CURTIN UNIVERSITY

ACADEMIC BOARD CONSTITUTION RULES 2019

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CURTIN UNIVERSITY

ACADEMIC BOARD CONSTITUTION RULES 2019

These Rules are made by the Council of the University under the powers conferred on it by section 6 of *Statute No. 21 – Academic Board* and in accordance with section 34 of the *Curtin University Act 1966*.

Part 1 - Preliminary

1.1 Citation

These Rules, made under Statute No. 21, are the *Academic Board Constitution Rules 2019*.

1.2 Commencement

These Rules take effect –

(a) when they are promulgated in accordance with *Statute No. 3 – Rules and By-laws*; or

(b) on the commencement of Statute No. 21,

whichever is the later.

1.3 Terms used

(1) In these Rules, unless the contrary intention appears -

Academic Board or ***Board*** means the Academic Board of the University established under the Former Statute;

Academic Board Executive means the Academic Board Executive, continued as a committee of the Academic Board under rule 2.5;

Act means the *Curtin University Act 1966*;

Chair means the Chair of the Academic Board;

Collaborative Awards means University degree programs that are delivered in collaboration with other higher education institutions;

Council means the Council of the University;

Course Components means macro curriculum structures such as majors and specialisations;

Deputy Chair means the Deputy Chair of the Academic Board;

Enabling Plan means a plan or other process by which the University operationalises its Strategic Plan;

Former Statute means *Statute No. 21 – Academic Board* published in the *Government Gazette* on 29 November 2005;

Global Academic Activities means the University's academic activities in countries outside Australia which includes –

(a) the establishment of international institutional links for academic cooperation in learning, teaching and research;

(b) student and staff exchanges; and

(c) collaborative education services;

Research means –

(a) research;

(b) research training;

(c) management and protection of intellectual property relating to research; and

(d) commercialisation of research;

Statute No. 21 means *Statute No. 21 – Academic Board*, replacing the Former Statute;

Strategic Plan means the University's strategic plan or other process informing its high-level strategies, initiatives and key performance indicators, measures and targets;

Student Experience means all aspects of student life from the first point of engagement with the University and extending beyond graduation; and

Student Services includes -

(a) the provision of services to or for students with respect to admission, enrolment, recognition of prior learning, advanced standing, credit transfer, orientation, engagement, attrition, retention, progression, discipline and graduation;

(b) student support;

(c) communication with students;

(d) the awarding of student scholarships, grants and prizes; and

(e) equity and pastoral care for students.

(2) Unless otherwise defined in rule 1.3(1), a term used in these Rules has the meaning given in the Act, Statute No. 21 or *Statute No. 2 – Interpretation*.

1.4 Interpretation

In these Rules –

(a) a reference to a document or process is to that document or process, as amended or replaced, and in force from time to time; and

(b) a reference to 'includes' means includes without limitation.

1.5 Revocation

Rule No. 1 Made Pursuant to Statute No. 21 – Academic Board Constitution, promulgated on 16 May 2016, is revoked.

Part 2 - Functions

2.1 General function of the Academic Board

(1) The general function of the Academic Board as a committee of the Council, is to be responsible to the Council for helping to ensure that the academic quality, integrity and standards of the University's operations as an academic institution align with the Higher Education Standards Framework.

2.2 Specific functions of the Academic Board

(1) Among the specific functions of the Academic Board, in performing its general function, are -

(a) *Strategy*

to provide advice to the Council on the Strategic Plan;

(b) *Quality, integrity and standards*

(i) to approve University policies relating to quality, integrity and standards in the University's academic activities;

(ii) to monitor quality, integrity and standards in the University's academic activities including processes such as course reviews, school and global campus reviews, professional accreditation and benchmarking;

(iii) to monitor compliance with University policies, as they relate to academic activities;

(iv) to monitor risk in relation to academic quality, integrity and standards; and

(v) to provide assurance to the Council whether the Academic Board has fulfilled its responsibilities to ensure the academic quality, integrity and standards of the University as an academic institution are satisfied;

(c) *Courses*

(i) to approve -

(I) University policies relating to courses;

(II) proposed new courses, course reactivations and deactivations;

(III) proposed Course Components and changes to courses and Course Components that would -

(A) involve Collaborative Awards;

(B) be taught in a language other than English; or

(C) vary from the use of standard Australian Qualifications Framework terminology or standard course durations;

(ii) to provide advice and recommendations to the Council on -

(I) major new educational activities; and

(II) the initiation of major changes to the field of the University's educational activities;

(iii) to monitor -

(I) the University's profile of courses and identification of potential new course areas; and

(II) the quality of all courses;

(d) *Learning and Student Experience*

(i) to approve University policies relating to -

(I) learning and teaching; and

(II) Student Services and the Student Experience;

