

Minutes

Legislation Committee

Meeting No:	LC 3/14
Date & Time:	Thursday, 28 August 2014 at 10.00 a.m.
Venue:	VCO Meeting Room, Mt Helen Campus
In Attendance:	Ms Katie Morris (Chair) Assoc Prof Kim Dowling Ms Jeannie King Prof Andy Smith Mr Adrian Tinetti
Acting Executive Officer:	Ms Sally Boyle

1. **Apologies, Special Leave of Absence and Declarations of Interest**
The Chair welcomed members. There were no conflicts of interest declared at the meeting.

2. **Starring of Items and Approval of Non-Starred Items**
 - 2.1 **Starred Items**
Items 1, 2, 3.1, 3.2, 5.1 and 5.2 were "starred" and considered at the meeting.

 - 2.2 **Non-Starred Items**
Resolution LC 3/14/1
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**
 - 3.1 **Confirmation**
The Legislation Committee was asked to confirm the Minutes from meeting LC 1/14 held Thursday, 6 March 2014.

Resolution LC 3/14/2
The Legislation Committee confirmed the Minutes of meeting LC 1/14 held Thursday, 6 March 2014.

 - 3.2 **Confirmation**
The Legislation Committee was asked to confirm the Minutes from meeting LC 2/14 convened by Circulatory Resolution dated 29 July, 2014

Resolution LC 3/14/3
The Legislation Committee confirmed the Minutes of meeting LC 2/14 convened by Circulatory Resolution dated 29 July 2014

 - 3.2 **Matters Arising from the Minutes**
Mr Tinetti advised the Committee that following approval of the changes to the Statutes and Regulations regarding University elections, he is organising training for returning officers.

4. Approval of Legislation

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

Council Executive Committee approved and recommended to Council for approval, the following legislation at its meeting held 24 September 2013:

- Statute 1.1 – Interpretation;
- Regulation 2.2 – Appeals Committee;
- Statute 2.4 – Student Discipline Committee;
- Regulation 2.4 – Student Discipline Committee;
- Statute 3.9 – Directors.

Council approved the following legislation at its meeting held 15 October 2013:

- Statute 1.1 – Interpretation;
- Regulation 2.2 – Appeals Committee;
- Statute 2.4 – Student Discipline Committee;
- Regulation 2.4 – Student Discipline Committee;
- Statute 3.9 – Directors.

The Minister for Higher Education and Skills approved the amendments to the following Statutes on 24 January 2014:

- Statute 1.1 – Interpretation
- Statute 2.4 – Student Discipline Committee
- Statute 3.9 – Directors

Academic Board (AB8/13) approved and recommended to Council Executive Committee for approval, the following legislation at its meeting held 4 December 2013:

- Statute 5.1 – Awards and Programs
- Regulation 5.3 – Assessment
- Statute 5.4 – Exclusion for Reasons of Unfitness
- Statute 5.5 – Unsatisfactory Progress
- Regulation 6.1.1 – Plagiarism

5. Specific items for discussion –

5.1 Regulation 5.3 - Assessment

This Regulation has been amended to allow Deans to delegate the power to hear grade appeals.

Mr Tinetti reported the changes had been drafted due to the large volume of appeals received by the Faculties. The changes had been requested as part of the consultation process for the Student Appeal Policy and Procedure. Discussion was held and the following points raised:

- in section 2 the wording needs to be amended to include the wording “nominate a senior educator or level C academic”;
- in section 4(2)(d) the wording for the appropriate time for the investigation needs to be clearer;
- it needs to remain that the Dean is aware of every appeal; and
- further to section 4(4), the Student Appeal Procedure (which sits under the Regulation) should include wording to inform the student he/she may have an appropriate representative from the Student Advisory Service to accompany them to a hearing.

The Committee agreed to the above minor changes being made to the Regulation and the revised Regulation would then be circulated to members for approval prior to submission to Academic Board.

Recommendation

The Legislation Committee approves and recommends to Academic Board for approval the amendments to Regulation 5.3 – Assessment, subject to minor amendments being made, as discussed by the Committee.

5.2 Statute 10.1 – Ballarat Technology Park

The Committee noted this Statute has been amended as follows:

- the former Board of Management for the Ballarat Technology Park is now the University's Business Asset Review Committee; and
- it is the Technology Park Director's responsibility to manage the Park and maintain a financial statement of the Park's operations.

The Committee further noted the amendments had been approved by Mal Vallance, Pro Vice-Chancellor (Business Asset Strategy) and also circulated to the members of the Business Asset Review Committee for comment.

Mr Tinetti reported that this Statute had not been reviewed since 1995.

Discussion was held and the following points raised:

- currently the Gippsland Enterprise Centre is not mentioned in any of our legislation, this Committee may need to look at developing a Statute for this Centre;
- in section 6(2) change the wording "any powers necessary" to "those powers necessary"; and
- sections 4(3) and (4) should be deleted and included in the Terms of Reference for the Business Asset Review Committee.

The Committee agreed to the minor amendments being made.

Recommendation

The Legislation Committee approves and recommends to Council Executive Committee for approval the amendments to Statute 10.1 – Ballarat Technology Park.

6. General Business

Nil.

7. Next Meeting

The Committee noted the next meeting of the Legislation Committee will be held on **Thursday, 23 October 2014** in the **VCO Meeting Room, Mt Helen Campus** at **10:00 am**.

The meeting concluded at 10.20 am