

Terms of Reference v 6

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Federation University Student Senate

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It is recommended that these Terms of Reference be read in conjunction with the *Student Senate Beginner's Guide*, available on enquiry to student.senate@federation.edu.au.

Authority

The Student Senate is a student based advisory body established to make recommendations regarding the student experience, including but not limited to student amenities and services. The Senate will act as a consultative body to the Vice-Chancellor, through the Deputy Vice-Chancellor, Academic as primary sponsor.

1. Interpretation

1.1 In these Terms of Reference:

“The Student Senate” means the democratically elected representative Committee of Federation University Australia’s student body (Higher Education, TAFE, VET & VCAL), constituted in accordance with these Terms of Reference.

“Vice-Chancellor” means the Vice-Chancellor, or their nominee.

2. Objectives

2.1 The Student Senate will be concerned with the improvement of the student experience for all Federation University Australia students (Higher Education, TAFE, VET, VCAL) across all campuses of the University and partner provider locations (within Australia) and students studying online or via distance education. This will involve consulting with, and providing an avenue for, students to provide feedback and recommendations in regards to:

1. student amenities and services
2. Federation University Australia’s policies and procedures in regards to student life
3. student life for students based on campus, studying online or via distance education
4. Federation University Australia’s physical, cultural and technological learning environments

2.2 The Student Senate will make recommendations to the Vice-Chancellor, through the Deputy Vice-Chancellor, Academic as primary sponsor regarding the use and proposed use of proceeds from the student services and amenities fee (SSAF) as per *The Higher Education Support Act 2003* and the Student Services, Amenities, Representation and Advocacy Guidelines (‘the Representation Guidelines’) for the provision and improvement of student services and amenities.

3. Membership

3.1 The Student Senate shall consist of the following members:

a. Ex-Officio members

Student representatives automatically appointed by virtue of their student representative role in another University body.

Student representatives on each School Board (including TAFE and Federation College), and the Appeals Committee will be co-opted to the Student Senate.

Ex-officio members have full voting rights. See 3.4 for removal and 6.2 for further information on eligibility.

b. Elected members

Student representatives elected into the following positions:

- **HORSHAM STUDENT REPRESENTATIVE *Higher Education* (1 position):**
Acts to advocate on behalf of Higher Education students at Western Campuses (Horsham, Stawell & Ararat).
Eligibility OPEN to Higher Education students of Western Campuses (Horsham, Stawell & Ararat).
- **HORSHAM STUDENT REPRESENTATIVE *TAFE/VET/VCAL* (1 position):**
Acts to advocate on behalf of TAFE & VCAL students at Western Campuses (Horsham, Stawell & Ararat).
Eligibility OPEN to TAFE and VCAL students of Western Campuses (Horsham, Stawell & Ararat).
- **SMB CAMPUS STUDENT REPRESENTATIVE (2 positions):**
Acts to advocate on behalf of all students at SMB Campus.
Eligibility OPEN to students enrolled at a course at SMB campus.
- **FEDCOLLEGE STUDENT REPRESENTATIVE (1 position):**
Acts to advocate on behalf of all students at FedCollege.
Eligibility OPEN to students enrolled at a course at FedCollege.
- **BERWICK CAMPUS REPRESENTATIVE (2 positions):**
Acts to advocate on behalf of all students at Berwick campus.
Eligibility OPEN to all students enrolled at a course at Federation University's Berwick Campus.
- **CAMP ST CAMPUS STUDENT REPRESENTATIVE *Performing Arts* (1 position):**
Acts to advocate on behalf of all Higher Education Performing Arts students at Camp St Campus.
Eligibility OPEN to Higher Education students enrolled at a course at Camp St Campus.
- **CAMP ST CAMPUS STUDENT REPRESENTATIVE *Visual Arts* (1 position):**
Acts to advocate on behalf of all Higher Education and TAFE Visual Arts students at Camp St Campus.
Eligibility OPEN to Higher Education and TAFE students enrolled at a course at Camp St Campus.
- **MT HELEN CAMPUS STUDENT REPRESENTATIVE *Higher Education* (2 positions):**
Acts to advocate on behalf of all Higher Education students at Mt Helen Campus.
Eligibility OPEN to Higher Education students enrolled at a course at Mt Helen Campus.
- **MT HELEN CAMPUS STUDENT REPRESENTATIVE *TAFE* (1 position):**
Acts to advocate on behalf of all TAFE students at Mt Helen Campus.
Eligibility OPEN to TAFE students enrolled at a course at Mt Helen Campus.
- **BRISBANE CAMPUS STUDENT REPRESENTATIVE (1 position):**
Acts to advocate on behalf of all students at Brisbane Campus.
Eligibility OPEN to students enrolled at a course at Brisbane Campus.
- **INTERNATIONAL STUDENT REPRESENTATIVE (1 position):**
Acts to advocate on behalf of all students enrolled as International students at Federation University.
Eligibility OPEN to students enrolled as International students at Federation University (must hold a current Overseas Student Visa).
- **CLUBS & SOCIETIES STUDENT REPRESENTATIVE (1 position):**
Acts to advocate on behalf of all student members of Federation University Clubs & Societies.
Eligibility OPEN to Executive Committee members of Federation University Clubs & Societies.
- **SPORTS STUDENT REPRESENTATIVE (1 position):**
Acts to advocate on behalf of all students involved in Federation University Sports activities and Teams.
Eligibility OPEN to all students involved in Federation University Sports activities and Teams.
- **POSTGRADUATE STUDENT REPRESENTATIVE (1 position):**
Acts to advocate on behalf of all postgraduate students at Federation University Australia.
Eligibility OPEN to students enrolled as a postgraduate student at Federation University.

