause 53e-f, a casual vacancy will not arise in the office of Chair or Deputy Chair of Academic Senate solely because the member is appointed to act in an executive management position:

a. for a period not exceeding six months, or
b. for such additional period as may be determined by the Council.

(55) For the purpose of clause 53c, a person is not deemed to have ceased employment solely because the person has ended one contract of employment and commenced a new contract of employment within a reasonable period of time.

(56) A person who fills a casual vacancy will hold the office as a member of the Academic Senate, subject to the Act and By-law, for the term of the casual vacancy.

Casual vacancy – Chair and Deputy Chair

(57) In the event of a casual vacancy in the office of Chair occurring, it will be filled by a Deputy Chair in accordance with clause 25.

(58) If a casual vacancy in the office of the Chair is longer than three months, Academic Senate can nominate an elected member of Academic Senate to Deputy Chair for the period of the casual vacancy.

(59) Should a casual vacancy arise in the office of a Deputy Chair for any other reason as identified in clause 52, an election for the role will be held in accordance with the requirements of the Election of Staff to Academic Governance Committees Rule 2024.

(60) If casual vacancies exist in all positions of the Chair and the Deputy Chairs, the Vice-Chancellor will act as Chair until at least one of the casual vacancies is filled.

Casual vacancy – nominated student member

(61) If there is a casual vacancy in a nominated student member position, the position will be filled by the nomination of a student from the same category by the Student Senate or the University Research Committee, as relevant.

Casual vacancy – elected member

(62) If there is a casual vacancy in a position elected by the professoriate, the returning officer may make a further declaration that the runner-up in the most recent elections (should they consent) is elected to hold office of that member for the remainder of the term.

(63) If there is a casual vacancy in a position elected by the faculty, the returning officer may make a further declaration that the runner-up in the most recent elections (should they consent) is elected to hold office of that member for the remainder of the term.

> Note: A casual vacancy in a position elected by the faculty will not occur if the elected member is promoted to a professoriate position.

(64) Should no runner-up in the most recent elections be available, then the Academic Senate, based on advice from the Professors Forum (for a professoriate member) or the appropriate Executive Dean (for a faculty position) may appoint an eligible person (should they consent) to fill the vacancy for the remainder of the term.

Part D - Miscellaneous

Alternate faculty members

(65) The Executive Dean may nominate an alternate senior member of Faculty Board to attend meetings of the Academic Senate at which one or more of the members elected by the faculty is unable to attend.

(66) An alternate member will count for the purposes of a quorum. The alternate member will have the same rights as the substantive member.

Returning officer

(67) The University Secretary or delegate will act as the returning officer for all elections or appointment of members of the Academic Senate under this Rule.

(68) The returning officer may, subject to the Act, By-law and Rules, decide all matters relating to the procedure for the conduct of an election or appointment under this Rule, including appointments made by the Council.

(69) Subject to the Act, By-law and Rules, a decision of the returning officer relating to an election under this Rule, including a decision relating to the eligibility of a candidate or a voter, the conduct of the election or the result of an election, is final.

(70) The returning officer is to preside during any part of a meeting of the Academic Senate at which the preferred candidate for Chair is being determined or an election for a Deputy Chair is to be held. No other business may be conducted at a meeting of the Academic Senate while the returning officer is presiding.

Meetings

(71) The rules for the conduct of meetings, including the number for a quorum, will be in accordance with the Academic Committees Meeting Guidelines.

> Note: Clause 110 of the By-law prescribes the Academic Senate's authority to make Rules to establish committees of the Academic Senate (provided that the functions of those committees do not exceed the functions conferred on the Academic Senate under clause 105 of the By-law); the manner and time of convening, holding and adjourning meetings of the Academic Senate and its committees; the manner of

voting at meetings of the Academic Senate and its committees; and the conduct of business of the Academic Senate and its committees.

Right of audience and debate

(72) The University Secretary will have right of audience and debate at meetings of the Academic Senate.

(73) The Chair may grant to any other officer of the University a right of audience and debate for a specified period of time.

Section 3 - Glossary

(74) In this Rule:

a. Academic Senate – means the Academic Senate established under section 16 of the Act.
b. Act – means the Charles Sturt University Act 1989.
c. By-law – means the Charles Sturt University By-law 2005.
d. Council – means the University Council established under section 9 of the Act.
e. Executive Management - means those staff of the University appointed to a position at executive remuneration levels 1-5.
f. Faculty – means a faculty established by the Council.
g. Professoriate – means the group of persons who hold a current position as a Level D associate professor or Level E professor of the University, not including an adjunct, visiting or emeritus professor.
h. University Secretary – means the secretary appointed by the Council under clause 19 of the By-law.
i. Vice-Chancellor – means the Vice-Chancellor of the University appointed under section 12 of the Act.

Status and Details

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