

LA TROBE UNIVERSITY

ACADEMIC BOARD REGULATIONS 2009

The Academic Board of La Trobe University makes these Regulations under the Academic Board Statute 2009.

PART 1—PRELIMINARY

1. Name

These Regulations are the **Academic Board Regulations 2009**.

2. Interpretation

(1) In these Regulations, unless the contrary intention appears—

academic member means a member elected under section 4(1) or 5(2);

academic staff means staff of the University whose terms of appointment describe them as such and who are engaged by the University in teaching or research positions or in teaching and research positions;

Board means the Academic Board;

elected member means an academic member or a student member;

election, in Part 3, means an election of elected members;

Faculty Registrar means a Faculty Registrar referred to in section 14;

member ex officio means a member of the Board referred to in section 3;

member of a Faculty means a member of a Faculty within the meaning of the **Faculties Statute 2009**;

Returning Officer means a Returning Officer referred to in section 15;

Secretary means the Secretary to the Board appointed under section 10(1);

student member means an elected member elected under section 6;

voter means a person entitled under section 12 to vote in an election conducted under Part 3;

voting paper means a voting paper for use in an election

conducted under Part 3 and, in relation to an election conducted electronically, includes an electronic equivalent of a voting paper for use in the computer program used to conduct the election.

- (2) In these Regulations, a reference to a particular category of vacancies in an election is a reference to vacancies in respect of—
 - (a) student members; or
 - (b) academic members drawn from a particular Faculty.
- (3) For the purposes of these Regulations, an official notice board of the University can include a notice board in electronic form.

PART 2—COMPOSITION OF THE BOARD, THE CHAIR AND THE SECRETARY

3. Members ex officio

For the purposes of section 27(1)(a) of the Act, the following persons are prescribed as members ex officio of the Board—

- (a) the Chair;
- (b) the Deputy Chair;
- (c) the Deputy Vice-Chancellor;
- (d) the Deputy Vice-Chancellor (International and Future Students);
- (e) the Deputy Vice-Chancellor (Research);
- (f) the Pro Vice-Chancellor (Curriculum and Academic Planning);
- (g) the Pro Vice-Chancellor (Equity and Student Services);
- (h) the Pro Vice-Chancellor (Graduate Research);
- (i) the Pro Vice-Chancellor (Quality Enhancement);
- (j) the Pro Vice-Chancellor (Regions);
- (k) the University Librarian;
- (l) the Chair of the Higher Degrees Committee (Research);
- (m) the Executive Director of each regional campus;
- (n) the following members of the academic staff of each Faculty—
 - (i) the Dean;
 - (ii) the Deputy Dean;
 - (iii) each Associate Dean, however styled;
 - (iv) the Head, however styled, of each School within the Faculty.

Note:

Section 27(1)(a) of the Act provides that the Vice Chancellor is a member ex officio of the Board, and allows the Statutes or regulations to prescribe other staff (academic or otherwise) as members ex officio.

4. Elected members from the Faculty of Education

- (1) For the purposes of section 27(1)(b) of the Act, as many additional

members of the academic staff of the Faculty of Education as are needed to bring the total number of the members of that Faculty on the Board to 12, to be elected by and from the members of the academic staff of the Faculty, are prescribed as members of the Board.ⁱ

- (2) Of the members of the Board to be elected under subsection (1)—
 - (a) at least 4 must be drawn from the Bendigo Campus; and
 - (b) at least 1 must be from a regional campus that is not the Bendigo Campus.

5. Elected members from other Faculties

- (1) This section applies to the Faculty of Health Sciences, the Faculty of Humanities and Social Sciences, the Faculty of Law and Management and the Faculty of Science, Technology and Engineering.
- (2) For the purposes of section 27(1)(b) of the Act, as many additional members of the academic staff of a Faculty to which this section applies as are needed to bring the total number of the members of that Faculty on the Board to 15, to be elected by and from the members of the academic staff of the Faculty, are prescribed as members of the Board.ⁱⁱ
- (3) Of the members of the Board elected from a Faculty in accordance with subsection (2)—
 - (a) at least 2 must be drawn from the Bendigo Campus; and
 - (b) at least 1 must be from a regional campus that is not the Bendigo Campus.

6. Student members

- (1) For the purposes of section 27(1)(c) of the Act, the following representatives of the enrolled students of the University are prescribed as members of the Board—
 - (a) subject to subsection (2), 2 post graduate students, be elected by and from the post graduate students of the University;
 - (b) 3 students who are not post graduate students, to be elected by and from those students of the University who are not post graduate students.
- (2) Of the post graduate students referred to in subsection (1)(a), one must be from a Metropolitan campus and the other from a regional campus.
- (3) Of the students referred to in subsection (1)(b), one must be from a

regional campus and each of the other 2 from any Metropolitan campus.