- **GIPPSLAND CAMPUS STUDENT REPRESENTATIVE (2 positions):**
Act to advocate on behalf of all students at the Gippsland campus.
Eligibility OPEN to all students enrolled at a course at Federation University's Gippsland Campus.
- **DISTANCE EDUCATION/OFF CAMPUS REPRESENTATIVE (2 positions):**
Acts to advocate on behalf of all Distance Education/Off Campus Students
Eligibility OPEN to students enrolled in Distance Education/Off Campus courses of Federation University Australia, who are required to pay the Student Services & Amenities Fee.
- **ABORIGINAL AND TORRES STRAIT ISLANDER REPRESENTATIVE (1 position):**
Engages with and advocates for the diverse range of indigenous students enrolled at Federation University.
Eligibility OPEN to all Aboriginal and/or Torres Strait Islander students enrolled at Federation University.
- **EQUITY, DIVERSITY AND SOCIAL INCLUSION ADVOCATE (1 position):**
Engages with and advocates for the diverse range of students currently enrolled at Federation University.
Eligibility OPEN to all students enrolled at Federation University.
- **ACADEMIC BOARD REPRESENTATIVE (1 position):**
Attends 8 Academic Board meetings per year, reporting on the Student Senate and acts to advocate on behalf of all enrolled students in relation to Academic activities of the University.
Eligibility OPEN to all students enrolled at Federation University.
- **LEARNING AND TEACHING COMMITTEE REPRESENTATIVE (1 position):**
Attends 8 Learning and Teaching Committee meetings per year, reporting on the Student Senate and acts to advocate on behalf of all enrolled Federation University students according to the Learning and Teaching Committee's terms of reference.
Eligibility OPEN to all students enrolled at Federation University.
- **SUSTAINABILITY COMMITTEE REPRESENTATIVE (1 position):**
Attends Sustainability Committee meetings per year (when the body exists), reporting on the Student Senate and acts to advocate on behalf of all enrolled Federation University students on issues of sustainability.
Eligibility OPEN to all students enrolled at Federation University.
- **BALLARAT RESIDENTIAL REPRESENTATIVE (1 position):**
Acts to advocate on behalf of all residence students for the Ballarat area.
Eligibility OPEN to all students enrolled at Federation University who have a current license agreement to live within University residence in the Ballarat area.
- **BERWICK RESIDENTIAL REPRESENTATIVE (1 position):**
Acts to advocate on behalf of all residence students at Berwick.
Eligibility OPEN to all students enrolled at Federation University and living on Federation University residences in the Berwick area.
- **CHURCHILL RESIDENTIAL REPRESENTATIVE (1 position):**
Acts to advocate on behalf of all residence students at Churchill.
Eligibility OPEN to all students enrolled at Federation University and living on Federation University residences in the Gippsland area.