(ii) to approve the academic calendar;

(iii) to provide advice and recommendations to the Vice-Chancellor, in respect of an Enabling Plan, in relation to learning, teaching and the Student Experience;

(iv) to monitor progress in implementing an Enabling Plan in relation to learning, teaching and the Student Experience;

(v) to monitor the learning and teaching performance of all schools and faculties; and

(vi) to monitor the quality of Student Services and the Student Experience;

(e) *Research*

(i) to approve University policies that are related to Research;

(ii) to provide advice and recommendations to the Vice-Chancellor on-

(I) an Enabling Plan in relation to Research;

(II) policies that are related to Research; and

(III) the establishment and discontinuation of University research institutes and centres, and externally funded research institutes and centres;

(iii) to monitor -

(I) progress in implementing an Enabling Plan in relation to Research;

(II) the University's Research profile;

(III) the Research performance of institutes, centres, faculties and schools; and

(IV) the quality of higher degrees by research and coursework doctorates; and

(iv) reviewing the performance of University research institutes and centres and externally funded research institutes and centres;

(f) *Global Positioning*

(i) to approve University policies relating to Global Academic Activities;

(ii) to provide quality assurance of the University's Global Academic Activities;

(iii) to provide advice and recommendations to the Vice-Chancellor on an Enabling Plan in relation to global positioning; and

(iv) to monitor -

(I) progress in implementing an Enabling Plan in relation to global positioning; and

(II) the University's Global Academic Activities; and

(g) *Issues that support the academic enterprise*

to provide advice and recommendations to the Vice-Chancellor on policies that support the academic enterprise.

(2) The Academic Board is to exercise any other functions that may be delegated to it by the Council or the Vice-Chancellor.

(3) The Academic Board may amend or revoke the approval of a nomination for a deputy under rule 3.2(2).

2.3 Functions of the Chair

(1) The functions of the Chair are -

(a) to chair meetings of the Academic Board and the Academic Board Executive;

(b) to ensure the effective and efficient operation of the Academic Board;

(c) to provide written and oral reports to the Council on the Academic Board's activities and advice;

(d) to serve as a member of other committees and working parties from time to time;

(e) to advise and support the Vice-Chancellor as the principal academic officer of the University;

(f) subject to rule 2.3(2) and to any Council resolution to the contrary, to exercise -

(i) any of the specific functions listed in rule 2.2 that is exercisable by the Academic Board; and

(ii) any other function that is exercisable by the Academic Board;

(g) to exercise any function that may be delegated to the Chair by the Council or the Vice-Chancellor; and

(h) to undertake such other functions, within the scope of the Academic Board's general function, as may be determined by the Council or the Academic Board.

(2) The exercise by the Chair of a function under rule 2.3(1)(f) is subject to the conditions that -

(a) it is to be exercised by the Chair only when it is not possible or practicable for the Academic Board or the Academic Board Executive to exercise the function in a particular case; and

(b) any exercise of the function by the Chair must be reported as soon as practicable by the Chair to the Academic Board.

2.4 Functions of the Deputy Chair

(1) The Deputy Chair is to perform the functions of the Chair, including presiding at meetings of the Academic Board, in the absence of the Chair.

(2) The Deputy Chair is also to perform any functions assigned to them by the Academic Board or the Chair.

2.5 Functions of the Academic Board Executive

(1) The Academic Board Executive continues as a committee of the Academic Board.

(2) The Academic Board is to determine, subject to these Rules, the membership, functions and procedures of the Academic Board Executive.

(3) The Academic Board Executive is responsible for assisting the Academic Board in performing its functions by -

(a) planning the annual work plan for the Academic Board and those of its committees, including the topics for forums and monitoring meetings;

(b) approving the agendas for meetings of the Academic Board;

(c) exercising, subject to rule 2.5(4) and any Council resolution to the contrary -

(i) any of the specific functions listed in rule 2.2 that are exercisable by the Academic Board; and

(ii) any other function that is exercisable by the Academic Board; and

(d) exercising any other function that may be delegated to the Academic Board Executive by the Council.

(4) The exercise by the Academic Board Executive of a function under rule 2.5(3)(c) is subject to the conditions that -

(a) it is to be exercised by the Academic Board Executive only where -

(i) it is not possible or practicable for the Academic Board itself to exercise the function in a particular case; or

(ii) in the opinion of the Chair, it is otherwise considered appropriate to facilitate the timely and proper achievement of the Academic Board's functions; and

(b) any exercise of the function by the Academic Board Executive must be reported as soon as practicable by the Academic Board Executive to the Academic Board.

