

LA TROBE UNIVERSITY

**EXPLANATORY MEMORANDUM FOR
THE ACADEMIC BOARD STATUTE 2009**

Council is invited to make the attached **Academic Board Statute 2009** (the “new Statute”).

The main purposes of the new Statute are—

- to prescribe the functions, powers and duties of the Academic Board (see section 2 of the new Statute, which is modelled on section 2 of the current Statute 7 – The Academic Board);
- to empower the Council to review and, where necessary, require changes to or veto academic policies established by the Academic Board (see section 3 of the new Statute, which is modelled on section 2A of the current Statute 7);
- to enable the Academic Board to delegate any of its powers, duties or functions under the new Statute or any other Statute or any regulations to any person or body of persons (see section 4 of the new Statute); and
- to enable the Academic Board to make regulations for, among other things, the composition or membership of the Academic Board (see section 5 of the new Statute).

It is intended that Council will make regulations under section 5 once the new Statute has been approved by Council and the Minister. The new regulations will deal with such matters as the composition of the Academic Board, and the election of elected officers and members of the Academic Board.

LA TROBE UNIVERSITY
ACADEMIC BOARD STATUTE 2009

The Council of La Trobe University makes this Statute under section 30 of the *La Trobe University Act 1964*.

1. Name and commencement

- (1) This Statute is the **Academic Board Statute 2009**.
- (2) This Statute comes into full force and effect on 1 July 2009.

2. Functions, powers and duties of the Academic Board

- (1) The Academic Board may—
 - (a) subject to section 3, establish, review and monitor the implementation of academic policies and procedures;
 - (b) oversee and review the operations of the University in relation to admission to courses, academic progress, examinations, assessment and academic misconduct;
 - (c) prescribe the requirements for the degrees, diplomas and other awards conferred or granted by the University;
 - (d) promote high standards of teaching, learning and research throughout the University;
 - (e) oversee the review of academic programs and organisation units engaged in teaching and research;
 - (f) subject to subsection (2), determine the conditions for competition for, and the awarding of, any fellowship, scholarship or prize;
 - (g) determine the requirements for academic staff promotions and senior academic appointments at Levels D and E;
 - (h) provide a forum to facilitate debate on academic matters affecting the University;
 - (i) whether by its own motion or as requested, consider and advise the Vice-Chancellor and the Council on academic matters and any other issue relating to academic standards at the University; and

- (j) perform all the duties of a Faculty for any subject that does not pertain to a Faculty.
- (2) In determining conditions under subsection (1)(f), the Academic Board must, as far as practicable, ensure that the conditions are consistent with any conditions specified by the founder or donor, if any, of the relevant fellowship, scholarship or prize.
- (3) The Academic Board shall also perform the functions, carry out the duties and exercise the powers conferred or imposed on it under this or any other Statute or any regulations.

3. Council to review academic policies established by Academic Board

- (1) As soon as practicable after establishing an academic policy under section 2(1)(a), the Academic Board must give the Council a written report which describes the policy.
- (2) After reviewing a written report given under subsection (1), the Council may decide to veto the academic policy or make changes to it.
- (3) If the Council decides to veto an academic policy or make changes to it under subsection (2), the Council must give written notice of that decision to the Secretary to the Academic Board as soon as practicable.
- (4) A decision by the Council under this section to veto or change an academic policy takes effect 4 weeks from the date notice of the decision is given under subsection (3).

4. Delegation

- (1) The Academic Board may, by resolution, delegate any of its powers (other than this power of delegation), duties or functions under this or any other Statute or any regulations to any person or body of persons.
- (2) A delegation by the Academic Board under this section of a power, duty or function is revocable and does not prevent the exercise of the power, duty or function by the Academic Board.

5. Regulations

- (1) The Academic Board may make regulations—
 - (a) for or with respect to the composition or membership of the Academic Board;
 - (b) for or with respect to or providing for any matter or thing for the purposes of this Statute; and
 - (c) amending or revoking any regulations made under this Statute.

- (2) The Academic Board must ensure that regulations made under this Statute are promulgated by having the regulations displayed on an official notice board of the University for a period of at least 14 days.
- (3) For the purposes of determining when regulations made under this Statute come into full force and effect within the meaning of section 30(4) of the Act, the regulations are taken to have been promulgated in accordance with sub-section (2) at the start of the first day on which they are displayed on an official notice board of the University.

6. Transitional provisions

- (1) A person who, immediately before the commencement, was an elected or student member of the Academic Board is taken, on and from the commencement, to be an elected or student member of the Academic Board under this Statute and the regulations for so much of the person's term as an elected or student member which remained unexpired immediately before the commencement.
- (2) A person who, immediately before the commencement, was the Chair, Deputy Chair or Assistant Deputy Chair of the Academic Board is taken, on and from the commencement, to have been elected as the Chair, Deputy Chair or Assistant Deputy Chair (as the case requires) of the Academic Board under this Statute and the regulations for so much of the person's term as Chair, Deputy Chair or Assistant Chair which remained unexpired immediately before the commencement.
- (3) In this section—

commencement means the coming into full force and effect of this Statute;

Old Statute means Statute 7 – The Academic Board, and all regulations made under that Statute, as in force immediately before the commencement.

7. Revocation of earlier University legislation

The following Statute and Regulation are **revoked**—

- (a) Statute 7 – The Academic Board;
- (b) Regulation 7.1 – Composition, Procedures and Election of the Academic Board.

Approved by the Council—
Approved by the Minister—