Provided that any student nominated is:

- (i) studying at a time fraction of 0.5 or more;
- (ii) not employed by the University at a time fraction of 0.5 or more;
- (iii) 18 years or over (with the exception of Federation College and VCAL students); and
- (iv) not currently serving a custodial sentence,

at the time of the calling for nominations by the Returning Officer.

Elected members have full voting rights on all recommendations and/or business brought to the Senate. See 3.4 for removal and 6.1 for further information on terms.

c. Appointed members:

The Senate may seek nominations and appoint members by majority resolution. Such appointed members will assist the Senate achieve an informed perspective on any of the powers or duties of the Student Senate as defined in 2. *Objectives*.

The Senate may seek nomination for and appoint these appointed members by majority resolution of the Student Senate. Such appointments will exist until the end of year or until the Senate decide by majority vote to terminate the position. The number of appointed members is limited to a total of 5 at any one time.

Appointed members do not have voting rights.

Any student nominated for appointment must be:

- (i) studying at a time fraction of 0.5 or more;
- (ii) not employed by the University at a time fraction of 0.5 or more;
- (iii) 18 years or over (with the exception of Federation College and VCAL students); and
- (iv) not currently serving a custodial sentence,

at time of nomination and while holding their position.

Conflict of Interest

Members employed by the University in any capacity must be prepared to declare any Conflict of Interest that may arise, and exclude themselves from associated proceedings, while participating in the normal operations of the Senate.

Minimum Representative Requirement

At all times the Student Senate must include at least 1 representative from each of the following categories:

- (i) students enrolled in an undergraduate course of study
- (ii) students enrolled in a postgraduate course of study
- (iii) overseas students

Chair & Leadership

3.2 The Student Senate shall elect from its members a Chair. The Chair may only be a member drawn from (a) Ex-officio members and (b) Elected members.

3.2.1 Vice Chair: The FedUni Student Senate shall elect from its members a vice-chair. The Vice-Chair may only be a member drawn from (a) Ex-officio members or (b) Elected members. The Vice-Chair will carry out the Chair's duties in their absence, with the acknowledgement of the board as being capable and suitable to do so. They will provide support and assistance to the Chair in carrying out their responsibilities and may take on specific duties from the Chair where delegated and appropriate. For term length see 6.3.

3.2.2 Acting Chair: In the period between the last meeting of one Senate term to the first meeting of the next Senate term an Acting Chair may be appointed. This position will be remunerated \$100 for this period. This position will be determined by a vote at the last meeting of the year and must be filled by a member that has already secured a position on the forthcoming Senate.

It is expected (unless otherwise indicated) that the Acting Chair will take on the role of Chair in the forthcoming Senate. This will be determined by a spill motion at the first meeting of the year. If the spill motion is not carried then the Acting Chair will become Chair. However if the spill motion is carried then the role will become vacant and all Senate members (including the recently dismissed Acting Chair) are eligible to nominate for this position.

3.3 The Senate may create Campus Chapters, which consist of campus based representatives of the Student Senate and any other member of the Senate for whom consultation with a student cohort on a particular Campus would be beneficial to fulfilling their role. Such Campus Chapters will report to the Student Senate meetings and are bound by these Terms of Reference.

Removal and Resignation of Members

3.4 The Committee may remove an any member from office if:

- (a) the member, without first seeking a leave of absence from the Chair, fails to attend 3 consecutive meetings;
- (b) a resolution is passed by a majority four-fifths vote of the Senate that the member is found to have neglected their duties (as outlined in 8. *Duties & Responsibilities* and the Student Senate Handbook) and/or disregarded the objectives of the organisation as outlined in 2. *Objectives*;
- (c) a resolution is passed by a majority four-fifths vote of the Senate that the member is found to have impeded the Senate to conduct its business and/or engages in conduct that is disruptive and disrespectful to other members or impedes the ability of the Chair to direct a meeting;
- (d) during their term on the Senate the member is found by the University, through its formal procedures, to have engaged in a breach of discipline or misconduct (including harassment, discrimination, bullying) in relation to any matter.