Part 3 - Membership

3.1 Membership

(1) The Academic Board is to comprise the following *ex officio*, elected or co-opted members -

(a) the Chair (elected in accordance with rule 3.3(1));

(b) the Vice-Chancellor, *ex officio*;

(c) the Provost and the Deputy Vice-Chancellors, *ex officio*;

(d) the Pro Vice-Chancellors, *ex officio*;

(e) the University Librarian, *ex officio*;

(f) the Chief Information Officer, *ex officio*;

(g) the Director, Centre for Aboriginal Studies, *ex officio*;

(h) the Chairs of all Academic Board committees, *ex officio* if they are not already members of the Academic Board in another membership category;

(i) the Academic Registrar, *ex officio*;

(j) the person who is the member of the academic staff on the Council (elected under section 9(1)(c) of the Act), *ex officio*;

(k) 4 members of the academic staff of each Faculty located in Western Australia being -

(i) one Professor elected by the Professors in the Faculty;

(ii) one Head of School or Deputy Head of School elected by the Heads of School in the Faculty; and

(iii) 2 other members of the academic staff elected by the continuing or fixed-term academic staff within the Faculty;

(l) the President of the Curtin Student Guild, *ex officio*;

(m) the Education Vice-President of the Curtin Student Guild, *ex officio*;

(n) the President of the Curtin University Postgraduate Student Committee, *ex officio;*

(o) the President of the Curtin International Students Committee, *ex officio; and*

(p) up to 2 additional co-opted members appointed by the Academic Board having regard, where possible, to gender balance, diversity and disciplinary expertise.

(2) A member of the Academic Board holds office subject to, and in accordance with, this Constitution.

3.2 Deputies

(1) In this clause, ***deputy*** means –

(a) the deputy of an *ex officio* member of the Academic Board –

(i) whose nomination has been approved under rule 3.2(2); and

(ii) who is not ineligible to be a deputy under rule 3.2(4); and

(b) the deputy of an elected member of the Academic Board–

(i) who has been elected under rule 3.3(4); and

(ii) who is not ineligible to be a deputy under rule 3.2(4).

(2) Subject to rule 2.2(3), the Chair may approve the nomination, by an *ex officio* member, of a person to be the deputy of the *ex officio* member.

(3) A Board member is to ensure that the required nomination details for a deputy are provided in writing to the Chair prior to commencement of the Academic Board meeting which the member is unable to attend.

(4) A person is not eligible to be approved or elected as a deputy or to remain a deputy, if they are a current member of the Academic Board.

(5) A deputy may act temporarily in place of the Board member for whom they were approved or elected as a deputy on any occasion on which, or during any period in which, the Board member is unable to perform the functions of the position.

(6) For example, if a Board member is unable to attend a Board meeting, their deputy –

(a) may attend the meeting in place of the member; and

(b) in respect of that meeting may exercise the rights and is subject to the responsibilities, of the member.

(7) A deputy of a Board member holds office subject to, and in accordance with, this Constitution.

3.3 Elections

(1) Chair

Subject to rule 3.4, the Chair is to be elected by the Academic Board from among its members elected under rule 3.1(1)(a), (j) or (k).

(2) Deputy Chair

The Academic Board is to elect one of its members to be Deputy Chair.

(3) Academic staff members

In relation to a member elected under rule 3.1(1)(k), a member of the academic staff may nominate themselves for election, provided that they hold the specified qualifications for office.

(4) Election of deputies for elected members

An election for a member under rule 3.1(1)(k) is also to include an election for a deputy of that member.

(5) Returning Officer

The Vice-Chancellor is to appoint a person to be the Returning Officer for elections conducted under this rule 3.3.

(6) Conduct of elections

Elections are to be conducted in accordance with sound electoral practices and may be conducted electronically.

3.4 Terms of office

(1) This rule applies to -

(a) members who are not *ex officio* members; and

(b) the Chair.

(2) The term of office of -

(a) the Chair;

(b) the Deputy Chair; and

(c) each of the members elected under rule 3.1(1)(k),

is to be for up to 2 years commencing on 1 April and concluding on 31 March.

(3) The term of office of a member co-opted under rule 3.1(1)(p) is not to exceed 1 year.

(4) A member (other than a co-opted member) may serve consecutive terms provided that -

(a) they continue to hold the specified qualifications for office; and

(b) subject to rule 3.4(5), they serve no more than 3 successive terms.

(5) A member who is the Chair of the Academic Board during their third consecutive term of office may serve a 4th consecutive term on the Academic Board.

3.5 Casual vacancies in elected positions

(1) For the purposes of this rule, a '**casual vacancy**' occurs where an elected member -

(a) is elected as Chair under rule 3.3(1);

(b) resigns, retires or becomes ineligible to remain in the position (for example, as a result of a change in appointment, or employment conditions); or

(c) is absent without leave for 3 consecutive Academic Board meetings.