7. Term of office of elected members

- (1) The term of office of an academic member is 2 years.
- (2) The term of office of a student member is 1 year.

8. Resignation

An elected member may resign his or her membership by giving a signed written notice of resignation to the Chair.

9. Election of the Chair and Deputy Chair

- (1) The Chair and Deputy Chair must each be elected from the professors, other than any professor who is a Dean, for a term of 2 years, by a secret ballot by the Board.
- (2) An election under subsection (1)—
 - (a) must be conducted by the Secretary; and
 - (b) as far as practicable, should be held during October in the second year of the term of the incumbent Chair or Deputy Chair, as the case requires.
- (3) An election under this section must be conducted in accordance with the principles of first-past-the-post voting.
- (4) The result of an election under this section must be reported by the Chair to the first meeting of the Board that follows the election.
- (5) If, during his or her term, the Chair is appointed under the Act to the position of Acting Vice Chancellor—
 - (a) he or she is no longer taken to be the Chair during the period of that appointment; and
 - (b) at any meeting of the Board which occurs during that period, the Deputy Chair shall act as the Chair for that meeting.
- (6) If the Chair and Deputy Chair are both absent from a meeting of the Board, the Board must elect from its members a person to act as the Chair for that meeting.
- (7) If the office of Chair or Deputy Chair becomes vacant due to death, resignation or incapacity due to physical or mental illness (the illness being certified by a registered medical practitioner), the Board must elect from its members a person to fill the vacancy for the remainder of

the relevant term of office of Chair or Deputy Chair (as the case requires).

10. Secretary to the Academic Board

- (1) The University must appoint a person to act as the Secretary.
- (2) The Secretary must carry out the administrative work associated with the conduct of the Academic Board's business.
- (3) The Secretary may delegate any of his or her powers, duties or functions under this Statute or the regulations to any officer of the University, other than this power of delegation.

11. Professors and prescribed persons may attend meetings of the Board

- (1) The Board may by resolution prescribe persons or classes of persons who may attend meetings of the Board (a *prescribed person*).
 - (2) Any professor or prescribed person may attend a meeting of the Board.
 - (3) For the avoidance of doubt, a person who exercises his or her right to attend a meeting under this section is not a member of the Board only because he or she exercises that right.
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PART 3—ELECTION OF ELECTED MEMBERS

Division 1—General Electoral Provisions

12. Entitlement to vote in an election

- (1) Subject to this Part, only a person whose name appears, as at the relevant day, on a roll of voters maintained under section 14 is entitled to vote in an election to which the roll relates, and may only do so in accordance with this Part.
- (2) Despite any other provision of these Regulations, a person who is standing as a candidate in an election to which these Regulations apply is not entitled to vote in that election.
- (3) In subsection (1), the *relevant day* for an election is the day preceding the day on which a notice is posted under section 15(2) in respect of the election.

13. Elections

An election must be held in each year to replace each elected member whose term expires in that year.

14. Rolls of voters and Faculty Registrars

- (1) Each Faculty must designate a person to be the Faculty Registrar for that Faculty.
- (2) A Faculty Registrar must keep a roll of voters from the relevant Faculty for the purposes of voting in elections of academic members from that Faculty.
- (3) The Returning Officer must keep a roll of voters for the purposes of voting in elections of student members.
- (4) A roll of voters may be kept in electronic form.

15. Returning Officers

- (1) For the purposes of elections conducted under these Regulations—
 - (a) the Returning Officer for an election of academic members from a particular faculty is the Faculty Registrar of that Faculty; and
 - (b) the Returning Officer for an election of student members is the Director, Governance, Policy and Planning.
- (2) If an election of elected members is to take place, each relevant Returning Officer must post a notice on official notice boards of the

University calling for nominations of candidates.

- (3) A notice under subsection (2) must specify a date for the closure of nominations, being a date at least 14 days after the date the notice is posted.
- (4) A Returning Officer must ensure that a copy of the notice referred to in this section is posted on official notice boards of the University.

16. Nominations

A nomination of a person to be a candidate in an election of elected members must—

- (a) be made in writing by at least 2 voters entitled to vote in the election (the *nominators*);
- (b) contain the written consent of the person being nominated; and
- (c) contain details of the positions held by the nominators.

17. Sufficiency of nominations

- (1) If the number of candidates nominated in respect of a particular category of vacancies in an election is equal to the number of those vacancies, the candidates nominated must be declared to be elected by the relevant Returning Officer.
- (2) If the number of candidates nominated in respect of a particular category of vacancies in an election is less than the number of those vacancies—
 - (a) the candidates nominated must be declared by the relevant Returning Officer to be elected; and
 - (b) the relevant Returning Officer must call for further nominations in respect of the remaining vacancies.