The member must be given: (i) particulars in writing of what it is alleged they have done or failed to do in breach of their duties, at least 1 week before the meeting at which the motion to remove them is to be considered; and (ii) a reasonable opportunity to make written submissions to, attend and be heard at that meeting.

An elected member of the Student Senate, other than the Chair, may resign by writing delivered to the Chair.

The Chair may resign by writing delivered to the Vice-Chancellor.

Where an elected member expects to be absent from more than 3 consecutive meetings in any calendar year, the member must seek a leave of absence in writing from the Chair, or resign their position from the Committee by writing delivered to the Chair at the first meeting of the Senate after it becomes known to the member that the ongoing absence is likely.

Complaints & Appeals

3.5 If a member removed from office by the Committee believes their removal to be unfair, or not in accordance with these Terms of Reference, the removed member may have access to the University's official grievance processes.

4. Advisors

The Director, Student Experience will have the right to attend meetings of the Student Senate, submit items for the Agenda and the right of debate. The Director, Student Experience will act as Permanent Advisor to the Student Senate.

The Deputy Vice-Chancellor, Academic will have the right to attend meetings of the Student Senate, submit items for the Agenda and the right of debate. The Deputy Vice-Chancellor, Academic will act as Permanent Advisor to the Student Senate.

Senate members, with the Chair's approval, may call on additional staff advisors to attend all or any meetings and advise the Senate. Such advisors will have the right to attend meetings when invited, submit items for the agenda, and right of debate.

Advisors do not have voting rights.

5. Executive Officer

An Executive Officer will be appointed by the University to assist the Student Senate with advice and secretariat support.

6. Terms of Reference

6.1 The student representatives, as defined in 3. *Membership*, shall hold office for a period of 24 months commencing November 1 until October 31 24 months later, with a maximum of two consecutive terms. All Members must fulfil the conditions of Membership, as listed in 3. *Membership*, to retain their position on the Senate.

6.2 Ex-officio members may hold their position on the Senate for as long as they hold their position on the relevant School Board, TAFE Board, Committee or role as a Residential Advisor. For the non-voting Appointed members, the position lasts for the year or until the Senate decide by majority vote to terminate the position.

6.3 The Chair and Vice-Chair, as defined in 3. *Membership*, shall hold office for a period of 12 months commencing in November each year, with a maximum of two consecutive terms. A member is eligible to act as Chair or Vice-Chair while within the period of their position as (a) an Ex-officio member or (b) an Elected member.

Member Vacancy

6.4 In the case of a vacancy on the Senate, members present may resolve by majority vote as follows:

6.4.1 For an elected role, the Senate may:

- see the position remain vacant until next election,
- fill the position by a general election for the balance of the term,
- or appoint another eligible person to backfill the role as defined in 3. *Membership*,

Should an elected role be filled by appointment, the appointment expires at the next election, as per 7.1.

6.4.2 For an appointed role, the Senate may:

- appoint another eligible person to the role as defined in 3. *Membership*
- let the role lapse. (See 3. c.)

6.4.3 For an ex-officio role, the Senate may request the relevant body refill the position and report to the Deputy-Vice Chancellor, Academic if this does not occur within a reasonable period.

6.5 As per the Terms of Reference, at all times the Student Senate must include at least one representative from each of the following categories:

- a. students enrolled in an undergraduate course of study,
- b. students enrolled in a postgraduate course of study,
- c. overseas students.

If at any time the senate does not include a representative from the categories listed the senate will, per 6.4, seek such eligible members of these categories to meet this requirement.