(2) If a casual vacancy occurs less than 6 months before the conclusion of what would otherwise have been the term of office, the Academic Board may either -

(a) appoint an appropriately qualified person to the position; or

(b) take no action to enable the position to be filled.

(3) If the vacancy occurs more than 6 months before the conclusion of what would otherwise have been the term of office (**Unexpired Term**), an election for the vacant position is to be held and the successful candidate is to fill the position for the remainder of the Unexpired Term.

Part 4 - Meetings

Note: The *Council Standing Orders 2007* apply to meetings of the Academic Board.

4.1 Meeting schedule

The Academic Board is to meet at least 4 times in each calendar year.

4.2 Chairing of a meeting in absence of Chair and Deputy Chair

(1) Where sufficient advance notice is given of the intended absence of both the Chair and Deputy Chair at a scheduled meeting of the Academic Board, the Academic Board Executive is to appoint another member of the Academic Board Executive to chair the meeting.

(2) If an appointment is not made by the Academic Board Executive under rule 4.2(1), the Academic Board is to elect one of its members who is present to chair the meeting.

4.3 Quorum

The quorum for a meeting of the Academic Board is to be not less than one half of the total number of members excluding -

(a) any vacancy in the membership of the Board; and

(b) any member who has an approved leave of absence and in respect of whom a deputy has not been elected or approved under rule 3.2.

4.4 Attendance by others

The Academic Board may invite any other officer of the University, or any other person, to attend for a specified item of a meeting or to attend a specified meeting, to assist the Academic Board in its deliberations.

4.5 Attendance of observer

(1) The Academic Board may permit the attendance of an observer, whether from within the University or from an external organisation, at any of its meetings.

(2) Unless the Chair of the Academic Board determines otherwise, an observer does not have the right to participate in a meeting of the Academic Board.

Part 5 - General

5.1 Establishment of committees

(1) The Academic Board may establish one or more committees to assist it in the performance of its functions.

(2) The Academic Board is to review the constitution of each committee annually to consider whether the committee should continue and, if so, whether any changes are required to the functions, membership or methods of operation of the committee.

5.2 Establishment of working parties

(1) The Academic Board may set up working parties to undertake particular tasks in relation to a nominated activity. The composition of a working party may include persons other than members of the Academic Board, and may include persons who are external to the University.

(2) A working party's role is advisory.

5.3 Academic Board forums

The Academic Board may conduct Academic Board forums on issues considered by the Board to be topical and of particular importance to the University.

Note: Academic Board forums are the principal way in which the Academic Board involves the entire University community in the expression of opinions and the conveyance of views to the management and the Council.

5.4 Reporting

The Academic Board is to report to the Council by way of its minutes and at such other times and in such other forms as requested by the Council.

5.5 Review of performance

The Academic Board is responsible for annually reviewing -

(a) its own performance, and advising the Council on the outcome of this review;

(b) the performance of its members; and

(c) the performance of its committees.

5.6 Servicing

The Director, Secretariat and Council Secretary is to appoint an Academic Board Secretary with responsibility for the secretariat support of the Academic Board and the Academic Board Executive.

The Common Seal of **CURTIN UNIVERSITY**)
was affixed on the 12 day of December 2019)
by the authority of the Vice-Chancellor)

Vice-Chancellor

Lisa Forster
Administrative Secretary

REVISION HISTORY

Revision Ref No	Approved/ Rescinded	Date	Committee/ Board	Resolution Number	Document Reference
Academic Senate Rules	Approved	18/10/2000	Council	C 118/00	Document No UAB 62/00
Constitution	Approved	8/12/2004	Council	C 120/04	Document No C 122/04
		14/12/2005			Editorial amendments authorised by Gem Cheong
Constitution	Approved	17/05/2006	Council	C 65/06	Document No 00497/06
Constitution	Approved	12/12/2007	Council	C 163/07	Document No 01340/07
		12/02/2008			Format amended
Constitution	Approved	18/03/2009	Council	C 42/09	Document No 00257/09
Constitution	Approved	16/03/2011	Council	C 25/11	Attachment 3 to Document No 00314/11
Constitution	Approved	14/05/2014	Council	C 70/14	Document No 00383/14
Constitution	Approved	17/02/2016	Council	C 20/16	Appendix 1 to Item 9.2.1
	Promulgated	24/05/2016			Posted on Administration Building Notice Board
Constitution	Replacement	16/10/2019	Council	C 147/19	Repeal the existing Constitution and approve the replacement Attachment B to Item 8.5.2
	Promulgated	31/10/2019			Published on Curtin Policies website
Constitution	Amended	2/12/2019	Council	C 182/19	Repeal the existing Constitution and approve the revised Attachment B to Item 8.5.2
	Promulgated	19/12/2019			Published on Curtin Policies website