

Governance (Academic Senate) Rule 2018

Section 1 - Introduction

Name of Rule

(1) This Rule is the Governance (Academic Senate) Rule 2018.

Commencement

(2) This Rule commences on 1 January 2019 under resolution CNL18/113.

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.

Glossary

(5) In this Rule:

- a. Academic Secretary - means the Secretary to the Academic Senate.
- b. Academic Senate - means the Academic Senate established under section 16 of the Act.
- c. Act - means the [Charles Sturt University Act 1989](#).
- d. By-law - means the [Charles Sturt University By-law 2005](#).
- e. Council - means the University Council established under section 9 of the Act.
- f. Executive Officer (Academic Senate) - means a person appointed by the University, from time to time, who holds the position of Executive Officer (Academic Senate).
- g. Faculty - means a Faculty established by the Council.
- h. 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.
- i. University Secretary - means the Secretary appointed by the Council under clause 19 of the By-law.
- j. Vice-Chancellor - means the Vice-Chancellor of the University appointed under section 12 of the Act.
- k. Executive Management - means those staff of the University appointed to a position at executive remuneration levels 1-5.
- l. Non-executive academic members of Faculty - means members of the academic staff of the Faculty who hold a

substantive position of at least 0.5 FTE and a minimum contract length of two years, and are not appointed to an executive remuneration package at levels 1-5 (normally academic staff appointed at executive remuneration levels 1-5 include Executive Deans, Deputy Deans and Heads of School).

Notes and Headings

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

Section 2 - Committee

Establishment of the Committee

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

Terms of Reference

(8) The Academic Senate through its own activities or those of its subcommittees shall exercise the following functions:

- a. exercise academic governance of the University on behalf of the University 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. require the production and 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. establish and maintain leadership in academic governance and quality at an institutional level;
- e. set and monitor institutional benchmarks for academic quality and outcomes, and as necessary initiate action to improve performance against these benchmarks;
- f. approve academic policies and monitor and review their effectiveness;
- g. review the academic and course delegations annually to ensure these are being implemented effectively, and recommend amendments to the delegations to the Council for approval;
- h. critically scrutinise, approve and accredit courses of study and their associated qualifications;
- i. oversee academic and research integrity, including monitoring of potential risks;
- j. critically evaluate the quality and effectiveness of educational innovations or proposals for innovations;
- k. evaluate the effectiveness of institutional monitoring, review and improvement of academic activities;
- l. to approve the lists of graduands of the University specifying the award and the level of award that each of the graduands is to receive; and
- m. ensure that students have opportunities to participate in academic governance.

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

(10) Functions particular to the subcommittees of the Academic Senate shall be set out in the Membership and Terms of Reference of each Committee.

(11) Authorities delegated to the Academic Senate by the Council are set out in the [Delegations and Authorisations Policy - Delegation Schedule 01 - Strategy and Policy Delegations](#) and [Delegation Schedule 09 - Academic and Course Delegations](#).

Membership

Notes:

Section 16 of 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 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.

Categories

(12) Under this Rule, there will be three categories of membership:

- a. Official members, which shall consist of:
 - i. the Vice-Chancellor;
 - ii. the Chair of the Academic Senate; and
 - iii. the Deputy Chair of the Academic Senate.
- b. Appointed members, which shall consist of:
 - i. the Provost and Deputy Vice-Chancellor (Academic);
 - ii. two officers of the University who hold the position of Deputy Vice-Chancellor, as nominated by the Vice-Chancellor;
 - iii. three officers of the University who hold the position of Pro Vice-Chancellor, as nominated by the Vice-Chancellor;
 - iv. the Executive Dean of each Faculty of the University;
 - v. the Chair, Indigenous Board of Studies;
 - vi. one undergraduate student appointed by the Academic Senate, on the advice of the Student Senate;
 - vii. one postgraduate student appointed by the Academic Senate, on the advice of the Student Senate; and
 - viii. one higher degree by research student, appointed by the Academic Senate, on the advice of the University Research Committee or relevant subcommittee.
- c. Elected members, which shall consist of:
 - i. six members of the Professoriate elected by members of the Professoriate, at least one of whom must be research active at the time of their election;
 - ii. three members of the academic staff of each Faculty of the University who are not members of the Professoriate, elected by and from the academic staff members of the Faculty and who will have the following qualifications:
 - hold an appointment of not less than 0.5 of a full time equivalent position; and
 - is either employed as a member of the permanent staff of the University; or
 - is employed on a contract which, at the date of election, has a remaining duration of at least two years.

Terms of Office

(13) Academic Senate members will have a two-year term, with the exception of those members 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).

(14) The Academic Senate may by resolution stagger the filling of positions in the categories of membership described

in clauses 12a(i)(ii), 12b and 12c, where it deems this beneficial to its continuity of operation.

(15) 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.

(16) Notwithstanding clause 13, the Council may by resolution vary the term of one or more members of the Academic Senate, and of the Chair and Deputy Chair of the Academic Senate, where this is appropriate in the view of the Council.

(17) Where the Council varies the term of one or more members of the Academic Senate, and/or the Chair or Deputy Chair of the Academic Senate in accordance with clause 16 an election for new members, and/or a new Chair and Deputy Chair will be held on a date determined by the Council.