7. Elections

7.1 Elections for positions on the Student Senate will be held during Lecture Period 3/Term 3 of the year prior to the term members will serve when any elected positions are determined to be vacant. Elected positions will be determined to be vacant by the Executive Officer if:

- (a) a member is finishing their full term in that position,
- (b) an elected position has fallen vacant and it has not been refilled,
- (c) a person has been appointed by the Senate to fill a vacancy in an elected position.

7.2 If positions are vacant after the first round of elections then a second round will take place in or before Term 1 of the corresponding Senate year.

7.3 Election procedures, including Nomination and Voting procedures, will be governed by Legislation (Regulation 7.1– Election Procedures and Statute 7.1 – Election Procedures)

8. Duties and Responsibilities

8.1 The duties and responsibilities of the Student Senate and its Chapters as pertaining to the Student Services and Amenities Fee (SSAF) are as follows:

- duly consider matters referred to it by the Deputy Vice-Chancellor Academic, University management, University Council or other university body including partner provider institutions in relation to the provision of student services and amenities as per the *The Higher Education Support Act 2003* and the Student Services, Amenities, Representation and Advocacy Guidelines ('the Representation Guidelines'), across all and partner provider campuses (in Australia)
- duly consider recommendations in regards to provision of student services and amenities made by its Chapters
- make recommendations to the Vice-Chancellor, through the Deputy Vice-Chancellor Student Support and Services, or appropriate university body, in relation to student services and amenities at campuses and partner provider locations including recommendations as to the use of proceeds from the student services and amenities fee.

8.1.1 In regards to the student experience, which includes:

- student amenities and services,
- Federation University Australia's policies and procedures in regards to student life,
- student life for students based on campus, studying online or via distance education,
- Federation University Australia's physical, cultural and technological learning environments.

8.1.2 Other duties and responsibilities include:

- consultation with the student body (Higher Education, TAFE, VET, VCAL) across all campuses of the University and partner provider locations (within Australia) and students studying online or via distance education. Make recommendations to the appropriate University bodies in regards to the above,
- duly consider matters referred to it by the Vice-Chancellor, Deputy Vice-Chancellor Academic, University management, University Council or other University body including partner provider institutions in regards to the above.

9. Meetings

9.1 The Student Senate shall normally meet 6 to 8 times per year on a set day, time and place suitable to the majority of members. Provision for meeting by videoconference or teleconference shall be made if meeting in person is not possible for the member.

9.2 Representatives will hold forums open to all students on their relevant campus at least twice during the academic year.

9.3 Notice of a meeting and an electronic copy of the agenda papers shall be circulated by the Executive Officer to each member at least five full working days before the meeting. The Chair may allow additional agenda papers to be circulated with less notice or to be tabled at the meeting. Such additional business shall not be considered if one-third of those present, or the Chair, vote that it be held over to a subsequent meeting.

9.4 Any notice of motion, report, or other business must be submitted in writing to the Executive Officer seven working days before the day of the meeting. Matters submitted after this time may be accepted at the discretion of the Chair.

9.5 A quorum is defined as 50% of the voting membership. In the case of Chapter or Portfolio meetings, a quorum is 50% of the voting membership of that group.

9.6 If a quorum is present at the commencement of the meeting, the meeting may continue until attention is drawn to the lack of a quorum. When this occurs, the meeting shall be adjourned until such time as the Chair may determine. Where a meeting is adjourned for lack of quorum, the reconvened meeting shall normally deal only with matters listed for the original meeting and which were not dealt with.

9.7 The Chair shall preside at all meetings of the Committee.

9.8 In the absence of the Chair, the Committee members present shall appoint a member to preside at that meeting.

10. Portfolios

10.1 The Student Senate may establish Portfolios as required to assist with the functioning of the Senate and the expediency of meetings. These could include, but are not limited to, Communication, Student Connect, Academic and Buildings.

10.2 Student Senate representatives will volunteer for Portfolios; with the exception of the Academic Portfolio which consists of all Ex-Officio members. Student representatives can only sit on a maximum of two portfolios.