18. Notice of election

- (1) Within 7 days after the closing date for the receipt of nominations specified by a Returning Officer under section 15(3), if the number of candidates is greater than the number of vacancies, the relevant Returning Officer must—
 - (a) fix the date on which the election is to be held; and
 - (b) display on an official notice board of the University a notice setting out—
 - (i) the nature, date and times of the election;
 - (ii) the names of the nominated candidates; and
 - (iv) the category of vacancy to which each nominated

candidate is seeking election.

- (2) The date fixed under subsection (1) for an election must be a date that is at least 7 days from the date the notice referred to in subsection (1)(b) is posted.
- (3) The relevant Returning Officer must ensure that a copy of the notice referred to in this section is posted on official notice boards of the University.

19. Method for conduct of election

A Returning Officer may conduct an election by—

- (a) postal ballot;
- (b) electronic ballot; or
- (c) the personal attendance of the voters entitled to vote in the election at a polling booth or polling booths designated by the Returning Officer.

20. Format of voting papers

- (1) A voting paper used in an election conducted under this Part must be in the form approved by the relevant Returning Officer.
- (2) The order in which the names of the candidates in an election are to be set out on a voting paper for that election is to be determined by the relevant Returning Officer by the drawing of lots.

21. Lost or destroyed voting papers

- (1) If a voting paper issued to a voter is lost or destroyed, the voter may apply in writing to the relevant Returning Officer for a replacement voting paper.
- (2) If satisfied that the voting paper has been lost or destroyed, the relevant Returning Officer may issue a replacement voting paper to the voter.
- (3) Nothing in this section applies in respect of an election conducted electronically.

22. Declaration forms and envelopes

- (1) Each voting paper issued to a voter must be accompanied by—
 - (a) a declaration form which—
 - (i) states the date and times of the election to which it relates; and
 - (ii) makes provision for the full name and signature of the

voter and particulars of the voter's entitlement to vote in the election; and

- (b) an envelope marked "Voting Paper"; and
 - (c) another envelope addressed to the relevant Returning Officer.
- (2) A voter is not entitled to vote in an election if he or she does not complete the declaration form referred to in subsection (1).
- (3) Subsection (2) does not apply in respect of an election conducted electronically.
- (4) In relation to an election conducted electronically, the electronic equivalent of a voting paper for use in the election must be accompanied by an electronic equivalent of the declaration form referred to in subsection (1)(a).
- (5) A voter is not entitled to vote in an election conducted electronically if he or she does not complete the declaration form referred to in subsection (4) at the time of voting.

Division 2—Casual Vacancies

23. Casual vacancies among academic members

- (1) For the purposes of this section, a casual vacancy arises in relation to an academic member if the academic member—
- (a) dies;
 - (b) resigns his or her membership of the Board; or
 - (c) is to be absent from the University for a period exceeding 3 months where the unexpired portion of the academic member's term of office is at least 3 months.
- (2) If a casual vacancy arises under this section, the Faculty from which the academic member is drawn must nominate another member of the academic staff of the Faculty to fill the vacancy for the remainder of the relevant term of office.

24. Casual vacancies among student members

- (1) If a person who is a student member ceases to be an enrolled student during his or her term of office—
- (a) the person ceases to be a member of the Board; and
 - (b) a casual vacancy arises in relation to that person's former membership of the Board.

- (2) If—
 - (a) a casual vacancy arises under this section; and
 - (b) the unexpired portion of the person's term of office exceeds 2 months—

an election to fill the casual vacancy for the balance of that term must be held among the students or post graduate students (as appropriate) of the University in accordance with section 6 and this Part.

Division 3—Voting

25. Method of voting

- (1) A voting paper is to be completed by clearly placing a mark in the box opposite the name of 1 candidate.
- (3) After completing his or her voting paper in an election that is not conducted electronically, a voter must lodge or post the voting paper and declaration form in accordance with the instructions accompanying the voting paper.
- (4) After completing his or her voting paper in an election that is conducted electronically, a voter must lodge the voting paper and declaration form in accordance with the computer program used to conduct that election.

26. Counting of votes

- (1) In an election to which this Part applies, the votes are to be counted in accordance with the principles of first-past-the-post voting.
- (2) A Returning Officer must reject a voting paper used in an election if—
 - (a) it is not accompanied by a properly completed declaration form; or
 - (b) it has not been clearly marked in accordance with section 25(1).



Approved by the Academic Board on 9 September 2009

Promulgated on 10 September 2009

ⁱ Section 4(1): Amended by the **Academic Board (Amendment) Regulations 2009**.

ⁱⁱ Section 5(2): Amended by the **Academic Board (Amendment) Regulations 2009**.