Role of the Chair

(18) The Chair shall be 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 Academic Secretary and Executive Officer (Academic Senate) 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;
- g. participating as a member of selection panels for the following positions:
 - i. Executive Dean;
 - ii. Pro Vice-Chancellor;
 - iii. Deputy Vice-Chancellor; and
 - iv. Vice-Chancellor.

(19) Where the Chair cannot for any reason participate in a panel as required under clause 18g, 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 the Deputy Chair

(20) The Deputy Chair shall:

- a. assist the Chair in the performance of their functions as the Chair determines from time to time;
- b. act as the Chair during approved absences of the Chair; and
- c. act as the Chair where the University Secretary forms the view that the Chair is incapacitated or unable to act.

(21) For the purpose of the Act, a person acting as the Chair shall 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.

Election of Chair and Deputy Chair

(22) Members of the Professoriate who possess the skillsets identified by the Academic Senate, may nominate for election by the members of the Academic Senate to the positions of Chair or Deputy Chair.

(23) All members of the Professoriate are eligible to be nominated and elected as Chair provided that they hold a full-time academic appointment and, if elected to the position, do not occupy the position of Vice-Chancellor, Deputy Vice-Chancellor, Pro Vice-Chancellor, Executive Dean, Deputy Dean, Sub-Dean, Associate Dean or Head of School.

(24) All members of the Professoriate are eligible to be nominated and elected as Deputy Chair provided that they hold a full-time academic appointment and, if elected to the position, do not occupy the position of Vice-Chancellor, Deputy Vice-Chancellor, Pro Vice-Chancellor or Executive Dean.

(25) Nominations for election to the positions of Chair or Deputy Chair under clause 22 must be supported by two members of the Academic Senate.

(26) Despite clause 22, the University Council may by resolution directly appoint a suitably experienced person to the position of Chair or Deputy Chair.

(27) Unless otherwise determined by a resolution of the Council or Chancellor's Foresighting Committee of the Council, a person may not serve more than two consecutive terms as Chair or Deputy Chair of the Academic Senate.

(28) If there is only one nomination for election of the Chair or Deputy Chair, the returning officer will declare the nominated candidate elected.

(29) If there are two or more nominations for election of the Chair or Deputy Chair, the returning officer will conduct a poll of members of the Academic Senate by secret ballot. Each member of the Academic Senate is entitled to cast a single vote of one of the candidates only. The candidate who has received more votes than any other will be declared elected.

(30) If two or more candidates receive an equal number of votes, the returning officer will conduct a further poll of members of the Academic Senate by secret ballot until one of the candidates has received more votes than any other.

Casual Vacancies

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

(32) 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 under their own hand addressed to:
 - i. in the case of a member, the Chair;
 - 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 or Deputy Chair, ceases to be qualified for election;
- f. in the case of an appointed member, ceases to be qualified for appointment;
- g. in the case of an elected member, ceases to be qualified for election;
- h. takes leave of absence for three months or greater; or

i. is removed from office by the Council.

(33) Notwithstanding clause 32, 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.

(34) For the purpose of clause 32c, 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.

Casual Vacancy - Chair and Deputy Chair

(35) In the event of a casual vacancy in the office of Chair occurring it shall be filled by the Deputy Chair or by appointment by the Council.

(36) If a casual vacancy in the office of the Chair is filled by the Deputy Chair an election for the role of Deputy Chair will be held in accordance with the requirements of this Rule.

(37) Should a casual vacancy arise in the office of the Deputy Chair for any other reason as identified in clause 32, an election for the role will be held in accordance with the requirements of this Rule.

(38) If a casual vacancy exists in both the office of the Chair and the Deputy Chair, the Vice-Chancellor shall act as Chair until either of the casual vacancies is filled.

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 a casual vacancy in the position of the Chair or Deputy Chair.

Casual Vacancy - Appointed Member

(39) If there is a casual vacancy in a position of an executive Appointed Member, the position shall be filled by the appointment of a person by the Vice-Chancellor who holds the same qualifications for appointment as set out in clause 12b.

(40) If there is a casual vacancy in a student Nominated Member position, the position shall be filled by the appointment of a student from the same category of enrolment by the Academic Senate on the advice of the Student Senate or the University Research Committee.

(41) A person who fills a casual vacancy in the position of an Appointed Member shall hold the office as a member of the Academic Senate, subject to the Act and By-law, for the rest of the term of the person's predecessor in office.

Casual Vacancy - Elected Member

(42) If there is a casual vacancy in a position elected by the Professoriate, the position shall be filled by the Professoriate electing an eligible candidate to the vacancy in accordance with the requirements of this Rule.

(43) If there is a casual vacancy in a position elected by the Faculty, the position shall be filled by the relevant Faculty electing an eligible candidate to the vacancy in accordance with the requirements of this Rule.

Miscellaneous

Alternate Faculty Members

(44) A Faculty 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.

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

Returning Officer

(46) The Academic Secretary or Executive Officer will act as the returning officer for all elections for members of the Academic Senate under this Rule.

(47) 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 under this Rule.

(48) 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.

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

Right of Audience and Debate

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

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

Meetings

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

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.

Transitional Provision

(53) A person who was a member of the Academic Senate immediately before the commencement of this Rule continues to be a member of the Academic Senate until such time in which another officer is appointed or elected in their place.

Status and Details

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Effective Date	17th September 2019
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