10.2 Senate Portfolios will be chaired by a Senate Member who has been elected from within the portfolio membership. Responsibilities of the chair are outlined below:

10.2.1 Portfolio Chair Responsibilities:

- Facilitate monthly portfolio meetings.
- Ensure meetings are structured to allow for the diversity of student views.
- Prioritize issues pertaining to portfolio.
- Document actions and outcome of portfolio issues.
- Facilitate communication with relevant University staff in relation to portfolio issues

- Present report at Student Senate meeting.
- Attend Portfolio Chair meetings as required by Chair of the Senate.

11. Voting

11.1 Upon any question arising at a meeting of the Senate, a member (Ex-officio or Elected) has one vote only.

11.2 All votes must be given personally (proxy voting not permitted)

11.3 In the case of an equality of voting on a question, by motion of the Senate the matter will be referred to a sub-Committee of relevant Senate members for decision. Members of the sub-Committee are chosen by resolution of the Senate.

12. Observers

12.1 Meetings of the Student Senate may be attended by people approved by the Chair to attend the meeting as an observer.

12.2 Observers at a Student Senate meeting will be entitled to see and hear the proceedings of the Senate and will have the right to contribute to debate at Senate meetings.

12.3 Observers at a Student Senate meeting may be required to leave the meeting by the Chair, or by majority vote of members, or when the Senate considers any confidential business.

13. Reporting Relationships

13.1 After each of its meetings the Student Senate shall submit a report to the Vice-Chancellor, through the Deputy Vice-Chancellor, Academic. The report shall include:

- (a) the minutes of Committee meetings; and
- (b) a record of recommendations.

13.2 Should matters for action fall outside the scope of the Deputy Vice-Chancellor, Academic the Senate shall confer with Director, Student Experience as to appropriate course of action and pathway for referral.

14. Dispute Resolution

14.1 The process for dispute resolution set out in this rule applies to disputes under these Terms of Reference between the Student Senate and University management. Either party may raise a dispute. The steps are outlined below:

- i. The dispute must be delivered in writing, ie: The Chair must give written notice to the Deputy Vice-Chancellor, Academic specifying the nature of the dispute, or vice versa, depending on which party has raised the matter.
- ii. The Chair and the Deputy Vice-Chancellor, Academic or their nominee must meet within 10 working days of receipt of the dispute notice to try to resolve the dispute.
- iii. Failing resolution, either party can refer the dispute to mediation in accordance with the Law Institute of Victoria Mediation Guidelines, where an independent mediator will be appointed.

15. Review

15.1 The Terms of Reference of the Student Senate shall be reviewed at least every 2 years. Any recommendations for changes to be made to the Vice-Chancellor, through the Deputy Vice-Chancellor, Academic.

16. University Wide Consultation

16.1 The Student Senate is agreeable to engaging in any consultation required by Governing boards/committees and bodies within Federation University Australia, and will nominate an appropriate Senate member when such student comment is required. Should the matters arising fall outside the scope of the Student Senate, the Senate shall confer with Senate Advisors.

16.2 It is hereby noted that without prior consultation, no governing board/committee/body within Federation University Australia can alter or make changes to their terms of reference which directly/indirectly impacts/effects the functionality, structuring and operations of the Student Senate.

17. Legislation & Resources

The University of Ballarat Amendment (Federation University Australia) Act (2013)

<http://federation.edu.au/staff/governance/feduni-council/about-feduni-council/ub-act-and-role-of-council>

Federation University Australia's Statute 7.1 – Election Procedures

http://federation.edu.au/_data/assets/pdf_file/0008/44999/r71election_procedures.pdf

Federation University Australia's Regulation 7.1 – Election Procedures

http://federation.edu.au/_data/assets/pdf_file/0008/44999/r71election_procedures.pdf

Higher Education Support Act (2003)

<http://www.comlaw.gov.au/Details/C2013C00472/>

Higher Education Legislation Amendment (Student Services and Amenities) Act 2011

<http://www.comlaw.gov.au/details/c2011a00130>

Student Services, Amenities, Representation and Advocacy Guidelines

<http://www.comlaw.gov.au/Details/F2011L02726>

For further information or assistance contact:

Email: student.senate@federation.edu.au | URL: www.federation.edu.au/student-senate