

# Minutes

## Legislation Committee

<b>Meeting No:</b>	LC 3/15
<b>Date &amp; Time:</b>	Thursday, 27 August 2015 at 10:00 am
<b>Venue:</b>	VCO Meeting Room, Mt Helen Campus
<b>Members:</b>	Mr Derek White (Acting Chair) Associate Professor Kim Dowling Mr Adrian Tinetti
<b>In attendance:</b>	Ms Liz Luciani Ms Sharon Kitt
<b>Executive Officer:</b>	Ms Shona Adams

- 1. Apologies, Special Leave of Absence and Declarations of Interest**  
Apologies were received from Professor Todd Walker, Professor Andy Smith, and Ms Jeannie King.

Welcome to Ms Liz Luciani who is attending as a proxy for Ms Jeannie King.

- 2. Starring of Items and Approval of Non-Starred Items**

- 2.1 Starred Items**

Items 1, 2, 3, and 5 were "starred" and considered at the meeting.

- 2.2 Non-Starred Items**

- Resolution LC 3/15/2**

The Legislation Committee resolved that all items on the agenda "not starred" be adopted without discussion, and the action recommended be taken or the information therein noted.

- 3. Minutes of the previous meeting and matters arising (page**

- 3.1 Confirmation**

The Legislation Committee was asked to confirm the Minutes from meeting LC 2/15 held on Thursday, 4 June, 2015.

- Resolution LC3/15/3**

**The Legislation Committee confirmed the Minutes of meeting LC 2/15 held Thursday, 4 June, 2015.**

- 3.2 Matters Arising from the Minutes**

Nil.

- 4. Approval of Legislation**

The Legislation Committee noted the approval of legislation as listed below:

Academic Board approved at the meeting held Wednesday, 17 June 2015 the Legislation Committee resolution LC 2/15/4 recommending that the amendment to Regulation 6.1.1, be approved, subject to the amendment of section 4. (2) that " An appeal must be lodged ...within 10 working days "

- Regulation 6.1.1 - Plagiarism

Council approved the following legislation at the meeting held on Tuesday, 2 June 2015 - CM 4/15.

- Regulation 2.3 – The School
- Statute 10.1 – Ballarat Technology Park

Council approved the following legislation at the meeting held on Tuesday, 14 July 2015 - CM 5/15

- Clause 2 of Statute 2.4 – The Student Discipline Committee.

## 5. Specific items for discussion

### 5.1 Statute 7.1 - Election Procedures Statute 7.2 – Elections by Members of Boards

Mr Adrian Tinetti advised the Committee of the minor change to both statutes, which is simply to remove “Council” from the wording, which has been brought about by proposed legislation changes to reinstate elected staff and student representatives on Council.

#### **Resolution 3/15/4**

**The Legislation Committee approved and recommends to Council Executive Committee for approval the amendments to Statutes 7.1 and 7.2.**

### 5.2 Regulation 6.1 Student Discipline Statute 5.3 – The Schedule Part 1

A. Ms Liz Luciani, Manager, Student Advisory Service provided the Committee with an overview of the importance of a student to have the opportunity to bring a support person when attending a Discipline Meeting for General and Academic Misconduct.

The Committee discussed at length the feasibility of a support person attending Discipline Meetings and the following points were raised

- it is an intimidating experience for a student facing a Discipline Meeting alone;
- a student facing a Discipline Meeting would be extremely distressed and anxious; and
- international students would benefit from a support person if their English is poor.

The Chair resolved that the Legal Department would review the legislation and provide a recommendation to the Committee,

B. Ms Luciani highlighted to the Committee that Reg. 6.1 Part A 7. (2); Reg. 6.1 Part A. 9. ; Reg. 6.1 Part B. 16, (2); Reg. 6.1 Part B. 18.that the regulation should be number of working days and not “days.”

The Chair noted that the amendment would be referred to the Legal Department for review.

C. Ms Luciani outlined the issues surrounding non-payment of student fees, which affects their results being published. The current arrangement is distressing to

students and has ramifications for international student VISAS.

The Chair resolved that the Legal Department would review the options and forward to relevant stakeholders for initial comment.

- D. Ms Luciani advised the Committee of her two concerns around examination breaches under Stature 5.3, The Schedule Part 19, 9 (b), and the intention to train students as supporters in the future.

The Chair resolved that Ms Haylee Hartly provide a report to the Committee at the next Meeting LC 4/15 outlining her recommendations.

*Ms Sharon Kitt entered the meeting.*

### **5.3 Regulation 5.1 – Higher Doctorates, The Doctoral Degree (Research), The Doctoral Degree (Professional) and the Masters Degree (Research)**

Ms Sharon Kitt, Director, Research Services provided the Committee with an overview of the pending changes to Regulation 5.1.

Associate Professor Kim Dowling noted that the document requires minor formatting and editorial change, and amendments of the two thesis word limits, however the Committee should not delay the recommendation. Ms Kitt agreed to review these matters and then forward an updated version of Regulation 5.1.

The Chair resolved that a Circulatory Resolution would then be sent to the Legislation Committee to approve the changes to Regulation 5.1, and forward to Academic Board for approval on Wednesday, 9 September 2015.

## **6. General Business**

- 6.1** The Committee noted the amendment to Regulation 2.3 – Faculties and the Schools was approved unanimously by Legislation Committee via Circulatory Resolution 3/15/1 dated 17 August 2015 and will be submitted to Council Executive Committee for approval.
- 6.2** The Committee noted the University's Legal Office is undertaking a general review of the University's Statutes and Regulations in consultation with Wendy Caudle, Policy Writer, Learning and Quality. It is intended that the outcome of this review will be presented at the next Legislation Committee meeting.

## **7. Next Meeting**

The next meeting of the Legislation Committee will be held on **Thursday, 22 October 2015** in the **VCO Meeting Room, Mt Helen Campus** at **10:00 am**.

The meeting concluded at 11.00am.